

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIRST CONVENTION DAY, November 8, 1955

The Alaska Constitutional Convention was called to order by B. Frank Heintzleman, Governor of Alaska, at 10 a.m.

Invocation was given by ^{the} Rev. Roy Ahmoagak.

Mr. ~~Robert J.~~ McNealy, ~~Delegate from the Fourth Division,~~ offered the following resolution:

"RESOLVED, that the reading of the certificate of election of the respective Delegates, be dispensed with and that the certificate of the Secretary of Alaska as to their election be accepted in lieu thereof.

"FURTHER RESOLVED, that each Delegate who has answered the roll call and whose name appears on the certificate of the Secretary of Alaska take and subscribe an oath or affirmation of office to be administered by the Honorable Vernon D. Forbes, Judge of the United States District Court of Alaska, Fourth Division, and that each Delegate so sworn shall be deemed to have been duly seated."

and asked unanimous consent. Without objection, it was so ordered.

Governor Heintzleman appointed John B. Hall, Clerk of the District Court, to act as Temporary Secretary of the Convention.

Secretary Hall called the roll of Delegates which showed 53 present and 2 absent -- Frank Barr and Frank Peratrovich being absent.

The Oath of Office was administered by Judge Vernon D. Forbes.

Governor Heintzleman addressed the Convention.

Addresses of Welcome were given by Dr. Ernest N. Patty on behalf of the University of Alaska, by Mr. Kenneth Carson on behalf of the Associated Students of the University of Alaska and by Douglas G. Preston, Mayor of Fairbanks.

Governor Heintzleman called for nominations for Temporary Chairman of the Convention.

Mr. Victor Rivers nominated Mrs. ~~Mildred R.~~ Hermann.

Mr. ~~John H.~~ Rosswog nominated Mr. ~~William~~ Egan.

Mr. ~~John S.~~ Hellenthal offered the following resolution:

"RESOLVED, that the Convention choose a temporary President by a vote of 28 Delegates, by call of the roll, each Delegate ~~rising in his place~~ as his name is called and stating his choice."

Mr. Ralph Rivers moved that the nominations be closed and asked unanimous consent. There being no objection, it was so ordered.

The roll was called with the following result:

Hermann: 30 - Armstrong, Awes, Boswell, Coghill, Collins, Cooper, Cross, Gray, Hilscher, Johnson, King, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nolan, Reader, Riley, Victor Rivers, Robertson, Stewart, Smith, Sundborg, Taylor, White, Wien.

Egan: 22 - Buckalew, Davis, Doogan, Egan, Emberg, Helen Fischer, Victor Fischer, Harris, Hellenthal, Hinckel, Hurley, Kilcher, Knight, Laws, Metcalf, Nordale, Poulsen, Ralph J. Rivers, Rosswog, Sweeney, VanderLeest, Walsh.

Absent: 2 - Barr, Peratrovich

Not Voting: 1 - Hermann

And so Mrs. Hermann was elected.

Mr. Egan moved and asked unanimous consent that the record show that a unanimous ballot was cast for Mrs. Hermann. There being no objection, it was so ordered.

Governor Heintzleman asked that Mr. Hall continue in the capacity of Temporary Secretary.

Mr. Knight moved and asked unanimous consent that Mr. Hall continue to act as Secretary. There being no objection, it was so ordered.

Governor Heintzleman appointed ^{Mr.}~~E. B.~~ Collins, ^{Mr.}~~R. Rolland~~ Armstrong and ^{Mr.}~~W. W.~~ Laws to escort the Temporary Chairman to the Chair.

Mrs. Hermann introduced Delegate Bartlett who spoke on "Meeting the Challenge".

Former Governor Ernest Gruening was introduced and was given a standing ovation and gave a brief address.

Mr. Robert B. Atwood, Chairman of the Alaska Statehood Committee, then addressed the delegates.

Mr. Davis moved for the adoption of the following resolution:

"RESOLVED, that the temporary President appoint a temporary Committee on Rules of nine Delegates, who shall promptly prepare and report to the Convention its recommendations for temporary rules for the Convention, including special rules for the election of permanent officers of the Convention."

Mr. Taylor seconded. Mr. Ralph Rivers asked unanimous consent. There being no objection, it was so ordered.

The Temporary President announced she would need more time to consider the appointment of the Rules Committee.

Mr. Hilscher moved and asked unanimous consent for the adoption of the following resolution:

"RESOLVED, that the Convention hereby expresses its appreciation of the facilities made available by the University of Alaska."

There being no objection, it was so ordered.

Mr. Johnson moved for the adoption of the following resolution:

"RESOLVED, that in order to facilitate the recording of these proceedings, no Delegate speak unless he or she is recognized by name by the Chairman, and no Delegate speak unless he or she does so from a microphone."

Mr. Kilcher objected. The motion died for lack of a second.

Mr. Riley moved and asked unanimous consent that the Convention recess until 3 o'clock.

Mr. Rivers amended the motion to read 2 o'clock. Mr. Riley accepted the amendment. There being no objection, it was so ordered.

AFTER RECESS

Temporary President Hermann called the convention to order at 2:15 p.m.

Mrs. Hermann announced the following Committee on Rules: ^{M.} Riley, Chairman; ^{M.} Sundborg, ^{M.} Walsh, ^{M.} McNees, ^{M.} McCutcheon, ^{M.} Davis, ^{M.} Nerland, ^{M.} Ralph Rivers, ^{M.} Awes.

Mr. V. Rivers moved and asked unanimous consent that the bus service be chartered on Wednesday and that permanent arrangements be made after the Convention is organized.

Mr. Taylor objected.

After discussion, Mr. Taylor withdrew his objection. There being no further objection, the motion was adopted.

Mr. Sundborg moved and asked unanimous consent that the Convention invite former Governor Gruening to address the delegates at 10:00 o'clock Wednesday morning. There being no objection, it was so ordered.

Mr. Riley announced a meeting of the Rules Committee on adjournment.

Mr. Taylor moved adjournment until 10:00 o'clock Wednesday morning. Mr. Ralph Rivers seconded and asked for unanimous consent. There being no objection, it was so ordered.

John B. Hall
Temporary Secretary

Attested:

Mildred Hermann
Temporary President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SECOND CONVENTION DAY, November 9, 1955

Temporary President ~~Mildred~~ Hermann called the Convention to order at 10:00 A.M. for the Special Order of Business set by the Convention--the keynote address of former Governor of Alaska, Ernest Gruening.

Roll call showed all delegates present except Mr. Peratrovich.

Mr. Hellenthal, Mr. Sundborg and Mrs. Nordale were appointed to escort the speaker to the rostrum.

Mr. Londborg gave the invocation.

Following the address of Governor Gruening, the Temporary President declared a ten minute recess.

AFTER RECESS

Mr. Hellenthal moved and asked unanimous consent that for temporary rules the convention adopt Robert's Rules of Order, Revised, unless otherwise specifically provided by the Convention, and until permanent rules are drawn up and adopted.

Mr. Johnson objected. After discussion Mr. Johnson withdrew his objection and the motion was ordered adopted.

Mr. McNealy moved and asked unanimous consent that for expediency the reading of the minutes of the previous day's session be dispensed with. There being no objection, it was so ordered.

Mr. Riley, Chairman of the temporary committee on Rules presented the following report:

"President pro-tem
Alaska Constitutional Convention

Your temporary Committee on Rules, acting pursuant to Convention resolution, submits for consideration of the Convention the following temporary rules, including special rules for the election of permanent officers of the convention.

Chapter I - Convention Officers

Rule 1.

The officers of the Convention shall be a President, a Vice President, and a Secretary; the President and Vice President

to be elected from the Delegates by the vote of at least 28 delegates.

Rule 2.

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

Chapter II - Method of Nomination and Election of Elective Officers .

Rule 3.

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.

Rule 4.

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.

Rule 5.

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.

Rule 6.

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

Rule 7.

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

Chapter III - General

Rule 8.

Except as hereinabove provided, the conduct of the Convention shall, pending its adoption of permanent rules, be governed by Robert's Rules of Order.

RECOMMENDATIONS:

Your temporary committee on Rules, in addition to the proposals above submitted, recommends to the Convention that the draft of proposed Rules suggested by the Alaska Statehood Committee and the Public Administration Service be mimeographed in order to provide each delegate with a copy for consideration pending report of the Permanent Rules Committee.

We recommend further that the Convention by resolution direct the appointment of a 9-member Rules Committee to prepare and submit proposed permanent rules.

signed - Burke Riley, Chairman
M. J. Walsh
Edward V. Davis
Ralph J. Rivers
Dorothy J. Awes
Leslie Nerland
George Sundborg
Steve McCutcheon
John McNeas "

Mr. Victor Rivers moved that the Rules Committee report be adopted with the exception of Rule #8 which had already been adopted.

Mr. McLaughlin objected to Rule #8.

Mr. Nolan moved and asked unanimous consent that consideration of the report of the Rules Committee be deferred until copies were made available to all delegates. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that following announcements the Convention recess until 2:00 o'clock.

Mr. Sundborg moved to amend Mr. White's motion to read "recess until 1:30 o'clock". Mr. Kilcher seconded. On voice vote the motion carried and the Convention recessed until 1:30 o'clock p.m.

AFTER RECESS

Mr. Riley asked unanimous consent that the report of the Temporary Rules Committee be adopted. Mr. Johnson objected to unanimous consent. Mr. Sundborg moved that the report of the Temporary Rules Committee be adopted. Mr. White seconded.

Mr. Johnson moved to amend Rule No. 5 by striking the colon after the word "votes" on the third line and inserting a period and striking

the balance of the paragraph. Mr. Robertson seconded. By voice vote the amendment failed ~~to be adopted.~~

Mr. Buckalew moved to amend Rule 11 by striking "secret ballot" on the first line and inserting "voice vote" and inserting the words "balloting", "ballots" and "ballot" wherever they appeared to "voice votes" and "votes". Mr. Egan suggested the amendment should read "roll call" instead of "voice" vote. Amendment lost for lack of a second.

Mr. McNealy moved to amend Rule 12 by striking the word "not". Mr. Taylor seconded.

Mr. Egan moved and asked unanimous consent for a two-minute recess. Mr. V. Rivers objected. Mrs. Sweeney moved. Mr. Fischer seconded. On voice vote motion carried.

the AFTER RECESS

Mr. McNealy moved and asked unanimous consent that with the consent of his second he be permitted to withdraw his amendment. Mr. Taylor consented and without objection the amendment was withdrawn.

Mr. Smith moved to amend Rule 12 by striking "shall not" and inserting in lieu thereof the words "may or may not". Mr. Nolan seconded. Mr. Taylor moved to amend the amendment to read "need not". Mr. Smith accepted the amendment. On voice vote the amended amendment was adopted.

Mr. Taylor moved to amend Rule 11 by striking the article "a" in the first line and inserting "three" and make vice-president plural. Mr. McNealy seconded.

Mr. Collins moved to amend Mr. Taylor's motion to read "first, second and third". Mr. Taylor accepted Mr. Collins' amendment. Mr. Fischer objected to a series of vice presidents.

Mr. Smith requested a roll call vote on Mr. Taylor's amendment. There being no objection, it was so ordered.

The question being, "Shall Rule 11 be amended by striking 'a' and inserting 'first, second and third' before Vice President and making plural cut of Vice President?" the roll was called with the following result:

- Ayes: 25 - Armstrong, Barr, Coghill, Collins, Cooper, Doogan, Egan, Emberg, H. Fischer, Hellenthal, Hermann, Hilscher, Johnson, Knight, Lee, Londborg, McNealy, Marston, Nolan, Robertson, Rosswog, Smith, Taylor, VanderLeest, Wien

Nays: 29 - Awes, Boswell, Buckalew, Cross, Davis, V. Fischer, Gray, Harris, Hinckel, Hurley, Kilcher, King, Laws, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Stewart, Sundborg, Sweeney, Walsh, White

Absent: 1 - Peratrovich

and so the amendments failed

Mr. R. Rivers moved to amend Rule #1 by changing the article "a" to "first and second" and asked unanimous consent. Mr. Fischer objected. Mr. Rivers moved. Mr. Sundborg seconded. On voice vote the amendment was adopted.

Mr. McCutcheon moved the previous question. Mr. Sundborg seconded, the question being, "Shall the temporary rules be adopted?" On voice vote the rules were adopted.

Mr. Riley moved and asked unanimous consent for the adoption of the recommendations of the Rules Committee. Mr. Taylor objected temporarily. Mr. McCutcheon seconded. Mr. Taylor withdrew his objection. There being no further objection the recommendations were adopted.

The Temporary President called for nominations for the office of President.

Mr. Robertson nominated Mr. Collins. Mr. McCutcheon nominated Mr. Victor Rivers. Mr. Rosswog nominated Mr. Egan. Mr. Marston nominated Mr. Ralph Rivers. Mr. Marston moved that nominations be closed. Mr. Barr objected. Mr. Buckalew seconded. On voice vote the nominations were closed.

Miss Awes and Mr. King were appointed tellers.

The following is the result of the first ballot: Collins - 11, V. Rivers - 17, Egan - 18, R. Rivers - 8; 54 votes cast.

On the second ballot the following votes were cast: Collins - 8, V. Rivers - 17, Egan - 24, R. Rivers - 4; 53 votes cast.

According to the Rules adopted Mr. R. Rivers' name was dropped. Prior to this announcement Mr. R. Rivers withdrew his name from consideration.

The following is the result of ^{the} third ballot: Collins - 7, Egan - 28, V. Rivers - 15; 50 votes cast.

The Temporary President announced the election of Mr. Egan as permanent President of the Convention.

Mrs. Hermann appointed Mr. Gray, Mr. Smith and Mr. Riley to escort President Egan to the rostrum.

President Egan asked Mr. Gray, Mr. Smith and Mr. Riley to escort Mrs. Hermann to her chair.

Mr. Davis moved that the Convention give a vote of thanks to Mrs. Hermann for her fair and able handling of the office of Temporary President. Mr. Johnson asked unanimous consent. Mr. Walsh moved to

amend Mr. Davis' motion to read "rising vote of thanks". Mr. Davis accepted the amendment. There being no objection, it was so ordered and Mrs. Hermann was given a rising vote of thanks.

Mr. Smith asked whether it would be appropriate at this time to adopt the Constitution of the United States. Mr. Barr stated this would be in order later.

The President called for nominations for First Vice-President.

Mr. Mrs. Sweeney nominated Mr. Nolan. Mr. Sundborg nominated Mr. Peratrovich. Mr. Metcalf nominated Mrs. Hermann. Mr. McNees nominated *Mr. J.* Walsh. Mr. Taylor nominated Mr. Davis. Mr. Davis declined. Mr. Coghill moved that the nominations be closed. Mr. Buckalew seconded. On voice vote the motion carried.

The President asked Miss Awes and Mr. King to continue as tellers.

The following is the result of the first ballot: Mrs. Hermann - 10, Walsh - 10, Peratrovich - 18, Nolan - 15; 53 votes cast.

Mr. McNealy moved and asked unanimous consent for two-minute recess.

AFTER RECESS

After recess, balloting continued and the following is the result of the second ballot: Nolan - 17, Peratrovich - 22, Hermann - 7, Walsh - 7; 53 votes cast.

In accordance with
~~According to~~ the rules adopted, Mrs. Hermann and Mr. Walsh were dropped from consideration. The following is the result of the third ballot: Nolan - 26, Peratrovich - 28; 54 votes cast.

The President announced the election of *Mr.* ~~Frank~~ Peratrovich as First Vice-President.

The President called for nominations for Second Vice-President.

Mr. Fischer nominated Ralph Rivers. Mrs. Sweeney nominated Mr. Nolan. Mr. Barr nominated Victor Rivers. Mr. Victor Rivers declined. Mr. McCutcheon moved that the nominations be closed and asked unanimous consent. There being no objection, it was so ordered.

The following is the result of the first ballot: Nolan - 22, R. Rivers - 32; 54 votes cast.

The President announced the election of Ralph Rivers as Second Vice-President

The President called for nominations for the office of Secretary.

Mr. Sundborg moved and asked unanimous consent for a recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McNealy nominated Katherine Alexander for the office of Secretary. Mr. R. Rivers nominated Tom Stewart.

Mr. Sundborg rose to a point of order regarding the legality of Mr. Stewart serving since he had been a member of the legislature which passed the Act creating the Constitutional Convention.

Mr. V. Rivers moved that the question be referred to the Temporary Rules Committee and asked unanimous consent.

Mr. Riley stated there was no Temporary Rules Committee at the present time.

Mr. Buckalew moved and asked unanimous consent for a ten-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney moved and asked unanimous consent that the President appoint the previous Temporary Rules Committee to act on the question of whether or not Mr. Stewart could serve as Secretary. There being no objection, it was so ordered.

Mr. Riley moved and asked unanimous consent for a ten-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Riley, Chairman of the Temporary Rules Committee reported as follows:

"Your reconstituted Temporary Committee on Rules has considered the problem put to it and has adopted Chapter 46, Session Laws of Alaska, 1955 and Section 11 of the Organic Act as guides. Your Committee recommends that nominations remain open so that the committee can complete its report and present it to the Convention in the morning." Mr. Riley moved and asked unanimous consent for the adoption of the Committee Report. There being no objection, it was so ordered.

Mrs. Hermann was granted Special Privilege of the Floor to read the following poem by Mrs. Sarah von Riesen of Mountain View, Alaska.

"A PRAYER FOR CONVENTION DELEGATES

How many strive for immortality.
How few achieve it!
Yet in history's pages--those remembered
Were merely doing every day

The homely tasks with which they were confronted.
And so let these common people--
Elected by their neighbors, friends and fellowmen,
Remember to be humble, and retain
The Common Touch, and Sense, that makes them great.
So write Alaska's Constitution--
That children yet unborn may bless their memory! "

Mrs. Hermann moved and asked unanimous consent that the poem be spread on the journal of the Convention. There being no objection, it was so ordered.

Mr. White offered the following resolution and moved for its adoption:

"RESOLVED by the Convention that the Chairman appoint a nine member permanent rules committee."

Mr. V. Rivers asked unanimous consent. There being no objection it was so ordered.

Mr. Sundborg moved and asked unanimous consent that the President be authorized to appoint a Committee on Permanent Help without further reference to the Rules Committee. Mrs. Hermann objected. Mr. Davis seconded.

The question being, "Shall the President appoint a Committee on Permanent Help?" the roll was called with the following result:

Yeas: 30 - Armstrong, Barr, Buckalew, Coghill, Cooper, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hinckel, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Poulsen, Rosswog, Stewart, Smith, Sundborg, VanderLeest, Walsh

Nays: 23 - Awes, Boswell, Collins, Cross, Davis, Doogan, H. Fischer, Hermann, Hurley, Johnson, McCutcheon, McNees, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Sweeney, Taylor, White, Wien

Absent: 1 - Peratrovich

Not Voting: 1 - Mr. President

and so the motion carried.

Mr. Hellenthal moved that the bus continue to pick up delegates at 9:00 o'clock and that the convention convene at 9:30 a.m. Mr. Kilcher seconded. On voice vote motion carried.

the

Mr. Sundborg moved that permanent help other than the permanent secretary be hired. Mr. Coghill seconded.

Mrs. Hermann stated that the Statehood Committee had made arrangements for personnel to carry on the work until the Convention was completely organized, *whereupon by unanimous consent and the consent of his second Mr. Sundborg withdrew his motion.*

The President appointed Mr. R. Rivers, Mr. Kilcher and Mr. Coghill to be the nucleus of a permanent help committee.

Mr. V. Rivers moved adjournment until 10 o'clock November 10. Mr. Collins seconded. On voice vote the motion carried. Convention adjourned until 10:00 o'clock November 10.

John B. Hall
Temporary Secretary

Attested:



WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE THIRD CONVENTION DAY, Thursday, November 10, 1955

The Convention was called to order by President Egan at 10:00 o'clock A.M.

Roll-call showed all delegates present except Mr. Peratrovich who was still delayed by weather.

Mr. Johnson moved and asked unanimous consent that the Convention dispense with the reading of the minutes of the previous day's session. There being no objection, it was so ordered.

Mr. McNealy stated that in view of developments since yesterday with regard to nominations for Secretary he was moving and asking unanimous consent that the following motion be adopted: "At the request of Mrs. Alexander I wish to withdraw her name which was placed in nomination by me. However, for the sake of harmony to which this convention is entitled, I ask unanimous consent to edit yesterday's minutes insofar as they concern another nomination wherein reference was made to Mrs. Alexander, in order to strike therefrom all reference which in any way might be construed to reflect adversely upon Mrs. Alexander's ability for the position to which she was nominated." There being no objection, it was so ordered.

Communication from Superintendent of Schools James C. Ryan, extending an invitation on behalf of the Fairbanks Board of Education to the delegates to be present at the dedication of the Austin E. Lathrop High School on Sunday, the 13th of November at 2:00 o'clock, was read.

The President announced the full Permanent Help Committee *as follows:*

Mr. Coghill, Chairman,
Mr. R. Rivers,
Mr. Kilcher,
Mr. H. Fischer,
Mr. Sweeney,
Mr. Hellenthal,
Mr. McNees,
Mr. Laws,
Mr. Knight.

The President announced the following Permanent Rules Committee:

Mr. Riley, Chairman
Mr. Rosswog
Mr. Walsh
Mr. Hermann
Mr. McCutcheon
Mr. Collins
Mr. Sundborg
Mr. R. Rivers
Mr. Davis

Mr. Taylor moved and asked unanimous consent that a committee composed of seven delegates be appointed from the body to act as a Committee on Committees. Mr. Riley and Mr. McLaughlin objected. Motion died for lack of a second.

Mr. Smith nominated ~~George~~ Sundborg as Secretary of the Convention.

Mr. Riley, Chairman of the Temporary Rules Committee, presented the following supplemental report as to the office of Secretary of the Convention: "The Committee has given more considered judgment to the question propounded yesterday afternoon than was possible in the fifteen minutes then available and has found that because the legislature left the option clearly with the Convention to create the offices of President and Secretary, and such other offices as were deemed necessary, Section 11 of the Organic Act does not apply in this situation and any member of the 1955 legislature would be eligible to hold the office of Secretary, as well as the others indicated."

Mr. McCutcheon asked unanimous consent that the nominations be closed. Mrs. Sweeney objected. Mr. McCutcheon ~~moved~~, ~~seconded~~ by Mr. Metcalf. 20

Mr. Sundborg withdrew his name from nomination. Mrs. Sweeney withdrew her objection to the unanimous consent. Mr. Hellenthal objected to unanimous consent.

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

Ayes: 30 - Coghill, Davis, Doogan, H. Fischer, V. Fischer, Hermann, Hilscher, Hurley, King, Knight, Laws, Londborg, McCutcheon, McNeese, Marston, Metcalf, Nerland, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White, Wien

Nays: 24 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Emberg, Gray, Harris, Hellenthal, Hinckel, Johnson, Kilcher, Lee, McLaughlin, McNealy, Nolan, Nordale, Robertson, Smith, Sundborg, Mr. President

Absent: 1 - Peratrovich

and so
The nominations were declared closed.

Mr. McCutcheon asked unanimous consent that the Secretary be instructed to cast a unanimous ballot for Mr. Thomas B. Stewart as Secretary of the Convention. *There being no objection, it was so ordered.*

A rising vote of thanks was given Mr. John B. Hall for serving as Temporary Secretary.

A communication from President Patty, reminding delegates of the reception in honor of the delegates to be held that evening, was read.

Mr. Walsh brought to the attention of the delegates the loss suffered through the passing of Senator Howard Lyng, who had been duly elected from the Nome District to serve as a delegate to the Convention. Mr. Walsh asked unanimous consent that in recognition of the service rendered the Territory by Senator Lyng and out of respect to his memory, the Convention at this time observe one minute of silence. *There being no objection, it was so ordered.*

Mr. Walsh asked unanimous consent for the adoption of the following resolution:

"WHEREAS the grim hand of death has reached into our midst and suddenly removed from us Senator Howard Lyng, of Nome, duly elected delegate to Alaska Constitutional Convention from the 9th District, Second Judicial Division; and

"WHEREAS Senator Lyng rendered distinguished public service to Alaska over the years, both in the House of Representatives and Senate of the Alaska Legislature; and

"WHEREAS Senator Lyng was an early and ardent advocate of statehood for Alaska and represented the Territory on one occasion before Congressional committees in Washington, D. C. pleading the cause of statehood; and

"WHEREAS in the passing of Senator Lyng, Alaska has lost one of its leading statesmen and this Convention has been deprived of his counsel, wisdom and experience.

"NOW, THEREFORE, BE IT RESOLVED that the members of Alaska Constitutional Convention in regular meeting assembled at College, Alaska, do hereby extend their profound sympathy to Senator Lyng's sister, Mrs. A. F. Bullard, the only surviving member of his family, whose address is Box 910, Porterville, California, together with a copy of this Resolution, and that this Resolution be made a part of the permanent record of this Convention."

There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent that the Rules Committee take up first the matter of Committees and report back to the Convention as soon as it had acted on that section. There being no objection, it was so ordered.

Mr. V. Rivers moved that the Convention recess for one-half hour for the Rules Committee and Permanent Help Committee to meet and bring in recommendations. Mr. Johnson seconded. On voice vote the motion carried.

AFTER RECESS

Convention was called to order at 11:50 A.M.

Mr. Riley, Chairman of the Rules Committee moved and asked unanimous consent that the following Rule be adopted:

"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."

Mr. Hellenthal objected. Mr. Riley, moved. Mr. McCutcheon seconded.

Mr. Coghill moved and asked unanimous consent that the following amendment to Rule 12 be adopted: after the word "of" strike "and shall name the Chairman of" and add after "Committees", "and Chairmen should be appointed within the Committee". Mr. Davis objected. Mr. Knight seconded. On voice vote the amendment failed.

Mr. Riley stated that the Rules Committee proposed a resolution that there be established a Committee on Committees to assist and advise the President in appointing various members of the Committees.

The question being "Shall Rule 12 be adopted?", on voice vote Rule 12 was adopted.

Mr. Riley moved and asked unanimous consent that the following Rule be adopted:

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

- a. Committee on Rules, nine members
- b. Committee on Administration, nine members
- c. Committee on Style and Drafting, nine members
- d. Committee on Ordinances, and Transitional Measures, nine members
- e. Committee on Preamble and Bill of Rights, seven members
- f. Committee on Suffrage, Elections, and Apportionment, seven members
- g. Committee on Legislative Branch, seven members
- h. Committee on Executive Branch, seven members
- i. Committee on Judiciary Branch, seven members
- j. Committee on Resources, seven members
- k. Committee on Finance and Taxation, seven members
- l. Committee on Local Government, seven members
- m. Committee on Direct Legislation, Amendment, and Revision, seven members
- n. Committee on Resolutions and Recommendations seven members"

Mr. Smith objected. Mr. McCutcheon seconded. On voice vote Rule 13 was adopted unanimously.

Mr. Riley moved and asked unanimous consent that the following rule be adopted:

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

There being no objection, it was so ordered.

Mr. Riley moved and asked unanimous consent that the following rule be adopted:

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

There being no objection, it was so ordered.

Mr. Riley moved and asked unanimous consent that the following rule be adopted:

"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."

There being no objection, it was so ordered.

Mr. Riley moved and asked unanimous consent that the following rule be adopted:

"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."

Mr. Barr objected. Mr. Barr withdrew his objection and there being no further objections, Rule 17 was adopted.

Mr. Riley moved and asked unanimous consent that the following rule be adopted:

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

There being no objection, it was so ordered.

Mr. Riley moved and asked unanimous consent that the following rule be adopted:

"Rule 19. The deliberations of the Standing Committees shall not be open to the public except upon invitation of the Committee. Each standing Committee shall notify the Secretary of the time and place of meetings, and the Secretary shall make such notice public."

Mr. Hellenthal objected. Mr. Barr seconded.

Mr. Fischer moved to amend Rule 19 as follows: remove the word "not"; change the period after "public" to a comma and add "unless the Committee by two-thirds vote of all the members to which it is entitled votes to hold executive session." Mr. White seconded.

Mr. McNealy moved the previous question. Mr. McNealy asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. McLaughlin moved that the Convention recess until 1:45 *p.m.*

Mr. Taylor moved that the Secretary be authorized, subject to the approval of the Committee on Rules, to arrange for the tape recording of all plenary sessions of the Convention. Mr. McCutcheon

seconded. Mr. Taylor asked that this motion be considered under special order of business at the afternoon session. There being no objection, it was so ordered.

There being no objection to the motion for recess, the Convention recessed until 1:45 p.m.

AFTER RECESS

Mr. Riley asked unanimous consent to withdraw the Committee on Rules' motion to adopt Rule 19. There being no objection, it was so ordered.

Mr. Fischer moved and asked unanimous consent for the adoption of Rule 19, as follows:

"The deliberations of the Standing Committees shall be open to the public at such times as may be designated by the respective committees. If a committee finds it to be in the public interest, upon application any citizen may attend committee sessions. Each Standing Committee shall notify the Secretary of time and place of meetings and the Secretary shall make such notice public."

There being no objection, it was so ordered.

Mr. Riley asked unanimous consent that the Committee on Permanent Help be discharged after completion of its initial duties and that thereafter permanent help be the function of the Committee on Administration. There being no objection, it was so ordered.

Mr. Coghill asked unanimous consent that the Convention revert to reports of committees. There being no objection, it was so ordered. Mr. Coghill submitted the following report of the Committee on Permanent Help:

Mr. Coghill was elected chairman and Mrs. H. Fischer was appointed secretary. The Committee adopted the following resolution:

"No relations of Delegates shall be hired as Convention help, either clerical or administrative."

The Committee recommended that a nucleus of the more important members of the administrative staff be set up with a chief clerk assigned, a sergeant-at-arms, a doorkeeper and a messenger. The Committee recommended the appointment of Mrs. Katherine Alexander as Chief Clerk, the salary to be determined later. The Committee would meet with Mr. Jack McKay and Mr. Tom Stewart to work up a salary schedule and positions to be filled with a salary schedule coming from a survey of local wage schedules.

Mr. Johnson moved the adoption of the Permanent Help Committee report. Mr. V. Rivers objected.

The President declared a short recess.

AFTER RECESS

Mr. Coghill announced that with the consent of the members of the Permanent Help Committee "hereafter" had been inserted in the resolution after the word "hired".

Mr. V. Rivers objected.

Mr. Johnson moved for the adoption of the Committee report. Mr. Hellenthal seconded. The question being "Shall the report of the Committee on Permanent Help be adopted?", on voice vote the motion carried and so the report was adopted.

Mr. McCutcheon moved and asked unanimous consent that the President appoint a Committee on Committees for the purpose of aiding him in the work of selecting members for the standing committees. There being no objection, it was so ordered.

Mr. Hellenthal moved that the Convention hold no plenary session November 11 and observe Veterans Day, a territorial and federal holiday. Mr. V. Rivers seconded and asked unanimous consent. There being no objection, it was so ordered.

Special Order of Business--the motion of Mr. Taylor regarding taping the plenary sessions was announced.

The Secretary was asked to report on estimated costs. The Secretary read a letter from Station KFAR giving estimates.

Mr. McCutcheon asked unanimous consent that the Convention recess for fifteen minutes, call the station manager of KFAR and resolve itself into a Committee of the Whole. There being no objection, it was so ordered.

AFTER RECESS

Mr. Carroza, Station Manager of KFAR being present, the Committee of the Whole met to discuss the costs of tape recording the plenary sessions. **IN COMMITTEE OF THE WHOLE**

The President appointed Mr. Sundborg to preside over the Committee of the Whole.

Mr. Nolan moved that the Committee of the Whole rise and report progress. Mr. Riley seconded. On voice vote the motion carried.

AFTER RECESS

Mr. Sundborg reported the Committee of the Whole met and reported progress.

on Mr. Taylor's motion regarding sound recording
Mr. Hellenthal asked unanimous consent that the question be divided. Mr. Buckalew objected. Mr. Hellenthal moved. Mr. Smith seconded. On voice vote the question was divided.

Mr. McCutcheon asked unanimous consent to move the previous question.

The President explained the effect of Mr. McCutcheon's motion is to close off debate on the main motion. There being no objection, the previous question was ordered.

The question was stated. "Shall the Convention favor the principle of taping the plenary sessions?" *On voice vote, the motion was adopted.*

Mr. Davis suggested the following motion: "That the President appoint a Committee not to exceed five members to contact radio stations, etc., to see what the cost of taping will run and that in the meantime the Convention continue to tape the sessions through Saturday of this week."

Mr. Hellenthal consented to Mr. Davis' revision of the second half of the question. Mr. Davis moved and asked unanimous consent. Mr. V. Rivers objected. Mr. Metcalf seconded. Mr. Rivers withdrew his objection to the unanimous consent request. *for its adoption*

Mr. Davis moved and asked unanimous consent that his motion be amended to refer the matter to the Administration Committee.

Mrs. Hermann objected, stating a special committee was needed.

Mr. Davis withdrew his amendment.

Upon voice vote Mr. Davis' motion carried.

The President announced a ten-minute recess.

AFTER RECESS

The President announced the appointment of the following Select Committee to look into the question of taping the plenary sessions: *M.* Hilscher, Chairman; *M.* Harris; *M.* Nerland; *M.* White, and *M.* Cooper.

Mr. Buckalew asked unanimous consent that the Secretary read a telegram received by the President and that it be placed in the record. There being no objection, it was so ordered.

The telegram was as follows:

"Bill Egan, President
Constitutional Convention

The People in Valdez are very proud of you. Our best wishes and prayers are with you.

Judy Johnson, Secy.
Valdez Chamber of Commerce."

Mr. Hinckel asked unanimous consent that the Convention adopt a policy to convene at 9 o'clock each morning. Mrs. Hermann objected. Mr. Hinckel moved. Mr. Poulsen seconded. Mr. Sundborg moved to amend the motion to read 9:30. Mr. Robertson seconded. *On voice vote,* the amendment was adopted. The question being "Shall the Convention adopt the policy to convene at 9:30 daily?", the roll was called with the following result:

Ayes: 36 - Armstrong, Awes, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McLaughlin, McNees, Nerland, Nordale, Poulsen, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Mr. President.

Nays: 18 - Barr, Buckalew, Davis, H. Fischer, Harris, Johnson, Laws, McCutcheon, McNealy, Marston, Metcalf, Nolan, Reader, V. Rivers, Robertson, Taylor, White, Wien.

Absent: 1 - Peratrovich

And so the motion was adopted.

Mr. Coghill requested a 20-minute recess to give the Committee on Permanent Help a chance to meet.

The President appointed the following to the Advisory Committee on Committees: *Mr.* White, V. Rivers, Nolan, Nordale, Londborg, McLaughlin, Wien, Barr, and Gray.

Mr. Riley announced a meeting of the Rules Committee for 10 o'clock Friday morning at 1013 Polaris Bldg.

President announced recess until call of the Chair.

Mr. Coghill, Chairman of the Committee on Permanent Help, reported the following as information to the Convention:

"The Committee recommends the following positions: sergeant-at-arms, four stenographers, three clerks typists, mimeograph operator, receptionist, messenger, doorkeeper and recording clerk. The salary schedule to be a 15-percent raise over the legislature pay scale. The Committee feels it is somewhat tied to the permanent Committee on Administration and cannot devise a permanent help schedule until a budget is formulated to run the Convention."

Mr. V. Rivers moved and asked unanimous consent that the Committee report be accepted and the Committee be discharged from its duties.

Mrs. Hermann inquired whether a chaplain was named.

Mr. Coghill reported that this was not a complete report--only information to the Convention.

Mr. Taylor objected to unanimous consent since this is only a partial report. After discussion Mr. Taylor withdrew his objection.

There being no objection, Mr. V. Rivers' motion was adopted.

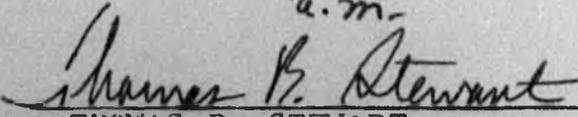
The President announced the appointment of the Committee on Administration to consist of the members of the Permanent Help Committee with the addition of Mr. Hilscher, and named Mr. Coghill, chairman.

Mr. R. Rivers asked unanimous consent to withdraw from the Committee on Administration. There being no objection, it was so ordered.

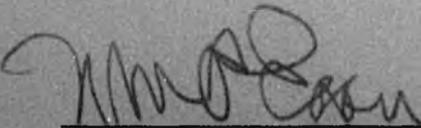
a.m. Mr. Johnson moved that the Convention stand adjourned until 9:30^{a.m.} Saturday, ~~morning~~. Mr. Coghill seconded and asked unanimous consent.

Mr. Coghill announced a meeting of the Administration Committee at 11 o'clock ~~at~~ ^{*Misses morning.*} the Nordale Hotel.

There being no objection to the unanimous consent request for adjournment, the convention adjourned until 9:30^{a.m.} Saturday, ~~morning~~.

a.m.

THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal/4

Approved

1/5/56

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTH CONVENTION DAY, Saturday, November 12, 1955

President Egan called the Convention to order at 9:30 o'clock,^g
a.m.

Roll call showed all members present except Mr. Doogan and
Mr. McLaughlin.

The President asked Mr. Londborg to give the invocation.

Mr. Johnson moved and asked unanimous consent that the minutes
of the previous plenary session be considered ~~read and approved.~~^e
There being no objection, it was so ordered.

4 Letter from E. P. McCarron, Exalted Ruler of Fairbanks Elks
Lodge, extending the privileges of the club rooms to the delegates
during their stay in Fairbanks, was read.

Mr. Riley reported the Rules Committee was not ready to report.

Mr. Coghill reported, ^{the} Committee on Administration still had work
to do to complete its report.

The President announced that the Advisory Committee on Committees
had completed its work and he would announce committee assignments
later.

Mr. White moved and asked unanimous consent for the adoption
of the following recommendation of the Advisory Committee on
Committees: That the membership of the Committee on Resources be
increased from 7 to 9, thus changing Rule 13. There being no
objection, it was so ordered.

Mr. Armstrong moved and asked unanimous consent that the
Secretary be instructed to write a letter of thanks to Dr. and
Mrs. Patty for the reception held for the delegates. There being
no objection, it was so ordered.

Mr. Hilscher requested personal privilege of the floor.

The President declared a short recess.

After recess Mr. Hilscher was granted personal privilege.

The President introduced First Vice President Peratrovich, who was in attendance for the first time.

Mr. Coghill moved and asked unanimous consent that a letter of sympathy be sent to his brother and his mother due to the fact that vandalism had hit again in Nenana and their store had been robbed. There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent that a letter of thanks be sent to the Fairbanks Lodge of Elks for their courtesy in extending the privilege of the club rooms to the delegates. There being no objection, it was so ordered.

Mr. Doogan moved and asked unanimous consent that the roll call show that both he and Mr. McLaughlin were present. There being no objection, it was so ordered.

Mr. Taylor moved and asked unanimous consent that the Convention recess until call of the Chair.

AFTER RECESS

Convention was called to order at 10:30 a.m.

The President announced that since the Administration Committee needed additional time to complete its report the Convention would recess until after lunch.

Mr. Johnson moved and asked unanimous consent that the Convention stand at recess until 2 o'clock. Mr. Taylor objected. Mr. Cooper seconded. Mr. Taylor moved to amend the motion to read until 9:30, Monday morning. Mr. Taylor's motion was declared out of order.

The question being "Shall the Convention recess until ~~2:00~~ o'clock?", by voice vote the motion carried.

AFTER RECESS

The Convention was called to order at 2:15 p.m.

Mr. Hellenthal moved and asked unanimous consent that he be removed from the Committee on Administration and that Mr. Nolan be placed on that Committee. Mr. Coghill objected. Upon the withdrawal of Mr. Coghill's objection, the request of Mr. Hellenthal was granted.

Mrs. Wien moved and asked unanimous consent that Mr. John Corcoran, of the P.A.S., be sent a letter of thanks for his services and that wishes for his speedy recovery be extended. There being no objection, it was so ordered.

The President announced the appointment of the following Committees and asked for a meeting of Committee Chairmen on adjournment.

COMMITTEE ON STYLE AND DRAFTING

George Sundborg, Chairman
Mildred Hermann
George McLaughlin
Katherine Nordale
Ed Davis
James Hurley
Maurice Johnson
R. Rolland Armstrong
Victor Fischer

COMMITTEE ON PREAMBLE AND BILL
OF RIGHTS

Dorothy Awes, Chairman
R. Rolland Armstrong
James P. Doogan
Seaborn J. Buckalew
Robert J. McNealy
John Hellenthal
Ada B. Wien

COMMITTEE ON LEGISLATIVE BRANCH

Steve McCutcheon, Chairman
Dora Sweeney
Helen Fischer
Jack Hinckel
John McNees
Eldor Lee
George D. Cooper

COMMITTEE ON JUDICIARY BRANCH

George McLaughlin, Chairman
Ralph Rivers
Thomas C. Harris
Maurice Johnson
Irwin L. Metcalf
R. E. Robertson
Warren A. Taylor

COMMITTEE ON ORDINANCES AND
TRANSITIONAL MEASURES

Robert J. McNealy, Chairman
Seaborn J. Buckalew
Herb Hilscher
James Hurley
William W. Knight
Yule F. Kilcher
B. D. Stewart
W. W. Laws
H. R. VanderLeest

COMMITTEE ON SUFFRAGE, ELECTIONS
AND APPORTIONMENT

John S. Hellenthal, Chairman
John B. Coghill
Douglas Gray
Frank Peratovich
M. J. Walsh
George D. Cooper
M. R. Marston

COMMITTEE ON EXECUTIVE BRANCH

Victor Rivers, Chairman
Maynard D. Londborg
H. R. VanderLeest
Frank Barr
Katherine Nordale
John Boswell
Thomas C. Harris

COMMITTEE ON RESOURCES

W. O. Smith, Chairman
John C. Boswell
Truman C. Emberg
Leonard King
B. D. Stewart
Barrie M. White
Burke Riley
Peter L. Reader
Ada B. Wien

COMMITTEE ON FINANCE AND
TAXATION

Leslie Nerland, Chairman
Dorothy Awes
Frank Peratrovich
James Nolan
Chris Poulsen
Barrie M. White
Frank Barr

COMMITTEE ON DIRECT LEGISLATION
AMENDMENT AND REVISION

E. B. Collins, Chairman
Jack Hinckel
Leonard King
Warren A. Taylor
M. R. Marston
Irwin L. Metcalf
W. O. Smith

COMMITTEE ON LOCAL GOVERNMENT

John Rosswog, Chairman
John Cross
Victor Fischer
Victor Rivers
Eldor Lee
Maynard D. Londborg
James P. Doogan

COMMITTEE ON RESOLUTIONS AND
RECOMMENDATIONS

John Cross, Chairman
Douglas Gray
Truman Emberg
Leslie Nerland
Chris Poulsen
Peter L. Reader
R. E. Robertson

Mr. Coghill presented the following report of the Committee on Administration: (~~This report follows on the next seven pages.~~)

Constitutional Convention
Convention/1
November 12, 1955

REPORT
OF THE
COMMITTEE ON ADMINISTRATION

Mr. President: Your committee on Convention Administration respectfully submits the following report:

For purposes of planning the balanced and co-ordinated use of the Convention appropriations so as to carry out the intent of Chapter 46, SLA 1955, your committee has prepared a tentative allocation of the funds available to the Convention. This allocation is predicated on the possibility of the Convention's lasting the full period of 75 days and therefore indicates the maximum liabilities which might be incurred. The budget is not intended to restrict the later adjustment of particular items, should necessities demand changes, and does not by this allocation authorize any expenditure of funds, without the approval of the Convention. The tentative allocation is as follows:

TENTATIVE ESTIMATE OF COSTS

<u>APPROPRIATION FOR CONVENTION</u>	\$ 300,000.
Less: Estimated election expenses	38,000.
	<hr/>
	\$ 262,000.

ESTIMATED CONVENTION COSTS

A. DELEGATES

1. Salary @ \$15.00 per day for 75 days	\$ 61,325.
2. Per Diem @ \$20.00 per day for 79 days	86,900.
3. Travel of Delegates (1 round trip)	6,000.
4. Social Security contribution	1,247.

Estimated Total Expenses of Delegates \$ 155,472.

B. SECRETARIAT

1. Personal Service of Administrative Staff	
1 Chief Clerk @ \$30.00 per day	\$ 2,400.
1 Assistant Chief Clerk @ \$24.00 per day	1,920.
1 Sergeant-at-Arms @ \$21.00 per day	1,680.
4 Stenographers @ \$22.00 per day	7,040.
3 Clerk-Typists @ \$21.00 per day	3,360.
1 Mimeograph Operator @ \$21.00 per day	1,680.
1 Doorkeeper @ \$18.00 per day	1,440.
1 Messenger @ \$18.00 per day	1,440.
1 Message Center Chief @ \$21.00 per day	1,680.
1 Recording Clerk @ \$25.00 per day	2,000.
1 Librarian - Research Assistant @ \$25.00 per day	2,000.

2. Salary of Secretary @ \$31.66 per day plus \$12.00 per diem	3,493.
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Total Personal Services \$ 30,133.

3. Other Staff Expenses, including Travel and Social Security	\$ 3,500.
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4. Technical and Consulting Services	25,000.
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5. Equipment	1,500.
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6. Supplies and Postage	3,500.
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7. Recording	8,000.
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8. Postage for Delegates	1,375.
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Total Secretariat Expenses \$ 73,008.

C. OTHER CONVENTION COSTS

- | | |
|-----------------------------|-----------|
| 1. Printing of Constitution | \$ 6,000. |
| 2. Miscellaneous | 28,520. |

GRAND TOTAL:

Estimated Convention Costs: \$ 262,000.

EXPLANATION OF ALLOCATIONS

APPROPRIATIONS FOR CONVENTION: The appropriation of \$300,000 was initially diminished approximately \$38,000 by the expenses of the election of Delegates, and there is now available to the Convention \$262,000.

ESTIMATED CONVENTION COSTS:

A. DELEGATES: The costs indicated in this item are fixed by the terms of Chapter 46, SLA 1955. 79 days are shown to include four extra days for travel to and from the Convention.

B. SECRETARIAT:

1. This item is recommended as the table of organization of permanently assigned staff personnel with salary figures as shown. The salary scale is based on the schedule used by the 1955 Alaska Legislature for similar positions, plus a 15% increase. This increased scale is recommended because of the temporary and specialized nature of the work, and the increase is commensurate with that allowed to teachers in the Second and Fourth Divisions as compared to teachers in the First Division. The Committee recommends that the employment and discharge of staff

employees be placed in the discretion of the Secretary. It is contemplated that some of the positions indicated may not be filled until the work load increases, and recommendations for additional part-time personnel may be later made. The salaries indicated would be paid for each calendar day during the full session of the Convention except for any recess called pursuant to Section 1 of Chapter 46, SLA 1955. No overtime salaries will be paid, but the personnel will be engaged with the understanding that overtime work necessary is compensated for by the regular salary.

2. Salary of the Secretary: The Committee recommends that the salary of the Secretary, as stated in the estimate of costs, which is the same amount received in his capacity as Executive Officer of the Alaska Statehood Committee be continued together with the regular Territorial per diem of \$ 12.00; and it further recommends that this salary be paid by reimbursing the Statehood Committee for such salary and per diem for the period commencing November 8, 1955, to the time of final adjournment of the Convention.
3. The item for other staff expenses is intended to cover any contingent expenses that may arise and be authorized for payment by the Committee on Administration.

4. The item tentatively allocated for technical and consulting services is shown in the same amount as was budgeted in the report of the Statehood and Federal Relations Committees of the 1955 Legislature to the full Legislature in recommending the appropriation of \$300,000. When technical and consulting services may be requested by the Convention, this amount will be available.
5. The item tentatively allocated for equipment is to cover the obtaining of typewriters, mimeograph machines and such other equipment and furniture as may be necessary.
6. The item tentatively allocated for supplies and postage is to cover the purchase of stationery supplies of all kinds, including letterhead stationery for the Convention for the use of Delegates bearing the names of all Delegates on a margin, postage for official mail of the Convention, and other necessary supplies.
7. The recording item is allocated for the possibility of the making of a tape recording of the plenary sessions.
8. The item for postage is allocated as an allowance of \$25.00 for each Delegate.

C. OTHER CONVENTION COSTS:

1. The item for printing of the Constitution is intended to provide for the printing of copies of the Constitution as finally drafted.
2. The item for miscellaneous expenses is the otherwise unallocated balance of available convention funds.

OTHER MATTERS

It was further determined to recommend as follows:

1. Weekly pay: That all employees and Delegates be paid weekly.
2. Committee Rooms: That the recommendations of the Secretary as to committee room locations be accepted and the Secretary asked to report said room locations to committee Chairmen.
3. Lockers for Delegates: That lockers be provided for each Delegate without cost to the body except for drayage.
4. Bus Transportation: That the Secretary make recommendations to the committee as to daily bus transportation for Delegates and for administrative and technical staff, at the expense of Delegates and staff.

5. Privacy of Convention Floor: That the floor of the Convention Hall be appropriately designated by ropes across posts.
6. Expenditure of Funds: That the Secretary be authorized to incur obligations for purposes budgeted for the period November 8, 1955, to date of final adjournment, provided that approval of the Committee on Administration is first obtained as to any one item exceeding one hundred dollars in cost.
7. Reports and Records: That the Secretary maintain such records and render such reports on financial matters as may be requested by the Committee.
8. Flags: That suitable Alaskan and American flags be procured for the Convention Hall.
9. Desks and Chairs: That the matter of desks and chairs for Delegates be explored.
10. Daily Prayers: That henceforth prayers imploring the assistance of Almighty God and His blessings on our deliberations be held in the Assembly every morning before undertaking the daily business of the body, and that one or more of the clergy of the area be invited to officiate in that service and that the Secretary be requested to make the necessary arrangements.

Mr. Coghill moved and asked unanimous consent for the adoption of the report of the Committee on Administration. Mr. Buckalew objected. Mr. Johnson seconded.

Mr. Riley moved and asked unanimous consent for a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Coghill moved and asked unanimous consent that he be permitted to withdraw his previous motion. There being no objection, it was so ordered.

Mr. Coghill moved and asked unanimous consent that the Administration Report be received and that Sections B1 and 2 of the report be adopted insofar as they specify the positions stated therein and the daily rate of pay.

Mr. Buckalew objected. Mr. Johnson seconded.

Mr. Buckalew moved to strike the "assistant chief clerk" from the report.

The President declared Mr. Buckalew's motion out of order.

Mr. Buckalew moved to amend the portion pertaining to the permanent secretary, by deleting Section B-2, from the report. Mr. Sundborg seconded.

On voice vote, the previous question was ordered.
Mr. V. Rivers moved the previous question. Mr. Taylor seconded. [^]
On voice vote, motion lost.

[^] *Mr. Buckalew's*
Mr. Sundborg moved to amend by striking the doorkeeper at \$18.00 per day. Mr. Buckalew seconded.

was Mr. McCutcheon moved to lay the matter on the table until copies of report ^{were} placed in the hands of delegates. Mr. Coghill objected. Mr. Buckalew seconded. On voice vote, ~~the~~ motion to table lost.

On voice vote, the previous question was ordered. On voice vote, Mr. Sundborg's motion was rejected.
The question being "Shall Sections B-1 and 2 of the Report #1 of the Committee on Administration be adopted insofar as they specify the positions stated therein and the daily rate of pay?"
On voice vote the report was adopted.

Mr. Sundborg moved and asked unanimous consent that the Committee on Committees be discharged. There being no objection, it was so ordered.

Mrs. Hermann moved that the Secretary be directed to procure a gavel for the use of the Convention and that at the end of the Convention the gavel be presented to the University Museum. Mr. Johnson asked unanimous consent. Mr. Buckalew objected. Mr. Johnson seconded. Mr. McNealy moved to amend the motion "that the President appoint a committee to purchase the gavel". Mr. Rivers asked unanimous consent that the motion, as amended, be adopted. There being no objection, it was so ordered. The President appointed Messrs. Buckalew and Johnson to purchase the gavel.

Mr. Coghill moved and asked unanimous consent that the Convention stand at ease for one minute. There being no objection, it was so ordered.

AFTER RECESS

Mr. Coghill moved and asked unanimous consent that the Secretary be authorized to fill the staff positions authorized to the extent that he may determine necessary, subject to the approval of the Committee on Administration. Mr. Sundborg objected. After discussion Mr. Sundborg withdrew his objection. There being no further objection, it was so ordered.

Mr. Hilscher, Chairman of the Special Committee to investigate the cost of soundscribing the plenary sessions, made the following report:

The Committee met with KFAR and talked to KFRB. The Committee also met with Colonel Sawtelle at Ladd Field who stated they could not do the job. The Committee received a letter from KFRB stating they felt it should not submit a bid due to the fact that equipment was already installed. KFAR stated they would soundscribe the plenary sessions for \$5,580 for 150 guaranteed hours. This was a base figure. Duplicate tapes would cost at the rate of \$18.00 per hour. The Committee felt this was the best proposition possible.

Mr. Hilscher moved that the Convention go on record in favor of soundscribing the plenary sessions. Mr. Taylor seconded and asked that the motion be amended to include a 150-hour guarantee. Mr. Hilscher accepted the amendment. Mr. Poulsen requested a roll call. Mr. Buckalew seconded.

Mr. McCutcheon moved that the motion be tabled and made first order of business Monday. Mr. Buckalew seconded. On voice vote *the* motion failed.

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

The question being "Shall the plenary sessions be soundscribed at a quantee of 150 hours?", the roll was called with the following result:

Ayes: 46 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Nays: 92- Buckalew, Coghill, V. Fischer, Gray, Knight, Londborg, Poulsen, Reader, Sundborg.

And so the motion was adopted.

Mr. White moved and asked unanimous consent that the Secretary be empowered to ~~proceed and~~ make the necessary arrangements for the soundscribing. There being no objection it was so ordered.

Mr. Barr moved that the Secretary be empowered to authorize transcriptions of each day's soundscribing to become available as soon as possible after each day's session. Mr. Kilcher seconded.

Mr. Sundborg moved and asked unanimous consent to change "transcriptions" to "duplicate tapes". There being no objection, it was so ordered.

The question being "Shall duplicate tapes be made of each day's session?", the roll was called with the following result:

Yeas: 38 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Robertson, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White.

Nays: 17 - Buckalew, Coghill, Cooper, Gray, Knight, Laws, Lee, Londborg, Nerland, Poulsen, Reader, Riley, Rosswog, Smith, Sundborg, Wien, Mr. President.

And so the motion was adopted.

Mr. Riley announced a meeting of the Committee on Rules following the recess.

Mr. Coghill asked that the Committee on Administration be given a copy of estimates of costs of soundscribing.

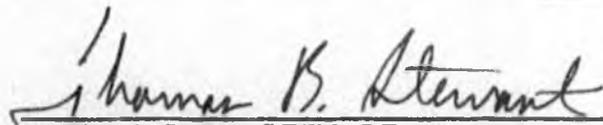
Mr. Sundborg moved and asked unanimous consent that the Convention adopt the portion of the Committee on Administration report which dealt with salary and per diem of delegates with the exception of the portion stating salary for 79 days. Mr. Buckalew seconded. Mr. Hellenthal stated the motion was out of order because the Legislature had already provided for this in the Act. Mr. Sundborg asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. McNealy moved and asked unanimous consent that the Convention declare on behalf of the people of the proposed State of Alaska that the Constitution of the United States is hereby adopted. Mr. Buckalew seconded. Mr. Johnson asked unanimous consent. There being no objection, it was so ordered.

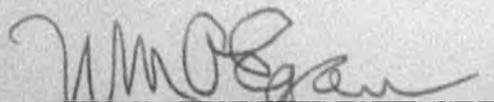
Communication from the Post Office Department stating that all mail addressed to delegates had been forwarded to College, was read.

Mr. Sundborg asked unanimous consent that the bus be ordered to pick up delegates one-half hour after adjournment. There being no objection, it was so ordered.

Mr. Johnson moved and asked unanimous consent that the Convention adjourn until 9:30 o'clock Monday morning. There being no objection, it was so ordered.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

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~~ ^{part of the}. There being no objection, it was so ordered.

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~~ ^{part of the} consent for the adoption of Chapter IV as permanent rules. There being no objection, it was so ordered.

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} 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. *pass*

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."

pass 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.

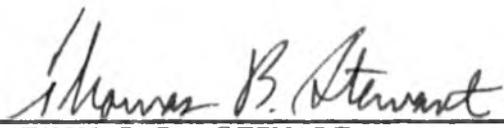
Mr. Johnson moved that the Journal of the previous day be considered read and approved. Mr. Doogan seconded. On voice vote the motion carried.

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.

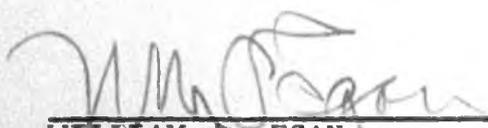
The President announced that the Rotary Club meets on Thursdays, the Lions Club on Wednesdays and the Kiwanis Club on Mondays.

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

Constitutional Convention
Journal/6
Approved 11/16/55

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE EIGHTH CONVENTION DAY, Tuesday, November 15, 1955

The Convention was called to order by President Egan at 9:30 o'clock A.M.

The Invocation was given by Rev. Mr. Armstrong.

Roll call showed all present except Mr. Buckalew and Mr. Taylor.

Mr. Sundborg moved and asked unanimous consent that the reading of the Journal of the previous day be dispensed with and that the Journal be approved. Mr. Londborg objected. Mr. Johnson seconded.

Mr. Sundborg asked unanimous consent to amend his motion to delete the reference to approving the Journal and to change "dispensed with" to "postponed until later". There being no objection, it was so ordered. Mr. Londborg withdrew his objection to the original motion so it was ordered adopted.

The President stated that in line with this motion when the Journals for the previous days' sessions are available, any delegate will have the right to bring to the attention of the Convention any possible errors.

COMMUNICATIONS

Letter from Ancil H. Payne, President of Operation Statehood, presenting an Alaska flag to be used at the Convention, was read.

Delegate Barrie M. White, Jr., former President of Operation Statehood, presented the flag.

Mr. Sundborg moved and asked unanimous consent that the Secretary be instructed to write a letter of appreciation to Operation Statehood for the gift of the Alaska flag. Mr. Johnson asked Mr. Sundborg to amend his motion to add that the communication from Operation Statehood be spread upon the Journal in its entirety. Mr. Sundborg accepted the amendment. There being no objection, it was so ordered.

November 14, 1955
Anchorage, Alaska

"Honorable William Egan, President
Alaska Constitutional Convention
College, Alaska

Dear Mr. President:

"Operation Statehood presents to the Alaska Constitutional Convention, this, the Alaska Flag.

"To members of Operation Statehood, the Constitutional Convention is an historic and solemn occasion, and it is our objective to, through this presentation, take a small and humble part in your deliberations.

"We rest in the knowledge that yours will be a job well done, and we have abiding faith that your labor will assist measureably in bringing to a happy conclusion our long struggle for full citizenship as the 49th State of the United States of America.

Respectfully,

/s/Ancil H. Payne
Ancil H. Payne
President
Operation Statehood"

Communications from the President of the University of Alaska calling attention to the fact that the facilities of the infirmary were available to delegates and to the American Association of University Women meeting to be held November 21 at which the women delegates and wives of delegates are to be honored guests, were read. Reminder of the Home Economics Department open house, Thursday, was read.

The President reminded the delegates of the no-host dinner to be sponsored by the Fairbanks Chamber of Commerce Wednesday evening at 7:30 p.m.

At the request of Mr. Marston and with the unanimous consent of the Convention, the following letter from Elizabeth Peratrovich, Alaska Representative and Member of Executive Council, National Congress of American Indians, was ordered spread on the Journal:

Alaska Office
644 12th & D
Juneau, Alaska
November 3, 1955

"The Constitutional Convention
Territory of Alaska
P. O. Box 4003
College, Alaska

Gentlemen:

Some years ago the Indians throughout the United States found it necessary to organize in an effort to protect their rights as established by law and treaty. They realized that freedom, even in these United States had to be protected, nurtured and defended against the common enemy of human selfishness.

"Thus the National Congress of American Indians came into being and a proclamation was issued by the organization to the People of the United States to further establish a common bond of understanding.

It seems appropriate at this time, on the eve of Alaska's historical moment, to present the same message to the Constitutional Convention assembled at College, Alaska with the thought that it may influence the members of the convention to a greater responsibility in protecting the lives and liberties of all the citizens of the new state of Alaska and any rights that have been established from time immemorial in the relationship between the people who have settled here in Alaska and the aborigines.

We offer you our unconditional friendship and faith in accomplishment to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty for all.

Sincerely yours,

/s/ Elizabeth Peratrovich
ELIZABETH PERATROVICH,
Alaska Representative
and Member of Executive Council
National Congress of American Indians"

Mr. Barr asked unanimous consent that the Secretary be instructed to provide a bulletin board in the convention hall. There being no objection, it was so ordered.

At the request of Mr. McLaughlin and with the unanimous consent of the Convention, the Convention recessed for a few minutes.

AFTER RECESS

Mr. Johnson, as a member of the special committee to purchase a gavel, reported that the committee had purchased an ivory gavel carved from ivory which is 20,000 years old, by Mr. Alexander Retzlaf, an employee of the United States Smelting Refining and Mining Company of Fairbanks. Mr. Retzlaf consented to sell the gavel to be used at the Convention and gave the Convention two ivory letter openers for the President to use.

The President instructed the Secretary to write a letter to Mr. Retzlaf expressing the appreciation of the Convention for the fine gavel.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 1, by Mr. Robertson, entitled COURTS, JUDICIAL, TENURE, AND JURIES was introduced and read the first time. Proposal No. 1 was referred to the Committee on the Judiciary Branch.

MOIONS AND RESOLUTIONS

Mr. Sundborg moved and asked unanimous consent that Rule 35 be amended as follows: On the second line strike the words "main question be now put" and substitute in lieu thereof the words "previous question be ordered". Mr. McLaughlin objected. Mr. Johnson seconded. Mr. McLaughlin withdrew his objection. Mr. V. Rivers objected. By voice vote the motion carried and the Rule was changed.

COMMITTEE OF THE WHOLE

Mr. Fischer moved and asked unanimous consent that the Convention resolve itself into a Committee of the Whole for the purpose of hearing Mr. Emil Sady, representative of the Public Administration Service. There being no objection, it was so ordered.

The President appointed Mr. Barr to preside over the Committee of the Whole.

Upon completion of Mr. Sady's statement, Mr. Egan moved and asked unanimous consent that the Committee of the Whole rise and report. There being no objection, it was so ordered.

Mr. Johnson asked unanimous consent for a ten minute recess. There being no objection it was so ordered.

AFTER RECESS

The President asked that the record show Mr. Buckalew as present.

Mr. Johnson reported that as a supplement to his report on the gavel there would be another gavel available for use donated by the Fairbanks School District.

Mr. V. Rivers asked that the record show that the price of the gavel was satisfactory to the minority half of the Committee.

Mr. Cooper inquired as to the duplicate tape recording of the proceedings being edited.

Mr. V. Rivers explained that he planned to recommend to the Statehood Committee that they use the duplicate tape to take portions of them for broadcasting after the Convention ended.

After discussion the Secretary was instructed to see that the chairs are identified with the Delegates' names.

The President asked the delegates to make reservations for the Chamber of Commerce dinner with the Chief Clerk.

~~Mr. Fischer inquired into the meaning of Special Order of the Day.~~

The President announced that immediately following the next recess there would be a meeting of the Chairmen of all Committees.

Mr. King moved and asked unanimous consent that the Secretary be instructed to write a letter of thanks to the Commanding Officer at Eidsen Air Force Base commending him on the special Colonel Ben Eidsen edition of the Air Force newspaper. Mr. Barr asked that the motion be amended to read that a copy also be sent to the editor of the newspaper. Mr. King accepted Mr. Barr's amendment. There being no objection, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent that the Convention recess until 4 o'clock. Mr. Hellenthal objected. Mr. Gray seconded. The President stated that although the motion was not debatable he would allow Mr. Hellenthal's point of information. Mr. Hellenthal pointed out that after the Committee Chairmen met it might be possible to hold committee meetings. Mr. V. Rivers amended his motion to read 1:30 o'clock. There being no objection, the Convention recessed until 1:30 o'clock.

AFTER RECESS

Mr. Johnson asked unanimous consent to revert to Introduction of Proposals. There being no objection, the convention reverted to

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 2 by Mr. Johnson entitled TO BE INTRODUCED IN BILL OF RIGHTS was read and referred to the Committee on Preamble and Bill of Rights.

Mr. Johnson asked unanimous consent to revert to resolutions. There being no objection, the following resolution was introduced:

"RESOLVED, that the Alaska Constitutional Convention formally invite the Honorable William Knowland, U. S. Senator from California, to address the convention sometime during his stay at the University of Alaska.

"RESOLVED further, that the invitation of the convention be issued to Senator Knowland through the President of the Convention."

Mr. Johnson moved and asked unanimous consent that the rules be suspended, and that this resolution be acted upon without reference to a committee.

Mr. R. Rivers objected. After discussion Mr. Rivers withdrew his objection. There being no further objection, the President declared the convention would extend an invitation to Senator Knowland to address the convention during his stay at the University.

Mr. Robertson asked unanimous consent that the convention revert to the introduction of proposals. There being no objection, the convention reverted to

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 3 by Mr. Robertson entitled TAXATION was read the first time and referred to the Committee on Finance and Taxation.

The President announced the following schedule of business to be adhered to as closely as possible:

Convention Schedule

Monday through Saturday

9:00 A. M. to 9:20 A. M. Plenary Session

9:30 A. M. to 10:50 A. M.

- I Rules
- II Administration
- V Rights
- VIII Executive Branch
- XIV Resolutions

11:00 A.M. to 12:20 P. M.

- III Style
- VI Elections
- X Resources

2:00 P. M. to 3:20 P. M.

- VII Legislative Branch
- IX Judiciary
- XI Finance

3:30 P. M. to 4:50 P. M.

- IV Ordinance
- XII Local Government
- XIII Amendment

After discussion the President announced that there would be a plenary session from 1:30 to 2:00 in addition to the morning plenary session.

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

AFTER RECESS

Mr. McMealy announced a meeting of the Committee on Ordinances and Transitional Measures on recess.

Mr. McCutcheon announced a meeting of Legislative Committee on recess.

Mr. McLaughlin announced a meeting of the Judiciary Committee on recess.

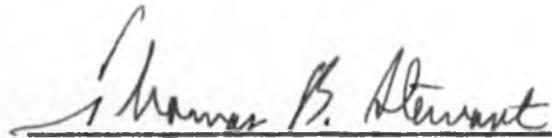
Mr. Merland announced a meeting of the Committee on Finance and Taxation on recess.

Mr. Coghill announced the bus would leave the Wordale Hotel at 8:30 a. m. daily.

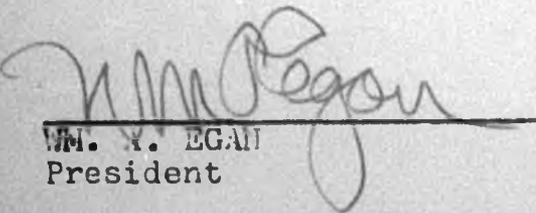
Mr. Rosswog announced a meeting of the Committee on Local Government at 3:30 p.m.

Mr. Collins stated that due to the absence of one of his committee members he would delay holding the scheduled meeting today.

Mr. Johnson moved and asked unanimous consent that the Convention stand adjourned until Wednesday morning at 9:00 o'clock. There being no objection, it was so ordered.


THOMAS B. STEWART
Secretary

Attested:


WM. Y. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE NINTH CONVENTION DAY, NOVEMBER 16, 1955

The Convention was called to order by President Egan at 9:00 o'clock A.M.

The invocation was given by the Reverend ~~Mr.~~ B. P. Wilson, pastor of the Assembly of God Church in Fairbanks.

Roll call showed all members present except Mr. Taylor. The President declared a quorum present.

Mr. Sundborg moved and asked unanimous consent that the reading of the Journal of the previous day's session be considered each day at the afternoon session. There being no objection, it was so ordered.

COMMUNICATIONS

Communication from the Fairbanks Chamber of Commerce stating the delegates would be guests of the Chamber at the dinner to be held this date was read.

STANDING COMMITTEE REPORTS

Mr. Cooper inquired as to whether the special committee on soundscribing had been discharged. The President announced that the Committee would continue to serve until all technical matters were worked out.

Mr. Rosswog, Chairman of the Committee on Local Government reported that the Committee had elected Mr. Londborg, vice chairman and ~~Mr.~~ Fischer, secretary.

appointed
Mr. Sundborg, Chairman of the Committee on Style and Drafting reported that the Committee had elected Mr. Davis, vice chairman and Mrs. Nordale, secretary.

appointed
Mr. Nerland, Chairman of the Committee on Finance and Taxation, reported that the Committee had met and elected Mr. Barr, vice chairman and Mr. White, secretary.

appointed
Mr. Smith announced a meeting of the Committee on Resources at 11 o'clock.

Mr. McNealy, Chairman of the Committee on Ordinances and Transitional Measures, reported that the Committee had met and elected Mr. Hurley, vice chairman and Mr. Hilscher, secretary.

appointed
Mr. Collins announced that the Committee on Direct Legislation would meet at the scheduled time.

Miss Aves announced that the Committee on Preamble and Bill of Rights would meet at the scheduled time.

Mr. Rivers announced a meeting of the Committee on Executive Branch at the scheduled time.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 11 o'clock.

Mr. Coghill announced a meeting of the Committee on Administration on recess.

Mr. Cross announced a meeting of the Committee on Resolutions and Recommendations.

Mr. McLaughlin, Chairman of the Committee on Judiciary Branch, announced that the Committee had met and elected Mr. Robertson, vice chairman and Mr. Johnson, secretary.

Mrs. Nordale ^{appointed} suggested that the Committee Chairman announce only a change in Committee meetings from the scheduled committee meetings to cut down the size of the Journal. Mr. Rivers objected on the grounds that there should be a list of committee meetings in the Journal. The President announced that this matter would be taken up with Committee Chairmen at a meeting later in the day.

Mr. McCutcheon, Chairman of the Committee on Legislative Branch, reported that the Committee had met and elected Mrs. Sweeney, vice chairman and ^{appointed} Mr. McNees, secretary. He also announced that the Committee would meet at the scheduled time.

Mr. Sundborg requested personal privilege to discuss proposed change to rule 50. On beginning to state a motion Mr. McCutcheon rose to a point of order to state Mr. Sundborg was out of order. The President announced Mr. McCutcheon was correct.

Mr. Sundborg asked to be recognized in the order of business entitled MOTIONS AND RESOLUTIONS and presented the following motion: "that the Rules be amended as follows: In Rule 50, line 2, after the word 'thereon' insert the following: 'any article, other appropriate subdivision or group of articles or subdivisions may be returned to second reading for specific amendment by a vote of at least 28 members. After final action on all portions of the constitution separately,'"

Mr. Sundborg moved the adoption of the amendment. Mr. White seconded.

Mr. ^{R.}Rivers rose to a point of order to inquire whether the motion should not be to suspend the rules to receive the motion at this time. The President ruled that Mr. Sundborg's motion was in order since it was different from the motion voted down previously.

Mr. Sundborg moved that action on the amendment be deferred and the proposed amendment be referred to the Rules Committee for report. Mr. Barr objected. Mr. White seconded.

The question being, "Shall Mr. Sundborg's motion be referred to the Rules Committee for its consideration?" by voice vote the motion carried.

Mr. Riley announced a meeting of the Rules Committee on recess.

Mr. Gray moved and asked unanimous consent that the Convention recess until 1:30 p.m.

AFTER RECESS

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

Mr. Walsh asked unanimous consent that Senator Charles D. Jones of Nome be given the privilege of the floor.

Mr. Collins paid tribute to Senator Jones' service in the first legislature.

Mr. Johnson asked unanimous consent to include in Mr. Walsh's request for unanimous consent that Mr. Jones be given the privilege of the floor for the entire session of the Constitutional Convention. Mr. Walsh accepted the addition and there being no objection Mr. Jones was granted the privilege of the floor.

Mr. Jones was given a hearty welcome and paid tribute to Mr. Collins who was also a member of the first legislature.

Mr. V. Rivers asked for the personal privilege of the floor to discuss legislative immunity.

Mr. V. Rivers moved and asked unanimous consent that the question "Are the Delegates to this Constitutional Convention entitled to full or limited legislative immunity" be referred to the Judiciary Committee for a written report indicating their opinion on the question and that their opinion be spread upon the Journal of this Convention when submitted.

Mr. Hellenthal stated he believed the matter should be referred to the Attorney General.

Mr. Sundborg stated that the Judiciary Committee of this convention is a committee on the Judiciary Branch of the Constitution and is organized to consider proposals having to do with that section of the Constitution and a matter such as Mr. V. River's motion suggests should not properly be referred to it.

Mr. McLaughlin objected to Mr. Rivers' motion.

Mr. Rivers moved. Mr. McCutcheon seconded.

Mr. Sundborg moved to amend the motion to delete Judiciary Committee and substitute in lieu thereof "Attorney General of Alaska". Mr. Hellenthal seconded.

Mr. Rivers asked unanimous consent that the proposed amendment be incorporated in the original motion. There being no objection, it was so ordered.

On voice vote the motion was adopted.

Mr. Coghill moved and asked unanimous consent that the convention revert to the order of business on resolutions. There being no objection, it was so ordered.

Mr. Coghill moved and asked unanimous consent for the adoption of the following resolution recommended by the Committee on Administration:

"Whereas the Convention may have need for the services of technical consultants on various subjects during its deliberations; and

"Whereas the Legislature of Alaska anticipated the possible need for such services and included provision therefor in the total appropriation for the Convention;

"Now, Therefore, Be It Resolved:

1. That the Convention hereby authorize the obtaining of the services of technical consultants upon request for such services being made by a Committee Chairman and approved by the President of the Convention.

2. That the President of the Convention shall have authority to select the consultants after consultation with the Committee Chairmen.

3. That the administrative arrangements for employment of any consultant shall be approved by the Committee on Administration and be executed by the Secretary of the Convention."

Mr. Smith objected. Mr. McCutcheon seconded.

Mr. Smith proposed that the word "Chairman" be deleted. After discussion, Mr. Smith withdrew his proposed amendment.

Mr. Fischer questioned the form of the resolution.

Mr. White objected to the resolution because it did not carry a statement covering the possible coordination of the committees' use of these consultants.

After hearing from the Secretary as to a memorandum prepared for Committee Chairman, Mr. White withdrew his objection.

Mr. Fischer moved and asked unanimous consent that the first line in Resolve No. 1 be amended by inserting before the word "Convention" the word "Constitutional" and inserting after the word "Convention" the words "of Alaska". There being no objection, it was so ordered.

By voice vote the amended resolution was adopted.

Mr. Johnson moved and asked unanimous consent that since Mr. Taylor's absence was due to illness that he be ~~paid salary and per diem~~ ^{shown present in roll call} for the past two days. ~~Mr. McLaughlin asked Mr. Johnson to amend his motion to read that the roll call show Mr. Taylor as present. Mr. Johnson accepted the change.~~ There being no objection, it was so ordered.

Mr. Kilcher asked if there was not a motion which had been referred to the Rules Committee.

The President called for a report from the Chairman of the Rules Committee.

Mr. Riley deferred to Mr. Kilcher.

Mr. Kilcher stated that he was satisfied that the Committee on Rules had recognized a basic difference of opinion and he was willing to postpone action on the motion until the Committee on Rules has had time to further consider the matter.

Mr. Riley moved and asked unanimous consent that the motion referred to the Committee on Rules be put off until Monday morning, November 21, and that it be made a first order of business on that date.

Mr. Sundborg stated that as the maker of the motion he assented to this procedure.

There being no objection, it was so ordered.

Mr. Sundborg inquired as to whether there should not be an order of business for the afternoon session for the purpose of having an orderly journal.

Mrs. Sweeney suggested that the matter of reading and approving the Journal of the eighth day be taken up at this time.

Mrs. Sweeney asked that the Journal be corrected on page 1 to show that the reading of the Journal was not dispensed with but postponed until later in the day. There being no objection, it was so ordered.

Mr. Sundborg asked that paragraph one on page 2 be inserted in its proper place on page 1 before Communications. There being no objection, it was so ordered.

Mr. Armstrong asked that "Mr." be inserted after "Reverend". There being no objection, it was so ordered.

Mr. Sundborg asked if a committee could not be named to take care of correcting the Journal before it is mimeographed in order to save time during the plenary sessions.

Mrs. Sweeney suggested it would be more practical to have the committee correct the mimeographed journals.

The President named the Committee on Administration to take care of this matter. Mrs. Sweeney objected and suggested the President name a special committee.

The President named Mr. Knight, Mr. White and Mr. Doogan to read and correct the Journal each day and report to the Convention at the afternoon session.

Mr. Johnson asked that a statement regarding a quorum being present be added after the roll call. There being no objection, it was so ordered.

There being no further corrections the Journal was ordered approved as corrected.

Mr. Hellenthal moved and asked unanimous consent that the Convention adjourn until 9 o'clock *the following morning*.

COMMITTEE ANNOUNCEMENTS

Mr. McNealy announced a meeting of the Committee on Ordinances and Transitional Measures on recess.

Mr. Rosswog announced a meeting of the Committee on Local Government at 3:30.

COMMITTEE REPORTS

Mr. Sundborg reported that Committee No. III, Style and Drafting met and decided (1) to prepare a manual on style which will contain suggestions on format, arrangement, titling, numbering and wording of articles and sections of the constitution, which manual will be distributed to all the committees, and (2) to

investigate the feasibility of preparing a wall chart which will keep account of progress in building the constitution. Subcommittees were appointed to take charge of each of these matters. Mr. Armstrong was named chairman of the subcommittee on the style manual and Mr. Davis the chairman of the subcommittee on the wall chart.

Mr. Riley, Chairman of the Rules Committee, reported that the Rules Committee had elected Mrs. Hermann, vice chairman and Mr. Rosswog, secretary. *appointed*

Mr. Cross, Chairman of Committee XIV, Committee on Resolutions and Recommendations, reported that the Committee had elected Mr. Gray, vice chairman, and Mr. Robertson, secretary. *appointed*

Mr. V. Rivers, Chairman of Committee VIII, Committee on Executive Branch, reported that the Committee had elected Mr. Boswell, vice chairman, and Mr. Harris, secretary. *appointed*

Mr. Collins, Chairman of Committee XIII, Committee on Direct Legislation, announced a meeting as scheduled. *appointed*

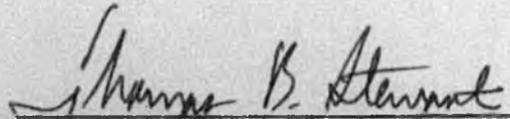
Mr. Smith, Chairman of Committee X, Committee on Resources, reported the Committee had ~~elected~~ Mr. Riley, secretary and Mr. Boswell, vice chairman. *appointed* *lected*

Miss Awes, Chairman of Committee V, Committee on Preamble and Bill of Rights, *appointed* reported the Committee had elected Mrs. Wien, vice chairman and Mr. Armstrong, secretary, and announced the committee would meet as scheduled.

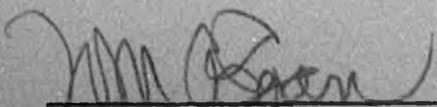
The President announced in answer to inquiry from Mr. Robertson and Mr. Johnson that it would be possible to revert to matters already covered in the morning session at the afternoon session by a unanimous consent request.

The President announced a meeting of Committee Chairmen for Thursday afternoon.

There being no objection to Mr. Hellenthal's motion to adjourn, the convention adjourned until 9:00 o'clock Thursday morning.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TENTH CONVENTION DAY, November 17, 1955

The Convention was called to order by President Egan at 9:00 o'clock A.M.

The Invocation was given by Reverend A. E. Purviance, Minister of the First Methodist Church of Fairbanks.

Roll call showed all present except Mr. R. Rivers. The President declared a quorum present.

COMMUNICATIONS

Telegram from C. E. Peck, Grand Secretary, Alaska Native Brotherhood sending greetings to the delegates from the delegates seated in the Forty-third annual convention of the Alaska Native Brotherhood and Sisterhood at Petersburg, was read and ordered filed.

Communication from the President of the University of Alaska calling the delegates' attention to a special lecture series at the University Gymnasium Thursday evening November 17--the speaker to be Dr. Thomas R. Davis of the Arctic Aeromedical Laboratory was read.

Announcement of the Music Department's fall concert at the University Sunday, November 20, at 3 P. M. was read.

Resolution from the League of Alaskan Cities extending greetings to the Constitutional Convention, stating its interest in a good and equitable solution to the local government needs of Alaska and offering its help in every possible way, was read and ordered filed.

STANDING COMMITTEE REPORTS

Mr. Cross, Chairman of the Committee on Resolutions and Recommendations submitted the following report:

"Whereas the Convention on November 14, 1955, referred to this Committee for action the following motion, which was made by R. E. Robertson and seconded by Maurice T. Johnson, namely:

'I move that it is the 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.'

"Now, upon consideration of said motion,

IT IS RECOMMENDED that it be adopted and enacted by the Convention in the following amended form, viz.:

'I move that it is the intent of this convention that the Constitution should be a document of fundamental principles of basic government, and contain the framework for state government.'

Mr. Robertson moved the adoption of the report. Mr. Johnson seconded and asked unanimous consent. There being no objection, it was so ordered.

Mr. Collins, Chairman of Committee XIII, Committee on Direct Legislation, announced that the Committee had met and elected Mr. Taylor, vice chairman and ~~Mr. Metcalf~~, secretary.

Mr. Hellenthal, Chairman of Committee VI, Committee on Suffrage, Elections and Apportionment, announced that the Committee had met and elected Mr. Cooper, vice chairman and ~~Mr. Gray~~ secretary.

appointed
INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 4 by Mr. Robertson, entitled FINANCE: TO LIMIT THE AMOUNT OF CURRENT, BONDED, AND OTHER INDEBTEDNESS TO WHICH THE STATE, MUNICIPALITIES, SCHOOL DISTRICTS, PUBLIC UTILITY DISTRICTS, AND OTHER TAXING AUTHORITY DISTRICTS SHALL BE SUBJECTED OR WHICH THEY MAY INCUR was introduced, read the first time and referred to the Committee on Finance and Taxation.

Mr. V. Rivers asked in regard to Proposal No. 4, and with reference to the resolution just adopted, whether it was a fundamental ~~proposal~~ of basic government to limit debt. *principle*

The President pointed out that the resolution states "it is the intent" and that the outcome of any such proposal will be left to the judgment of the membership of the Convention.

Proposal No. 5, by Mr. Robertson, entitled DEFINITION OF NATURAL RESOURCES AND THEIR CONTROL was introduced, read the first time and referred to the Committee on Natural Resources.

Proposal No. 6, by Mr. Johnson and Mr. Coghill, entitled EDUCATION was introduced, read the first time and referred to the Committee on Direct Legislation.

The privilege of the floor was granted to Colonel Sawtelle of Ladd Air Force Base who discussed the plans for the tour of the Base to be conducted on Saturday, November 19. Colonel Sawtelle also extended greetings to the delegates from Lt. General Joseph H. Atkinson and Brig. General T. Alan Bennett.

Mr. Hellenthal moved that the Convention adjourn Friday until Monday morning at 9:00 o'clock for the purpose of attending the Saturday activities planned at Ladd Air Force Base. Mr. Buckalew seconded. The motion was adopted by voice vote.

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

AFTER RECESS

Mr. Knight moved and asked unanimous consent that the Secretary be instructed to write a letter of thanks to the Fairbanks Chamber of Commerce for the wonderful party given in honor of the delegates Wednesday, November 16. There being no objection, it was so ordered.

Mr. Cooper moved that the Rules be suspended and that reconsideration be given to the vote for adjournment of a full day on Saturday.

The President announced that the maker of the original motion planned to amend his motion ~~of~~ ^{at} the afternoon session.

Mr. Cooper withdrew his motion.

The Secretary announced a change in the schedule for the Ladd Field activities in that a bus would leave Ladd Field for Fairbanks at 10:00 p.m. instead of midnight.

COMMITTEE ANNOUNCEMENTS

Mr. Davis announced a meeting of the two subcommittees of the Committee on Style and Drafting at the scheduled time of the full Committee's meeting.

Mr. Coghill announced a meeting of the Committee on Administration at the usual time.

The President announced a meeting of the Committee Chairmen at 1 p.m. this afternoon.

Mr. Gray moved and asked unanimous consent that the Convention recess until 1:30 p.m. There being no objection, it was so ordered.

AFTER RECESS

The President called for the report of the Committee assigned to read and correct the Journal.

Mr. Doogan reported the following corrections *to the Journal for the 9th day*

On page 2 it should be noted that it is Mr. R. Rivers, every other time Mr. Rivers is mentioned it should be Mr. V. Rivers. On page 5 change "paid salary and per diem" to "shown present on roll call" and delete the next two sentences. On page 6 add "the following morning" to the sentence before Committee Announcements.

Miss Awes pointed out that the secretaries of committees are appointed and the Journal should be corrected accordingly.

There being no further corrections, Mr. Doogan asked unanimous consent that the Journal be approved as corrected. There being no objection, it was so ordered.

Mr. White asked unanimous consent for the adoption of the following report of the special committee in charge of reading the Journal:

"CONVENTION POLICY AS TO READING AND CORRECTING THE JOURNAL

1. That copies of the journal be placed on delegates' desks as soon as possible.
2. That the journal be read for approval at the opening session of the second day following the date of the journal.
3. That delegates be responsible for reporting errors and changes to chief clerk's office prior to one-half hour before the convening of the opening session of the second day following the date of the journal.
4. The report of the committee on reading the journal be accepted as final subject to ruling by the chair.
5. That it shall be the policy of the committee to dispense with the reading of the journal except for changes, except when otherwise requested. That two copies only--one in possession of the Secretary of the Convention and one in possession of the committee--be corrected, except in cases of important changes, when such changes will be re-mimeographed."

Mr. Hellenthal objected. Mr. White moved. Mr. Doogan seconded. Mrs. Sweeney objected. On voice vote the report was adopted.

Mr. Hellenthal asked that the record show it is in the interest of this convention and of matters properly before this convention that the delegates visit Ladd Air Force Base on Saturday, November 19. He added that there are many problems involving the military which will come before virtually every committee and it is the proper business of the convention to visit this military installation.

Mr. Hellenthal asked unanimous consent that a summary of his remarks be included in the Journal. Mr. Buckalew objected. Mr. Hellenthal moved. Mr. Barr seconded. Discussion followed.

Mr. Hurley rose to a point of order on the propriety of a motion to adjourn at a future time.

The President ruled that this Convention could decide almost anything it wanted relative to the Convention.

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

By voice vote a summary of Mr. Hellenthal's remarks was ordered placed in the Journal.

Mr. Gray moved that the Convention rescind its action taken earlier on the motion to adjourn on Friday until Monday morning. Mr. Cooper seconded.

Mr. McCutcheon requested a roll call:

The question being "Shall the Convention rescind its action on the motion to adjourn on Friday until Monday morning?"; the roll was called with the following result:

Ayes: 18 - Coghill, Cooper, Doogan, V. Fischer, Gray, Harris, Hinckel, Hurley, Johnson, King, Laws, Lee, McNees, Peratrovich, Poulsen, Smith, Sweeney, Mr. President

Nays: 33 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cross, Davis, Emberg, H. Fischer, Hellenthal, Hermann, Kilcher, Knight, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Reader, Riley, V. Rivers, Rosswog, Stewart, Taylor, VanderLeest, Walsh, White, Wien

Absent: 4 - Hilscher, R. Rivers, Robertson, Sundborg

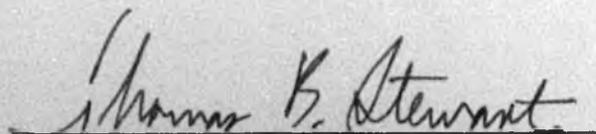
and so the motion to rescind action failed.

Mr. Davis called to the attention of the President the fact that the roll call should be rotated according to Rule 27.

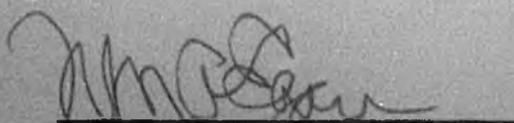
Mr. Coghill rose to a point of order regarding amending a motion to adjourn.

The President ruled that this motion was not amending the motion to adjourn.

Mr. Johnson moved and asked unanimous consent to adjourn until 9 o'clock A.M. Friday, November 18.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Chief Clerk

ALASKA CONSTITUTIONAL CONVENTION Nov. 22, 1955

JOURNAL OF THE ELEVENTH CONVENTION DAY, November 18, 1955

The Convention was called to order at 9:00 o'clock A.M. by President Egan.

The Invocation was given by Reverend Robert Sheppard of the First Church of the Nazarene of Fairbanks.

Roll call showed all present. ~~except Mr. Deegan.~~

The President declared a quorum present.

Announcement was made that the Co-op Drug lunch room in Fairbanks would be open at 7:55 A. M. daily for the convenience of Delegates.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 7 by Mr. Johnson, entitled DEALING WITH WILDLIFE CONSERVATION, was introduced, read the first time and referred to the Committee on Resources.

COMMITTEE ANNOUNCEMENTS

Mr. Davis announced a meeting of Committee III at 11 A.M.

Mr. Cross announced a meeting of Committee XIV, on recess.

Miss Awes announced a meeting of Committee V, on recess.

Mr. McLaughlin announced a meeting of Committee IX at the established time.

Mr. McNealy announced that Committee IV would not meet until Monday.

Mr. V. Rivers announced that Committee VIII would meet on recess.

Mr. Smith announced that Committee X would meet at the scheduled time.

Mr. Rosswog announced that Committee XII would meet at the scheduled time. He reported that the committee continued its study of staff papers and had agreed to join the TV program set up locally. The Committee had also decided to call in a consultant, Mr. Weldon Cooper.

Mr. Collins announced that Committee XIII would meet Monday at the scheduled time.

Mr. Buckalew asked unanimous consent that the Convention adjourn until 9 o'clock Monday morning.

Mr. McLaughlin objected. Mr. Buckalew moved. Mr. [✓]Rivers seconded. On voice vote the motion failed.

Mr. Barr asked unanimous consent that the Convention recess until 1:30 P. M. today. Mr. Taylor objected for information. Mr. Taylor withdrew his objection. There being no further objection, the Convention recessed until 1:30 P.M.

AFTER RECESS

Mr. Robertson asked unanimous consent that the Convention revert to introduction of proposals. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 8, by Mr. Robertson, entitled: LEGISLATURE: TO CREATE A LEGISLATURE WITH QUALIFICATIONS OF ITS MEMBERS, AND TO ESTABLISH LEGISLATIVE AND SUBLEGISLATIVE DISTRICTS, AND REPRESENTATION THEREFROM, AND TO REQUIRE DECENNIAL REAPPORTIONMENT was read the first time and referred to the Committee on Legislative Branch.

Mr. Hellenthal rose to a point of order regarding the assignment of Proposal No. 8 to the Legislative Branch only since the proposal was concerned also with reapportionment and should be assigned to the Committee on Suffrage, Elections and Apportionment.

The President stated Mr. Hellenthal was correct and that Committee VII should refer Proposal 8 to Committee VI, Committee on Suffrage, Elections and Apportionment later.

Mr. Coghill asked unanimous consent that the Convention revert to Committee reports. There being no objection, it was so ordered.

COMMITTEE REPORTS

Mr. Coghill submitted Administrative Committee Report No. 3 covering the following: The Officers of the Committee are Mr. Hilscher, vice chairman and Mrs. Sweeney, secretary. Additional American and Alaskan flags for the Convention Hall have been ordered. A weekly report on finances, personnel, etc., will be made to the Convention. The secretariat is completely organized. Memorandum ~~a~~ regarding the library and use of consultants have been issued. A memorandum regarding official business long distance calls and telegrams will be issued.

Mr. Coghill asked unanimous consent for the acceptance of the report. There being no objection, it was so ordered.

The President, with the consent of the Convention, announced that only a summary of committee reports would be placed in the daily journal and that the report would be filed.

Mr. Rosswog announced that the Committee on Local Government would meet at the scheduled time and would hold an extra meeting Saturday at 1 o'clock P. M. at #6 Alaskan Inn.

The Secretary announced that there was a special room set aside for delegates equipped with typewriters for their use.

Mr. Riley announced a brief meeting of the Rules Committee on adjournment.

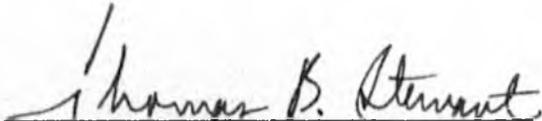
Mr. Johnson called for the approval of the Journal.

The President announced that in line with action adopted yesterday, the Journal would be approved at the next session of the Convention.

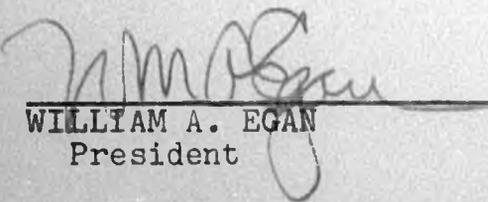
Mr. Knight asked for personal privilege of the floor to extend birthday wishes to Mr. Maurice T. Johnson.

The President requested the Journal show **that** immediately following adjournment the delegates partook of a delicious birthday cake in honor of Mr. Johnson's birthday.

Mr. Gray moved and asked unanimous consent for adjournment until 9 o'clock Monday morning. There being no objection, it was so ordered.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Connected

Constitutional Convention
Journal/10
Approved Nov. 23, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FOURTEENTH CONVENTION DAY, November 21, 1955

The Convention was called to order by President Egan at 9:00 o'clock A.M.

The Invocation was given by Reverend John C. Stokes, Minister of the University Community Presbyterian Church.

Roll call showed all delegates present. The President declared a quorum present.

Mr. Riley, Chairman of the Rules Committee, asked that the report of the Rules Committee scheduled to be a first order of business be made a special order of business at the afternoon session. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 9, by Victor Fischer, entitled AN ARTICLE ON EDUCATION, HEALTH AND WELFARE, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

Proposal No. 10, by Victor Fischer, entitled INTERGOVERNMENTAL RELATIONS, was introduced, read the first time and referred to the Committee on Resolutions and Recommendations.

Proposal No. 11, by Mr. Harris, entitled LOCATION OF THE STATE CAPITAL, was introduced, read the first time and referred to the Committee on Legislative Branch.

Proposal No. 12, by Mr. Davis, entitled PERTAINING TO THAT SECTION OF THE CONSTITUTION RELATIVE TO THE ESTABLISHMENT OF THE JUDICIAL BRANCH OF THE GOVERNMENT OF THE STATE OF ALASKA, was introduced, read the first time and referred to the Committee on the Judiciary Branch.

RESOLUTIONS

Resolution regarding the location of the State Capital was introduced by Mr. Poulsen and referred to the Committee on the Legislative Branch.

Mr. V. Rivers moved and asked unanimous consent that the Convention recess until 1:30 o'clock P.M. There being no objection, it was so ordered.

AFTER RECESS

Consideration of the Journal

Mr. Knight, member of the committee assigned to reading the Journal, reported the following changes in the Journal for the tenth day: on page 2 insert the word "appointed" on lines 12 and 15. Page 2, line 24, change "proposal" to "principle". Page 3, line 14 change "of" to "at". Page 4, sixth line from the bottom of page typographical error in "remarks".

Mr. Knight asked unanimous consent for the approval of the Journal for the tenth day as corrected. There being no objection, it was so ordered.

Mr. Johnson asked unanimous consent to revert to the introduction of proposals.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 13, by Mr. Johnson, entitled DEFINING INHERENT RIGHTS, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

Proposal No. 14, by Mr. Johnson, entitled THE EXECUTIVE, was introduced, read the first time and referred to the Committee on the Executive Branch.

Proposal No. 15, by Mr. Smith, entitled TO MAKE PROVISIONS OF CONSTITUTION MANDATORY, was introduced, read the first time and referred to the Committee on the Executive Branch.

Mr. Riley asked that the Convention revert to Committee Reports.

Mr. Riley stated that the Rules Committee reported adversely on Mr. Sundborg's amendment to Rule 50 which had been referred to it. He submitted a committee redraft of Rule 50 for the consideration of the convention, but stated that before action was taken on the redraft Mr. Sundborg's motion should be disposed of.

The question being "Shall Mr. Sundborg's motion to amend Rule 50 be adopted?", the roll was called with the following result:

Ayes: 4 - Buckalew, Collins, Kilcher, Sundborg

Nays: 50 - Armstrong, Awes, Barr, Boswell, Coghill, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Absent: 1 - Doogan

And so the motion failed.

Mr. Smith moved that the redraft of Rule 50 as proposed by the Rules Committee be adopted. Mr. Taylor seconded. Mr. Sundborg moved to amend Mr. Smith's motion to rephrase it. Mr. Smith and Mr. Taylor accepted the amendment.

The motion read as follows:

"Mr. Smith moved to strike Rule 50 and in lieu thereof insert the following:

Rule 50. After all proposals which are to be included in the Constitution have been agreed upon the Convention shall refer them to the Committee on Style and Drafting for final arrangement in proper order and form.

When the Committee submits the Constitution in proposed final form for adoption, any part of the document may, by an affirmative vote of at least 37 Delegates, be opened for specific amendment by reversion to second reading. Should the proposed document be amended it shall again be referred to the Committee on Style and Drafting. After the report of the Committee, the Constitution in final form shall be adopted by the Convention by the affirmative vote of at least 28 Delegates. "

Mrs. Hermann asked unanimous consent that a comma be added in the first sentence after "upon". There being no objection, it was so ordered.

Mr. Kilcher pointed out that in effect the redraft had not changed the original language of Rule 50 and the objective he had been trying to reach when he objected to the rule earlier is taken care of in the rule which allows the convention to rescind action.

Mr. McLaughlin moved the previous question. Mr. Buckalew seconded. Mr. Taylor asked unanimous consent. Mr. Sundborg objected. On voice vote the previous question was ordered.

The question being, "Shall Rule 50 as redrafted by the Rules Committee be adopted?", the roll was called with the following result:

Ayes: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, Gray, Hellenthal, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, Marston, Nerland, Nolan, Nordale, Peratovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Nays: 7 - V. Fischer, Harris, Hermann, McCutcheon, McNealy,
McNees, Metcalf

Absent: 1 - Doogan

And so the Rule was adopted.

Mr. Sundborg asked unanimous consent that in making Rule 50 part of the permanent rules ~~that~~ it be typed as one paragraph. There being no objection, it was so ordered.

Mr. Smith asked unanimous consent that the Convention revert to Committee Reports. There being no objection, it was so ordered.

Mr. Smith reported that the Resources Committee would like to request the services of Ernest R. Bartley and Vincent Ostrom as consultants to the Committee. The President announced that the request would be taken under advisement by the President and the Secretary.

Mr. Hellenthal announced that Committee VI, Committee on Suffrage, Elections and Apportionment, would hold the first of what may be a series of public hearings at 11 o'clock Saturday, November 26. The meeting will be held in the Committee's regular meeting room, but will adjourn to a larger meeting place if necessary. The Committee will consider any matter pertinent to the business of the Committee.

Miss Awes announced that Committee V, Committee on Preamble and Bill of Rights will hold a public hearing on Saturday morning at 9:30 in the Committee Room. Committee V will not meet on Tuesday, but will hold its regular meeting on Wednesday.

Mr. Sundborg reported that the Committee on Style and Drafting would like to request the services of Jack McKay for the duration of the Convention and specifically that the Legislative Council be asked to assign Mr. McKay to the Convention with the Council to pay his salary and the Convention to pay his per diem. The President stated that without objection the President and Secretary would request the Legislative Council to assign Mr. McKay to the Convention.

Mr. McNees asked whether Mr. McKay's services would be available for other Committee work. Mr. Sundborg stated that that would be the case.

Mr. Robertson asked what the procedure would be as to the author of a proposal amending it without going to the Committee.

The President stated he believed the amendment would have to go before the Committee.

Mr. Riley, Chairman of the Rules Committee stated one possible way would be to submit another proposal.

Mrs. Hermann stated there would be no reason why the author could not amend his proposal in second reading.

The President stated the author of a proposal could always ask to have the proposal withdrawn.

It was announced that the Committee on Judiciary would hold its meeting at 4 p.m. at TV station KTVF and through the kindness of Mr. Nerland a TV set had been placed in the lounge so that the delegates could watch the meeting.

Mr. Sundborg asked whether it would be possible to have a report from Mr. Carozza on the soundscribing equipment.

Mr. McNealy asked unanimous consent that the Convention resolve itself into a Committee of the Whole to hear from Mr. Carozza.

Mr. McNees reminded the delegates that precious committee time was being taken up when the Convention did not adjourn on schedule.

The President appointed Mr. Hilscher to preside over the Committee of the Whole.

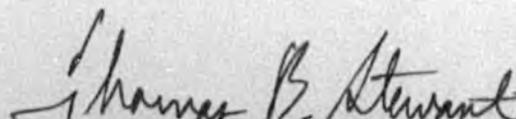
Upon the completion of Mr. Carozza's statement, Mr. McLaughlin moved and asked unanimous consent that the Committee of the Whole rise and report. There being no objection, it was so ordered.

Mr. Kilcher asked that the President address Mr. Hilscher and himself by their first names to avoid confusion. The President advised Mr. Kilcher that he would do so.

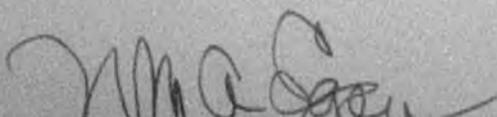
Mr. Hellenthal moved and asked unanimous consent that the Convention adjourn until 9 A.M. Tuesday morning.

Mr. McNealy announced a meeting of Committee IV on recess.

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


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTEENTH CONVENTION DAY, Tuesday, November ²²~~18~~, 1955

The Convention was called to order at 9:00 o'clock A.M. by President Egan.

The following Invocation was given by Reverend Victor Alfsen, minister of the First Presbyterian Church of Fairbanks:

"Let us pray. Almighty God, unto Whom all hearts are opened, all desires known, and from Whom no secrets are hid, deliver this assembly, O Lord, from arrogance and from impatience, from wilful misunderstanding of each other's difficulties. And grant unto each member a full measure of kindness and love, through Christ, Our Lord. Amen."

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

COMMUNICATIONS

Letter from Cyril A. Coyne, Mayor of Skagway, regarding the provision of a right-to-work clause in the Constitution was read. The letter was referred to the Committee on Preamble and Bill of Rights. Mr. Johnson requested a copy of the letter. The President ordered that Mr. Johnson be furnished a copy of the letter.

Mr. Marston moved and asked unanimous consent that letters be written to General Atkinson, General Bennett and General Ruggles expressing the Convention's appreciation for the fine instruction given during the visit to Ladd Field, as well as for the dinner party. There being no objection, it was so ordered.

COMMITTEE REPORTS

Mr. Smith, Chairman of the Committee on Resources, announced a meeting of the Committee at 11 A.M. in the Convention Hall for the purpose of meeting with Delegate Bartlett to discuss the relationship between the enabling acts and the constitution. The Chairman also announced that the Committee on Resources will hold its first public hearing, Saturday afternoon, December 3.

Mr. Rosswog announced that the Committee on Local Government would meet at 11 o'clock this morning.

Mr. Collins announced that the Committee on Direct Legislation would meet as scheduled.

Mr. Coghill announced that the Committee on Administration would meet as scheduled.

Mr. Cross announced that the Committee on Resolutions would meet immediately on recess in the gallery.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 11 A.M. as scheduled.

PRESENTATION OF RESOLUTIONS

Resolution by Mr. Kilcher to restore the original name of "Denali" to the mountain now called "Mt. McKinley" was introduced.

Mr. Kilcher asked unanimous consent that the Rules be suspended and the resolution be advanced to third reading. Mr. Sundborg objected. Mr. Kilcher moved. Mr. Peratrovich seconded.

Mr. Taylor rose to a point of order regarding advancing a resolution to third reading immediately following introduction and omitting second reading.

The President declared a short recess.

AFTER RECESS

The President ruled that in absence of any definite instruction, such as the legislature has in the Organic Act, a suspension of the rules advancing a resolution to third reading was in order.

Mr. Davis called for a roll call vote.

Mr. Robertson requested the reading of the resolution.

The Secretary read the resolution.

Mr. Hellenthal rose to a point of order that this Convention had no jurisdiction over the matter raised in the resolution because of a resolution adopted which stated the Constitution should be a document of fundamental principles.

The President ruled that a resolution would not necessarily become part of the constitution. It might be a directive for some matter to be taken under consideration.

The question being, "Shall the rules be suspended and Mr. Kilcher's resolution advanced to third reading?", the roll was called with the following result:

- Ayes: 6 - Collins, Harris, Kilcher, Peratrovich, Stewart, Smith
- Nays: 49 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

and so the request for suspension of the rules failed and the resolution was referred to the Committee on Resolutions.

Mr. White reported that his committee had read the Journal for the eleventh day and asked that it be approved with the following changes: Page 2, paragraph 2, add "V." before Rivers. Page 2, paragraph one under Committee Reports, change "memorandum" to "memoranda". Mr. Doogan asked that he be shown as present on the roll call. There being no objection, the Journal was approved with the foregoing corrections.

Mr. Taylor moved that the Convention unanimously approve the installation of the tables and chairs for the seating of the delegates. Mr. Marston seconded. Mr. Johnson asked unanimous consent. There being no objection, it was so ordered.

The Secretary announced that additional copies of the Statehood Committee studies were available to those delegates who may have received copies which were not bound correctly.

The Secretary also announced that the entertainment scheduled for the delegates at Eielson Air Force Base had been postponed.

Mr. Johnson asked unanimous consent that the Convention recess until 1:30 P.M. There being no objection, it was so ordered.

AFTER RECESS

Mr. Johnson asked unanimous consent that the Convention revert to introduction of proposals. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 16, by Mr. Johnson, entitled A SUGGESTED PREAMBLE, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

Proposal No. 17, by Mr. Taylor, entitled PUBLIC WELFARE, was introduced, read the first time and referred to the Committee on

Executive Branch. Mr. Doogan stated he believed the proposal should be referred to the Committee on Preamble and Bill of Rights.

Miss Awes suggested that since the Committee on Preamble and Bill of Rights had had an earlier proposal on the same subject referred to it, it might be best for all proposals dealing with the same subject to be referred to the same committee.

The President announced that the earlier Committee referral be changed and Proposal No. 17 would be referred to the Committee on Preamble and Bill of Rights.

The President announced a meeting of the secretaries of all Standing Committees at 1 o'clock p.m., Wednesday in Room 208.

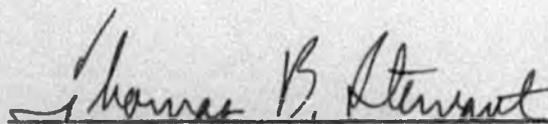
Letter from Acting Governor Waino E. Hendrickson, requesting a leave of absence for John B. Coghill to attend the President's White House Conference on Education, was read.

The President stated Mr. Coghill would be absent approximately nine days and that without objection the President would adhere to the request from the Governor of Alaska and allow Mr. Coghill a leave of absence in order to attend the White House Conference. There being no objection, it was so ordered.

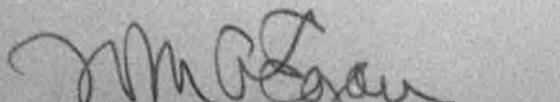
Mr. Johnson asked unanimous consent that the prayer given at the morning session be spread in its entirety upon the Journal. There being no objection, it was so ordered.

Mr. McNealy announced a meeting of the Committee on Ordinances immediately following adjournment.

Mr. Johnson moved and asked unanimous consent that the Convention adjourn until 9 o'clock a.m., Wednesday morning.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal/12

Approved November 26, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTEENTH CONVENTION DAY, Wednesday, November 23, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The Invocation was given by Reverend Jess W. Thompson, pastor of the Fairbanks Evangelical Lutheran Church.

Roll call showed all delegates present. The President declared a quorum present.

Mr. Doogan, member of the committee to read the Journal, asked unanimous consent that the Journal for the Fourteenth Day be approved with the following corrections: on page 4, paragraph 1, strike the second "that". On page 5 correct spelling of Mr. Hilscher's name. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 18, by Mr. Emberg and Mr. Hellenthal, entitled NATURAL RESOURCES: MAXIMUM PUBLICITY AND PUBLIC HEARING AFTER NOTICE, WHERE DISPOSAL OF NATURAL RESOURCES INVOLVED, was introduced, read the first time and referred to the Committee on Resources.

Mr. R. Rivers asked unanimous consent that the convention recess until 1:30 p.m.

AFTER RECESS

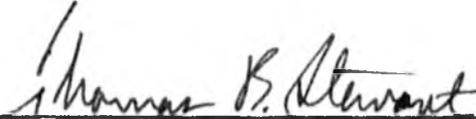
Communication from the President of the University of Alaska advised the convention of the special convocation to be held November 29, at 2 o'clock p.m. to hear speeches by Senator Knowland and former Governor Gruening. At the end of the ceremony, honorary degrees will be presented to these two outstanding men. A special invitation was extended for the delegates to attend in a body.

Mr. Johnson moved and asked unanimous consent that the convention accept the invitation of the President of the University of Alaska and recess November 29, in time to attend the convocation in a body. There being no objection, it was so ordered.

16th Day, Wednesday, Nov. 23

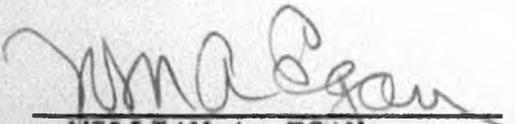
Mr. Sundborg asked whether an answer to the convention's invitation to Senator Knowland had been received and added that since the convention would be attending the convocation perhaps it would be an imposition to ask him to address the convention separately. The President announced that since no answer had been received from Senator Knowland the matter would be taken up with the Senator on his arrival.

Mr. Buckalew moved and asked unanimous consent that the convention adjourn until Friday morning at 9 o'clock a.m. There being no objection, it was so ordered.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention
Journal/13
Approved Nov. 28, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE EIGHTEENTH CONVENTION DAY, Friday, November 25, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The Invocation was given by Reverend Richard Lambert of St. Matthew's Episcopal Church of Fairbanks.

Roll call showed all present except Mr. Hurley, Mr. McCutcheon, Mr. Poulsen and Mr. V. Rivers. The President declared a quorum to be present.

Mr. Knight asked unanimous consent that the Journal for the Fifteenth Day be approved with the following corrections: change date to November 22, on page 1 at top and bottom of page. There being no objection, the Journal was ordered approved as corrected.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 19, by Mr. Johnson, entitled DEALING WITH THE DISTRIBUTION OF POWERS, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

REPORTS OF SELECT COMMITTEES

Mr. Buckalew reported that the Committee appointed to obtain gavels for the use of the Convention had had them appropriately engraved and returned to the President.

The President asked the Sergeant-at-Arms to return Mrs. Hermann's gavel to her and asked Mr. Buckalew to read the following inscription which had been placed on the gavel:

"Gavel used by Hon. B. Frank Heintzleman to open Alaska Constitutional Convention, University of Alaska, 1955, Mildred R. Hermann, President Pro-tem"

The President again congratulated Mrs. Hermann on the wonderful way she handled her job as temporary president of the Convention.

At the request of Mr. Buckalew, the President read the following inscription on the gavel to be used during the Convention:

18th Day, Friday, Nov. 25

"Official Gavel, Alaska Constitutional Convention, 1955,
University of Alaska, William A. Egan, President"

Mr. Buckalew read the inscription which was placed on the
letter opener given the President as follows:

"Presented to William A. (Wild Bill) Egan, President, Alaska
Constitutional Convention, by Delegates"

Mr. Robertson stated that the Chairman of the Committee on
Resolutions had a report to make.

Mr. Cross, Chairman of the Committee on Resolutions, stated
that the report would be delayed a day or two.

The President asked that the delegates address the Chair
immediately on arising in order to aid him in recognizing a
delegate due to the seating arrangement which makes it difficult
for the President to see all corners of the room.

Mr. Collins announced a meeting of the Committee on ~~Ordinances~~
on schedule. *Direct Legislation*

Mr. Coghill announced a meeting of the Committee on Administra-
tion on schedule.

Mrs. Sweeney announced that the Committee on Legislative Branch
would not meet as scheduled, but would meet with the Committee on
Suffrage, Elections and Apportionment.

Mr. Davis asked unanimous consent that the Convention recess
until 1:30 p.m. There being no objection, it was so ordered.

AFTER RECESS

Mr. Taylor moved and asked unanimous consent that the Convention
revert to introduction of proposals.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 20, by Mr. Hinckel, entitled TO LIMIT THE ASSESSED
VALUATION OF A SINGLE FAMILY DWELLING, OCCUPIED BY THE OWNER AS A
HOME AND PLACE OF RESIDENCE, AND THUS ENABLE THE UNRESTRICTED
IMPROVEMENT OF SUCH PROPERTY AS THE FANCY AND ABILITY OF THE OWNER
PERMITS; WITHOUT FEAR THAT CHANGES IN CLASSIFICATION, METHODS OF
ASSESSMENT, FLUCTUATIONS IN MONETARY VALUES OR RETIREMENT OF THE
OWNER ON FIXED INCOME WOULD PRECLUDE THE POSSIBILITY OF RETENTION
OF THE PROPERTY AS A HOME AFTER YEARS OF PLANNING AND CREATION,
was introduced, read the first time, and referred to the Committee
on Finance and Taxation.

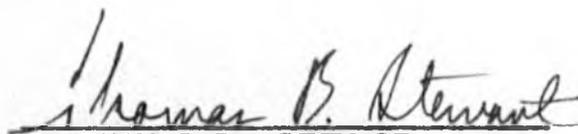
Proposal No. 21, by Mr. Harris, entitled RIGHT OF SELF-DETERMINATION, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

Proposal No. 22, by Mr. Taylor, entitled JUDICIAL BRANCH, was introduced, read the first time and referred to the Committee on Judiciary Branch.

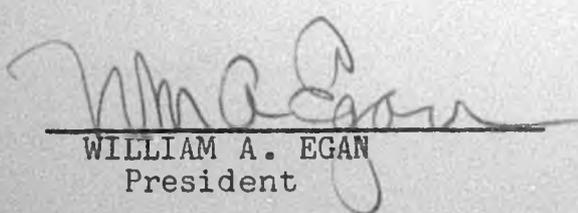
Mr. Buckalew asked unanimous consent that the committee to purchase gavels be discharged. There being no objection, it was so ordered.

Mr. King asked unanimous consent that an oil painting available through the University of Alaska be hung in back of the President's chair for the duration of the Convention. There being no objection, it was so ordered. The President appointed Mr. King and Mrs. Sweeney as a committee to take care of the matter.

Mr. Buckalew moved and asked unanimous consent that the Convention adjourn until 9 o'clock A.M., Saturday morning. There being no objection, it was so ordered.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal/14

Approved

November 29, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE NINETEENTH CONVENTION DAY, Saturday, November 26, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The Invocation was given by Reverend Charles C. Powers, pastor of the Church of the Nazarene in Totem Park.

Roll Call showed all present except Mr. Coghill,* Mr. Hurley, Mr. McCutcheon, Mr. Poulsen and Mr. V. Rivers. The President declared a quorum present.

Mr. White asked unanimous consent that the Journal for the Sixteenth Day be approved as read. There being no objection, it was so ordered.

Mr. Rosswog announced that the Committee on Local Government would meet at 11 a.m. rather than as scheduled.

Mr. Collins announced that the Committee on Direct Legislation would meet as scheduled.

Mr. Marston requested the privilege of the floor. Mr. Sundborg stated that since the soundscribing equipment was not operating perhaps Mr. Marston would like to delay his request. Without objection Mr. Marston withdrew his request for privilege of the floor at this time.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 23 by Mr. Robertson, entitled LEGISLATURE: TO CREATE A LEGISLATURE WITH QUALIFICATIONS OF ITS MEMBERS, AND TO ESTABLISH LEGISLATIVE AND SUB-LEGISLATIVE DISTRICTS, AND REPRESENTATION THEREFROM, AND TO REQUIRE DECENNIAL REAPPORTIONMENT, was introduced, read the first time and referred to the Committee on Legislative Branch.

Proposal No. 24, by Mr. Taylor, entitled SEAT OF GOVERNMENT, was introduced, read the first time and referred to the Committee on Resolutions and Recommendations.

Proposal No. 25, by Mr. McNealy, entitled LEGISLATURE TO DELEGATE AUTHORITY TO, AND RESTRICT, AGENCIES, was introduced, read the first time and referred to the Committee on Legislative Branch.

*Mr. Coghill excused in accordance with action taken by Convention, November 22.

19th Day, Saturday, Nov. 26

Mr. Metcalf, secretary of the Committee on Direct Legislation, stated that the Committee believed that Proposal No. 6 which had been referred to it should be referred to the Committee on Preamble and Bill of Rights. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Resolution by Mr. Kilcher pertaining to apportionment was introduced and at the request of the author was referred to the Committee on Suffrage, Elections and Apportionment.

Mr. Johnson asked unanimous consent that the Convention recess until 1:30 o'clock p.m. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney announced that there would be no meeting of the Committee on Legislative Branch today.

The Secretary stated that the bus schedule had been changed effective Monday, November 28, and arrangements would have to be made regarding a five o'clock bus. This matter would be taken up on Monday.

Mr. White asked unanimous consent that the Convention revert to the introduction of resolutions. There being no objection, it was so ordered.

Mr. White introduced the following resolution on behalf of Mr. Riley and himself:

"RESOLUTION

Introduced by Mr. White and Mr. Riley

"Any person who appears before the Constitutional Convention or any of its Committees to offer testimony in support of, or in opposition to, any proposal or subject matter under consideration for inclusion in the Constitution of the State of Alaska shall first register with the Secretary of the Convention and shall identify himself as to principal business pursuit. He shall state also whether he appears before the Convention or any of its Committees in an individual or in a representative capacity. If in a representative capacity, he shall be required to state whom he represents in advocating or opposing the inclusion of any subject matter in the said Constitution."

Mr. White moved the adoption of the resolution and asked unanimous consent. Mr. Gray objected. Mr. Sundborg seconded.

Mr. Johnson rose to a point of order that the resolution should be referred to a committee for action, under Rule 53.

The President declared a short recess.

The President stated that Mr. Johnson's point of order was not taken under Rule 53.

Mr. Hellenthal, Mr. McNealy and Mr. Peratrovich spoke in opposition to the resolution.

Mr. V. Fischer moved and asked unanimous consent that the resolution be referred for review and recommendation to the Rules Committee. Mr. Taylor objected. Mr. Riley seconded. On voice vote the motion carried and the resolution was referred to the Rules Committee.

Mr. Marston asked for and was granted personal privilege of the floor to speak on granting land to natives at Unalakleet.

Mr. Marston asked unanimous consent that the Convention revert to the introduction of proposals.

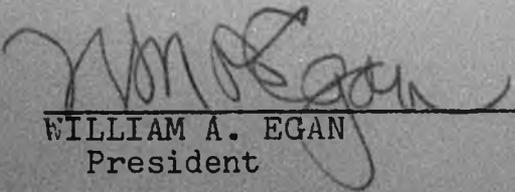
INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 26, by Mr. Marston, entitled DISPOSAL OF STATE LANDS TO ACHIEVE CERTAIN SOCIAL AND ECONOMICALLY BENEFICIAL PURPOSES, was introduced, read the first time and referred to the Committee on Resources.

Mr. Davis moved and asked unanimous consent that the Convention adjourn until 9:00 o'clock a.m., Monday morning. There being no objection, it was so ordered.

THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Chief clerk

Constitutional Convention

Journal/15

Approved Nov. 30, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-FIRST CONVENTION DAY, Monday, November 28, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The following Invocation was given by Mr. Londborg:

"Our Heavenly Father, we thank you for this new day that lies before us. We thank you for the health and strength that is ours. We thank you for the opportunities that are ours this day to work in this way as delegates at this Convention. Our Heavenly Father, we pray that you would give us each one clearness of mind, understanding hearts of one another, determination to carry out our convictions. We pray that the thoughts that are here, though they may be different, may be fused into one draft as we work together to put out this Constitution for the State of Alaska. Bless us, we pray, as we continue. We ask it in Thy Name. Amen."

Roll call showed all delegates present except Mr. Coghill* and Mr. Harris. The President declared a quorum to be present.

The reading of the Journal was postponed until the afternoon session.

COMMITTEE REPORTS

Mr. Sundborg, Chairman of the Committee on Style and Drafting, called the attention of the delegates to a report furnished, entitled "Drafting Suggestions".

Mr. Collins asked unanimous consent that the meeting hour of the Committee on Direct Legislation be changed to 9:30 a.m. There being no objection, it was so ordered.

Mr. Rosswog announced that the Committee on Local Government would meet at 11:00 o'clock this morning instead of at the scheduled time.

*Mr. Coghill excused in accordance with action taken by Convention, November 22.

21st Day, Monday, Nov. 28

Mr. Cross, Chairman of the Committee on Resolutions, submitted the following report:

"Upon consideration and after general discussion of the Resolution introduced by Delegate Yule F. Kilcher on November 22, 1955, to change the name of Mt. McKinley to the name of Denali, the Committee upon motion duly made, seconded and unanimously carried, reports that in its opinion said Resolution does not constitute either Constitutional or Legislative matter, and recommends that it be postponed indefinitely."

Mr. Kilcher asked unanimous consent that he be permitted to withdraw his resolution. There being no objection, it was so ordered.

Mr. Riley announced a meeting of the Rules Committee immediately on recess.

Mr. ^RRivers moved and asked unanimous consent that the drafting suggestions be sent back to the Committee on Style and Drafting in order to change paragraph 2. Mr. ^RRivers objected to the statement that the Constitution be written in the present tense. Mr. McLaughlin objected. Mr. McNealy seconded.

Mr. ^RRivers requested a roll call vote on his motion with the following result:

Yeas: 19 - Awes, Boswell, Doogan, H. Fischer, Hinckel, Londborg, McNealy, Marston, Nolan, Peratrovich, Poulsen, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Taylor, Walsh, Mr. President

Nays: 34 - Armstrong, Barr, Buckalew, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nordale, Reader, Riley, Rosswog, Sundborg, Sweeney, VanderLeest, White, Wien

Absent: 2 - Coghill, Harris

and so the motion failed.

Mr. Sundborg announced that there would be no meeting of the Committee on Style and Drafting today.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 27, by Mr. McNealy, entitled ELECTION IN DISTRICT OTHER THAN PLACE OF RESIDENCE, was introduced, read the first time and referred to the Committee on Suffrage, Elections and Apportionment.

Mr. Hilscher asked unanimous consent that the following telegram be sent to Fred Waring:

"Fifty-five Alaskans are now in session at the University of Alaska drafting the Constitution for the future State of Alaska. This is the last time that a Constitution will be written for the admission of a state into the United States. Knowing your interest in Alaska and the affection Alaskans have for you and your inspiring rendition of the Alaska Flag Song, we would be highly honored if you and your crew would sing our state anthem and send the Constitutional Convention a recording which will be made a part of the permanent archives of this historic Convention. /Signed Herb Hilscher delegate to the Alaska Constitutional Convention."

Mr. Metcalf objected to the Convention sending the telegram although he was in favor of the idea. Mr. Hilscher moved. Mr. Johnson seconded.

Mr. Sundborg suggested Mr. Hilscher insert "delegates elected by the people of Alaska" after "fifty-five" and delete "Alaskans" to make it absolutely clear that this is an official body. Mr. Hilscher accepted the change.

Mr. Fischer suggested that the telegram be signed by the President of the Convention.

Mr. Sundborg moved and asked unanimous consent that the telegram be signed by the President.

Mr. Marston suggested that it be signed by both the President and Secretary. Mr. Sundborg accepted the change. There being no objection, Mr. Sundborg's motion was adopted.

Mr. Gray, Mr. Collins, Mr. Kilcher and Mr. Barr spoke in opposition to the Convention's expending money to send the telegram.

Mr. White spoke in favor of the motion.

Mr. Davis moved the previous question. Mr. Cooper seconded. There being no objection, the previous question was ordered.

The question being "Shall the Convention send the proposed telegram to Fred Waring?", on voice vote the motion carried.

There being no further business at this time, Mr. Buckalew moved and asked unanimous consent that the Convention recess until 1:30 o'clock p.m.

AFTER RECESS

Mr. Knight moved and asked unanimous consent that the Journal for the 18th Convention day be approved as read.

Mr. Davis asked unanimous consent that the following correction be made. Under "reports of select committees" delete "a" and make a plural out of "gavel". There being no objection it was so ordered. There being no further corrections, the Journal was ordered approved as corrected.

Mr. White rose to a point of order and asked that the delegates abide by the instruction adopted previously to advise the Chief Clerk of any corrections at least one-half hour before the convening of the session.

COMMUNICATIONS

Letter from Professor Lee H. Salisbury of the University of Alaska, inviting the delegates to attend the performance of "Bell, Book and Candle" Friday and Saturday of this week and offering complimentary tickets, was read.

The matter of a special bus at 5 p.m. came up for discussion and it was decided that there was no need for a special bus at this time.

Mr. McCutcheon moved and asked unanimous consent that the Convention meet Wednesday evening at 7:30 p.m. for the purpose of resolving into a Committee of the Whole to discuss bicameralism and unicameralism.

Mr. Doogan objected. Mr. Sundborg seconded.

Mr. Hellenthal moved to divide the question. Mr. McCutcheon asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. Hellenthal withdrew his motion to divide the question.

Mr. McCutcheon moved that the Convention assemble Wednesday for the purpose of discussion in Committee of the Whole the matter of bicameralism and unicameralism. Mr. McNees seconded.

Mr. Cooper rose to a point of order regarding the division of the question and that the question was not stated properly.

The President stated that he believed the point of order well taken.

Mr. McCutcheon pointed out that both he and Mr. Hellenthal had withdrawn their motions and that he had submitted a new motion and therefore Mr. Hellenthal's motion did not come to issue.

The President declared a short recess.

AFTER RECESS

The President ruled that Mr. Cooper's point of order would have been well taken if Mr. Hellenthal's motion had not been withdrawn.

Mr. Kilcher moved to amend Mr. McCutcheon's motion by adding "after the meeting of the Committee of the Whole the Convention shall take up the matter under discussion and definitely decide the issue." Mr. Sundborg objected. Mrs. Sweeney seconded.

Mr. Riley stated that the Convention could not control the Committee of the Whole.

Mr. Taylor pointed out that Mr. Kilcher's motion would take a two-thirds vote to pass because it was a request for a suspension of the rules.

Mr. Peratrovich rose to a point of order to state that the Convention could not tie the hands of the Committee of the Whole prior to its meeting.

Mr. R. Rivers, Mr. Doogan and Mr. Collins spoke on the point of order.

Mr. Hellenthal spoke on the reasons behind the request for the Committee of the Whole.

Mr. Fischer rose to a point of order to state that he believed Mr. Hellenthal was out of order because there was a point of order before the Convention which had not been disposed of.

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

Mr. McCutcheon stated that he believed Mr. Hellenthal's remarks were pertinent under the point of order and if the President ruled otherwise he would appeal the ruling.

The President asked Mr. Hellenthal if he intended to address himself to the point of order at issue.

Mr. Hellenthal stated that he intended to do so and the President granted him the privilege to continue.

At the conclusion of Mr. Hellenthal's remarks, Mr. Peratrovich stated that the President should rule on the point of order.

The President requested Mr. Riley as Chairman of the Rules Committee to meet and resolve the question as to whether or not Mr. Kilcher's amendment to the motion was in compliance with Rule 23.

Mr. Kilcher moved and asked unanimous consent that he be allowed to withdraw his amendment. There being no objection, it was so ordered.

Mr. Kilcher asked unanimous consent that he be granted personal privilege of the floor to explain his reasons for withdrawing the motion. Mr. Fischer objected on the grounds that Mr. Kilcher was speaking on Mr. McCutcheon's motion. Upon Mr. Kilcher's stating he would speak only on the reasons for withdrawing his motion, the President granted Mr. Kilcher the privilege of the floor.

The question being "Shall the Convention meet on Wednesday for the purpose of meeting in Committee of the Whole to consider a unicameral or bicameral legislature?", on voice vote the motion carried.

Mr. Johnson moved that the Committee of the Whole meet at 7:30 p.m. Mr. Barr objected. Mr. McNees seconded. The roll was called with the following result:

Yeas: 32 - Armstrong, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, V. Rivers, Robertson, Smith, Sundborg, Wien, Mr. President

Nays: 19 - Awes, Barr, Boswell, Buckalew, Cooper, Hermann, Kilcher, Laws, Londborg, McNealy, Nolan, Reader, R. Rivers, Rosswog, Stewart, Sweeney, Taylor, Walsh, White

Absent: 4 - Coghill, Harris, Metcalf, VanderLeest

and so the motion passed.

Mr. Sundborg moved and asked unanimous consent that the secretariat make arrangements for a bus to leave the Nordale Hotel at 7 o'clock p.m. Wednesday, November 30. *There being no objection, it was so ordered.*

The President announced that Dr. Patty had requested that the delegates assemble at 1:50 Tuesday ~~so they could~~ go to the convocation in a body. The President also announced that Senator Knowland was due to arrive at 2 p.m. today and if ~~it is agreeable~~ *possible* ~~with the Senator~~ he will address the delegates at 9 a.m., Tuesday morning.

Mr. V. Rivers moved and asked unanimous consent that those members of the staff desiring to attend the convocation ceremonies be invited to do so. There being no objection, it was so ordered.

Mr. Rosswog announced a meeting of the Committee on Local Government at 3:30 p.m.

Mr. Nerland announced a brief meeting of the Committee on Finance on adjournment.

Mr. Johnson moved and asked unanimous consent that the prayer offered by Mr. Londborg be spread on the Journal in its entirety. Mr. Sundborg objected. Mr. Johnson moved. Mrs. Sweeney seconded. On voice vote the motion carried.

Mr. Kilcher moved that all prayers from now on be spread on the Journal. Mr. Sundborg seconded. Mr. McLaughlin moved to amend the motion by adding "of no more than 75 words" after "prayers". Mr. Buckalew seconded. On voice vote the amendment failed.

The question being "Shall all prayers from now on be spread on the Journal?", the roll was called with the following result:

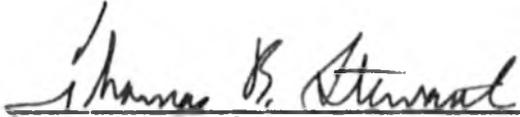
Ayes: 22 - Armstrong, Collins, Cooper, Doogan, H. Fischer, Hilscher, Johnson, Kilcher, King, Laws, Londborg, McLaughlin, McNealy, McNees, Nordale, Peratrovich, Poulsen, Smith, Stewart, Sweeney, Walsh, Wien

Nays: 29 - Awes, Barr, Boswell, Buckalew, Cross, Davis, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, Hurley, Knight, Lee, McCutcheon, Marston, Nerland, Nolan, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Sundborg, Taylor, White, Mr. President

Absent: 4 - Coghill, Harris, Metcalf, VanderLeest

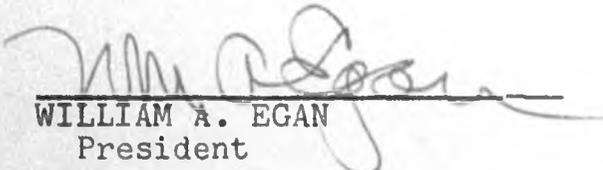
and so the motion failed.

Mr. Gray moved and asked unanimous consent that the Convention adjourn until 9 o'clock a.m., Tuesday morning.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention

Journal/16

Approved December 1, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-SECOND CONVENTION DAY, Tuesday, November 29, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The Invocation was given by Reverend Orland R. Cary of the First Baptist Church of Fairbanks.

Roll call showed all delegates present except Mr. Coghill and Mr. Harris. The President declared a quorum to be present.

(The following is a direct transcript from the record:)

"Tuesday a.m., Nov. 29

MR. PRESIDENT: We are very happy to have with us this morning, one of America's most distinguished citizens, a man whose abilities and responsibilities are well known to each of us, the man who in 1953, in his capacity of majority leader of the greatest deliberative body in the world, called up the combined Alaska-Hawaii Statehood Bill, steered it through a long and thorny debate and voted for its passage. It is my great pleasure and my honor to present to you the Honorable William F. Knowland, United States Senator from California. Senator Knowland.

SENATOR KNOWLAND: Mr. Chairman, members of the Constitutional Convention and fellow Americans, I am highly privileged to have this opportunity to meet with this Constitutional Convention which is carrying on this most important of tasks. And perhaps this may be the last Constitutional Convention for statehood in our entire American history because our 48 states, of course, are now members of the sisterhood of states, the Territory of Hawaii has already drafted its state constitutional convention, and it is highly unlikely, perhaps at least during our lifetime or our generation, that any other territory unorganized and now under the American flag is apt to be an organized territory for the ultimate purpose of statehood. So this is indeed a historic occasion. It is my first opportunity with Mrs. Knowland to visit this great area of our country. We have been tremendously impressed not only with the area, the limited time we have had here in seeing a very small segment of your Alaska, but we have

been even more impressed with the greatest of all human resources, of course, the people of this great Territory, and I have a very deep conviction--no one has a crystal ball that can predict with certainty at the precise time that you will come into statehood--but I have a deep conviction that in the not too distant future this great Territory will join the sisterhood of states. I also have full confidence that within the lifetime of most of those in this room today you will see Alaska not only as a state of the Union, but I think as one of the great and important states of the American Union.

"Now, if I could bring you in the brief time I have today, could bring you a message, it would be to not in any sense be discouraged because you have not become a state as yet or that you may not become a state even at the coming session of Congress, though I pledge to you, as I have already to the people of Alaska and the people of my own state, that I shall do everything I can, as the minority leader of the Senate as well as a Senator of the State of California, to expedite action on Alaska and Hawaii statehood. And I hope that at least it will be given favorable consideration at the coming session of Congress. If it does not come then, it will inevitably come in the very near future. Now all of the states almost that came into the Union after the original 13 went through a difficult period. My own state was not an exception, and perhaps I may be pardoned for reading a paragraph or two out of the Congressional Record of some of the things that were said about my own State of California to show how wrong even members of Congress could be.

"Mr. John Maquee, 1850--the state was admitted to the Union on September 9 of 1850--had this to say and I quote:

'The inhabitants, I beg pardon, the floating population of every color and nation who happened in California, have since that time clothed themselves with the habiliments of sovereignty and demand admission as one of the states upon equal terms with the others. This whole thing of the sovereign State of California would look better in the pages of the Arabian Nights than in the archives of this body.'

"Now the Honorable Representative James A. Sedden of Virginia, in the House of Representatives on January 3 of 1850, declared and I quote again,

'A very large proportion of them are mere sojourners, adventurers and wayfarers, roaming over a wild, uninhabited expanse in quest of treasure with which to return to their homes. The right of such a population to establish a state

government can surely not be gravely entertained by any. It is not to be tolerated, and at whatever hazards California ought to be remanded to territorial subordination.' Well, of course, since that time my state has grown from a population of some 65 thousand to a 13-and-a-half millions of people, and it is not beyond the realms of possibility, some Californians feel, perhaps unfortunately so, that by the census of 1970, we will have a population of some 25 millions of people. I think the present pressures of population will undoubtedly make Alaska look even more attractive to some of the Californians who will want to come up into this beautiful country of yours.

"I think the great challenge that faces us as free people is how we can do what Americans have always sought to do, and that is, to leave to our land and to our children a better land than we ourselves have found. This has been the objective of Americans ever since we won our independence. It has been the spirit which has helped us to grow from a small colony of three million on the Atlantic seaboard to a great nation of 165 millions of people, the most productive industrially and agriculturally the world has ever known, with the highest standard of living that any people have ever enjoyed. I don't believe we would have had that great growth except under our great constitutional system. The men who drafted our constitution were wise men. They were operating under a divine inspiration, as I believe this great deliberative body is acting under a divine inspiration. They wanted to preserve for themselves and for all posterity the freedom which they had won at so great a sacrifice. They now knew the history of the world up to their time. They knew that where the men had lost their freedom they had primarily lost it because of the concentration of power in the hands of a single individual in a national government, and in order to protect their generation and all future generations of Americans, they established our federal republic. They limited the power of the federal government and reserved all other powers to the people and to the states thereof, and in the federal government itself, they wanted to divide the powers so that they could not be concentrated in the hands of a single individual. And in our constitution, perhaps with some significance, they set up three great coordinate branches of the federal government--the legislative, executive and judicial--and named them in precisely that same order. Now, if we are half as wise as men who gave us our republic and helped to preserve it in the intervening period of years, we will preserve our federal republic, our constitutional system of divided powers of the federal government, one of limited and specified powers.

"I do not believe that even under our constitutional system our great nation could have grown, and I feel certain my own State of California could not have grown under and waiting for a paternalistic government at Washington. I think it has only

been that the resources of our area were opened up to private investment. I think the American system of free enterprise, the competitive system of free enterprise, has done more to build our country and give our people the high standards of living that we have. It will be very difficult for your own great area to have its ultimate economic development, and, I am sure that those in this room know far better than I, where the federal government is the owner of approximately 90 percent of your land area, it is going to be important that you invite investment of thrift capital. Our own great country developed its railroads, its mining resources and its industry first from the development of capital abroad and then from the development of capital from various parts of the United States of America. Our great neighbor of Canada has shown tremendous progress. It has been making some of the greatest advances of any nation in modern times. I think Alaska has all the background and all the qualities and all the resources to have a development as great as has Canada during the past few years.

"I want to say in conclusion that your work is being watched by not only the Congress of the United States, but, I think, by our 165 millions of people. Despite the objections that have come from some people to statehood, I think the overwhelming proportion of the American people expect, and I think ultimately they will demand that both Alaska and Hawaii become states of the American union. Anything I can do in my individual capacity or in my capacity as a minority leader of the Senate of the United States to expedite that day and in the meantime to help you work out the many problems that you have, which in equity, should be worked out with the federal government, I will be prepared to do. I can think of no pledge which as American citizens, regardless of the party we belong to, and after all, some of these great problems facing the world today are American problems-- they are not party problems in any sense of the word--I think of no pledge we might take as American citizens better than the pledge of Thomas Jefferson, the great architect of the Declaration of Independence, who said, 'I have sworn upon the altar of God eternal hostility on every form of tyranny over the minds of man.'"

At the conclusion of Senator Knowland's speech, the President stated that he noted many distinguished guests in the gallery, among them Mrs. Knowland, Governor and Mrs. Ernest Gruening and President and Mrs. Ernest Patty.

The President declared a ten-minute recess.

AFTER RECESS

Mr. Doogan moved and asked unanimous consent that the Journal for Saturday, November 26 be approved as read. There being no objection, it was so ordered.

Mr. Collins announced that the Committee on Direct Legislation would meet on adjournment.

Mr. Rosswog announced a meeting of the Committee on Local Government at 11 a.m.

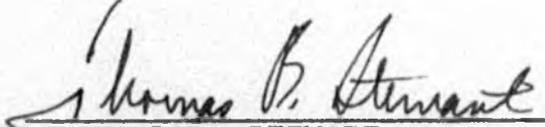
Mr. Riley announced a meeting of the Rules Committee on adjournment.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 28, by Mr. Robertson, entitled ESTABLISHING THE SEAT OF GOVERNMENT, was introduced, read the first time and referred to the Committee on Resolutions.

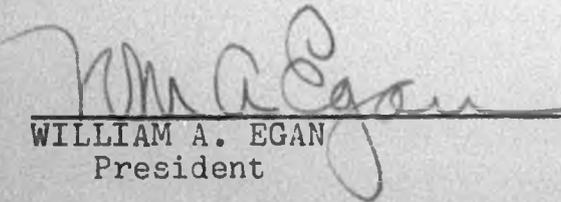
Mr. Cooper moved and asked unanimous consent that Senator Knowland's speech be spread on the Journal in its entirety. There being no objection, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent that the Convention adjourn until 9 a.m., Wednesday morning. There being no objection, it was so ordered.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention

Journal/17

Approved December 2, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-THIRD CONVENTION DAY, Wednesday, November 30, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The Invocation was given by Mrs. Zora Banks, Chairman of the Local Assembly of the Baha'i World Faith of Fairbanks.

Roll call showed all delegates present except Mr. Coghill, who is absent on permission of the Convention.

The reading of the Journal was postponed until the afternoon session.

Mr. Riley, as Chairman of the Rules Committee, reported back Resolution No. 6 which had been referred to it for consideration.

Mr. Riley moved and asked unanimous consent for the adoption of the following Rules Committee Substitute for Resolution No. 6:

"Any person who appears to offer testimony in support of, or in opposition to, any subject matter under consideration by the Constitutional Convention or any of its Committees shall be required to state whether he appears in an individual or a representative capacity. If in a representative capacity, he shall be required to state whom he represents in so appearing."

Mr. Rosswog objected. Mr. Collins seconded. Mr. Hellenthal also objected. On voice vote the motion carried.

Mr. ~~Cooper~~ ^{Rosswog} asked for a roll call.

Mr. Johnson rose to a point of order that the result of the vote had already been announced and a roll call was out of order. The President stated Mr. Johnson's point of order was well taken.

Mr. Smith moved and asked unanimous consent that the Committee on Resolutions and Recommendations be charged with the responsibility of making certain that proposals covering the seven requirements of H.R. 2535 are submitted to this Convention.

23rd Day, Wednesday, Nov. 30

The President asked Mr. Smith if he would submit that motion in the form of a Resolution at the afternoon session. Mr. Smith agreed to do this and withdrew his motion at this time.

Mr. Rosswog announced a meeting of the Committee on Local Government at 11 a.m. today.

Mr. Cross announced the Committee on Resolutions would meet at its scheduled time.

Mr. Hilscher asked unanimous consent that the Convention meet Mrs. Laura Jones, eighth grade teacher in the Fairbanks schools, who was doing such a wonderful job of bringing the Constitutional Convention to her students. There being no objection, Mr. Hilscher introduced Mrs. Jones.

Mr. Fischer moved and asked unanimous consent that the Convention resolve itself into a Committee of the Whole to hear Mrs. Jones. There being no objection, it was so ordered.

The President asked Mr. Fischer to preside.

At the conclusion of Mrs. Jones' presentation Mr. Egan moved and asked unanimous consent that the Committee of the Whole report. There being no objection the Committee arose.

The President called the Convention to order.

Mr. Fischer reported that the Committee of the Whole would like to express its appreciation to Mrs. Laura Jones for a very fine presentation. There being no objection, it was so ordered.

Mr. Cooper asked unanimous consent that the Secretary be instructed to write a letter to Mrs. Jones' class issuing a formal invitation to the class to attend one of the plenary sessions. ~~so they~~ There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent that the Convention recess until 1:30 o'clock p.m.

AFTER RECESS

Mr. White moved and asked unanimous consent that the Journal for the twenty-first day be approved subject to the following corrections: page 2, insert "R." in front of Rivers in the fourth and fifth paragraphs; page 3, add an "'s" to Convention; on page 7 add, "There being no objection, it was so ordered." at the end of paragraph 1. Add "p.m." after "1:50"; delete "so they could" and

would have an official document in their copybook.

substitute "and"; delete "it is agreeable with the Senator" and substitute "possible" in the second paragraph on page 7.

There being no objection, the Journal was approved as corrected.

Mr. Doogan requested personal privilege of the floor to suggest that anyone who wanted to be excused from the morning session on Thursday to attend the funeral of an old pioneer resident of Fairbanks, Mrs. Dan F. Eagan, be allowed to do so.

Mr. Doogan asked unanimous consent that those delegates who desired to attend the funeral of Mrs. Eagan be excused from the Thursday morning session and be marked present on roll call. There being no objection, it was so ordered.

Mr. McLaughlin moved that remarks under personal privilege shall not be soundscribed in the future. Mr. V. Rivers objected. Mr. White seconded.

Mrs. Sweeney asked whether that would apply to special privilege also or only to personal privilege.

The President ruled that it would mean any motion made under privilege.

Mr. Hilscher rose to a point of information as to what would be accomplished by Mr. McLaughlin's motion.

Mr. McLaughlin stated that it would cut off a lot of unnecessary remarks which had no bearing on the business of the Convention.

Mr. V. Rivers expressed opposition to the motion.

Mr. Sundborg reported that this matter had been discussed in a meeting of committee chairmen and it had been the unanimous vote of the chairmen to favor this motion. Mr. Sundborg added that Mr. V. Rivers had not been present at the meeting. He further stated that a survey shows the Convention will run far over the number of hours guaranteed to be soundscribed and it was the feeling of the chairmen that personal privilege remarks were something which could be eliminated.

Mr. Hurley rose to a point of information to inquire how he would speak to a subject when he did not wish to make a motion.

The President stated that he could ask for unanimous consent to revert to a certain subject which may have been before the Convention previously which would amount to a suspension of the rules.

The question being "Shall the soundscribing be shut off when a person has gained the floor under privilege?", on voice vote the motion carried.

Mr. Cooper moved and asked unanimous consent that the late evening TV programs be suspended. Mrs. Fischer seconded.

The President announced that at a meeting of the Committee Chairmen it had been decided to suspend all TV appearances for the time being.

Mr. McLaughlin stated that this would be effective Saturday.

Mr. Rosswog stated this would be effective Friday night.

Mr. Cooper stated that with the consent of his second he would withdraw his motion.

The Secretary announced that the Convention stationery was available.

Communications from the President of the University announcing a tea at the President's Residence honoring women delegates and wives of delegates, women members of the faculty and wives of faculty members, and others, and inviting the women delegates to the Panel Discussion Group of the American Association of University Women at a luncheon Saturday, December 3rd, at 12:30 p.m., were read.

Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

The President reminded the delegates of the Committee of the Whole meeting scheduled for 7:30 p.m. tonight.

Mr. Sundborg moved and asked unanimous consent that the Convention adjourn until 9 o'clock, Thursday morning.

Mr. Hilscher brought up the question of soundscribing the Committee of the Whole.

Mr. Sundborg withdrew his motion to adjourn and asked unanimous consent that the Convention resolve itself into a Committee of the Whole to discuss arrangements for recording the Committee of the Whole session tonight.

The President asked Mr. Sundborg to preside.

At the conclusion of the discussion, Mr. Johnson moved that the Committee of the Whole rise and report. Mr. McNealy seconded.

The President called the Convention to order.

Mr. Johnson started to make a motion, but was interrupted on a point of order request by Mr. Sundborg that the report of the Committee of the Whole was in order at this time.

The President stated Mr. Sundborg's point was well taken and asked for the Committee of the Whole report.

Mr. Sundborg reported that the Committee of the Whole received the report that Radio Station KFAR would soundscribe the evening's proceedings and moved the adoption of the report. Mr. Robertson seconded.

Mr. Hellenthal moved to amend Mr. Sundborg's report to add "and that the stenotypist will not be called upon". Mrs. Hermann objected. Mr. White seconded.

The President ruled that the motion would not be in order at this time.

There being no objection, the report of the Committee of the Whole was adopted.

Mr. McLaughlin moved that the services of the stenotypist be dispensed with this evening during the hearing of the Committee of the Whole. Mr. White seconded.

Mr. Riley rose to a point of information that the Convention had not yet accepted the offer of Radio Station KFAR.

Mr. Hilscher asked unanimous consent that the Convention accept the offer of KFAR to soundscribe the Committee of the Whole meeting of this evening.

Mr. Riley rose to a point of order that there was a motion on the floor which had not been acted upon.

Mr. McLaughlin asked unanimous consent to withdraw his motion temporarily with the consent of his second.

On voice vote Mr. Hilscher's motion was adopted.

Mr. McLaughlin asked to reinstate his motion at this time and asked unanimous consent for its adoption. Mr. Johnson objected to the unanimous consent request.

Mrs. Hermann spoke in opposition to the motion stating the stenotypist's record would be invaluable.

Mr. White favored the motion because he believed a stenotyped record would be an unnecessary expense.

Mr. Harris moved the previous question. Mr. Doogan seconded. On voice vote the motion carried.

The previous question being "Shall the services of the stenotypist be dispensed with this evening during the hearing of the Committee of the Whole?", the roll was called with the following result:

Yeas: 18 - Barr, Boswell, Cross, Doogan, Emberg, Harris, Hellenthal, Hurley, King, Knight, Lee, McNealy, Nolan, Peratrovich, Rosswog, Sweeney, White, Mr. President.

Nays: 33 - Armstrong, Awes, Collins, Cooper, Davis, H. Fischer, V. Fischer, Gray, Hermann, Hilscher, Hinckel, Johnson, Kilcher, Laws, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, V. Rivers, Robertson, Smith, Stewart, Sundborg, VanderLeest, Walsh, Wien

Absent: 4 - Buckalew, Coghill, R. Rivers, Taylor

and so the motion failed.

Mr. Sundborg moved and asked unanimous consent that the stenotypist be paid \$25.00 additional salary for the evening session. Mr. Marston seconded. Mr. Poulsen objected. Mrs. Sweeney objected. Mr. Barr spoke in favor.

The question being "Shall the stnotypist be paid \$25.00 additional salary for the evening session?", the roll was called with the following result:

Yeas: 22 - Awes, Barr, Cross, Davis, Doogan, Emberg, H. Fischer, Hurley, Johnson, King, McCutcheon, McNealy, Marston, Metcalf, Nordale, Peratrovich, Robertson, Stewart, Sundborg, VanderLeest, White, Mr. President.

Nays: 29 - Armstrong, Boswell, Collins, Cooper, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, Knight, Laws, Lee, Londborg, McLaughlin, McNees, Nerland, Nolan, Poulsen, Reader, Riley, V. Rivers, Rosswog, Smith, Sweeney, Walsh, Wien.

Absent: 4 - Buckalew, Coghill, R. Rivers, Taylor

and so the motion failed.

Mrs. Nordale moved and asked unanimous consent that only one copy be made of the transcript and that it be placed in the library for reference.

Mr. McNees rose to a point of information to suggest that the motion include that the copy not be removed from the library. The suggestion was included in the motion without objection.

Mr. Kilcher asked whether it could not be five copies, but this suggestion was not included on objection.

There being no further objection, the motion was adopted.

Mr. McLaughlin moved to recess until 7:30 p.m.

Mr. Londborg objected.

Mr. Londborg moved that the Journals for the first 8 days of the session be placed on the delegates desks immediately. On explanation of the Chief Clerk that they were in the works, Mr. Londborg withdrew his motion.

There being no further business at this time, the Convention recessed until 7:30 o'clock p.m.

AFTER RECESS

The Convention was called to order at 7:30 p.m.

Mr. McCutcheon asked unanimous consent that the Convention resolve into a Committee of the Whole for the purpose of discussing the proposal of bicameralism or unicameralism. There being no objection, it was so ordered.

V.
Mr. Rivers and Mr. Barr declined the invitation of the President to take the Chair because they wished to speak on the issue.

Mr. Peratrovich stated that in a Committee of the Whole the Chairman could speak.

The President asked Mr. Riley to preside.

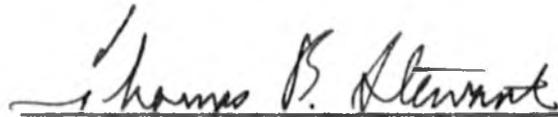
COMMITTEE OF THE WHOLE

At the conclusion of the discussion Mr. V. Rivers asked unanimous consent that the Committee of the Whole rise and report progress. There being no objection, it was so ordered.

The Convention was called to order by the President.

Mr. Riley stated that the Committee of the Whole had met, risen and reported progress.

There being no further business at this time, Mr. Hellenthal asked unanimous consent that the Convention adjourn until 9:00 o'clock a.m., Thursday morning. There being no objection, it was so ordered.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention

Journal/18

Approved December 5, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-FOURTH CONVENTION DAY, Thursday, December 1, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

Chaplain Martin L. Shaner of the Air Force at Ladd Field gave the Invocation.

Roll call showed all delegates present except Mr. Coghill, who had been excused. The President declared a quorum to be present.

Proposal No. 29 by Mr. Metcalf, entitled INITIATIVE, REFERENDUM, AND RECALL -- AMENDMENT & REVISION, was introduced, read the first time and referred to the Committee on Direct Legislation, Amendment, and Revision.

Resolution No. 7 by Mr. Smith, asking that the Committee on Resolutions and Recommendations be charged with the responsibility of making certain that proposals covering the seven requirements of H.R. 2535 are submitted to this Convention, was introduced and referred to the Committee on Resolutions and Recommendations.

Mr. Hurley stated that the Committee on Ordinances had these requirements under consideration.

Without objection, the President referred Resolution No. 7 to the Committee on Ordinances, rather than to the Committee on Resolutions.

Mrs. Sweeney asked unanimous consent that the Convention recess until 1:30 o'clock. There being no objection, it was so ordered.

AFTER RECESS

Mr. Knight moved and asked unanimous consent that the Journal for the twenty-second day be approved as read. There being no objection, it was so ordered.

Mr. Hurley asked unanimous consent that the Convention revert to introduction of proposals.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 30 by Mr. Hurley, entitled STATE LANDS AND NATURAL RESOURCES, was introduced, read the first time and referred to the Committee on Resources.

Mr. Riley announced a meeting of the Committee on Rules on adjournment.

Mr. Sundborg inquired into the origin of a report on apportionment.

The President stated this was an individual committee member's report made for study by the Committee on Suffrage, Elections and Apportionment.

Mr. Armstrong moved and asked unanimous consent that the Secretary be instructed to write a letter of sympathy through the Command at Eielson Air Force Base to the families and personnel who were affected by the crash of the F-84. There being no objection, it was so ordered.

Mr. McNealy stated that out of regard for the the delegates from the Second Division he asked unanimous consent to withdraw Proposal No. 27. There being no objection, it was so ordered.

Mr. Smith, Chairman of Resources, announced that Mr. Vincent Ostrom, consultant to Committee on Resources, had arrived.

Mrs. Hermann stated that she believed the Convention should have the opportunity to meet and hear from the consultants as soon as they arrived.

Mr. McLaughlin stated Mr. Sheldon D. Elliott, consultant to the Judiciary Committee, had arrived and was in the gallery.

The Sergeant-at-Arms was instructed to ask Mr. Ostrom to come to the Assembly Room.

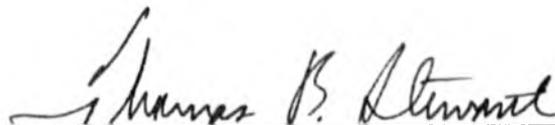
Mr. McNees stated he agreed with Mrs. Hermann's statement and hoped the Convention could hear from the consultants as soon as possible.

The President introduced Mr. Elliott to the Convention and he spoke to the delegates.

Mr. Ostrom being present in the Assembly Room, the President introduced him to the delegates and he spoke to the group.

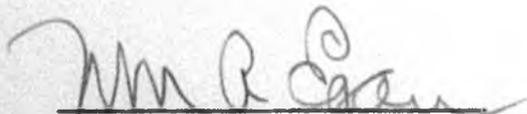
The President noted the presence in the gallery of the Attorney General of Alaska, Honorable J. Gerald Williams, and stated the Attorney General had resolved several legal problems which had come before the administrative staff.

Mr. Sundborg moved and asked unanimous consent that the Convention adjourn until 9 o'clock a.m., Friday morning.



THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/19
Approved Dec. 5, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-FIFTH CONVENTION DAY, Friday, December 2, 1955

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

The Invocation was given by Reverend Charley Alston of St. Paul's Baptist Church.

Roll call showed all present except Mr. Coghill, Mr. Emberg, Mr. Nolan and Mr. Walsh, whose absence had been excused by the President. The President declared a quorum to be present.

Mr. Riley, as Chairman of the Rules Committee, presented the following Resolution No. 8 which had been adopted by the Rules Committee.

"WHEREAS, the Secretary of the Alaska Constitutional Convention has, on medical advice, requested a leave of absence;

NOW, THEREFORE, BE IT RESOLVED

1. That the Convention hereby approves the Secretary's request for a leave of absence;
2. That the Convention hereby authorizes the President of the Convention to delegate, during the absence of the Secretary, such authority and duties of the Secretary of the Convention as he may deem necessary to such person or persons as are serving the Convention, and
3. That the Delegates hereby express to the Secretary their best wishes for a speedy recovery and a speedy return to the Convention."

Mr. Riley moved and asked unanimous consent that the resolution be adopted.

Mr. Sundborg objected temporarily to ask whether a resolution does not have to be assigned to a committee. The President stated that according to the rules a resolution can be treated as a motion. Mr. Sundborg withdrew his motion.

There being no objection, the resolution was ordered adopted.

Mrs. Hermann stated she noted the presence of Dr. Ernest Bartley in the gallery.

Mr. Smith, Chairman of the Resources Committee, introduced Dr. Bartley, consultant to the Resources Committee, who spoke briefly to the Delegates.

Mr. Smith suggested that the secretaries of the various committees get together with Mr. Riley, secretary of the Resources Committee, and arrange a schedule so the maximum use can be made of consultants. There being no objection, it was so ordered.

At the request of Mr. Davis, permission was granted for him to be absent at Saturday's session.

Mr. Gray asked to be granted leave for two days. Permission to leave was granted.

There being no further business at this time, Mrs. Sweeney moved and asked unanimous consent that the Convention recess until 1:30 o'clock p.m.

AFTER RECESS

Mr. Doogan asked unanimous consent that the Journal for the twenty-third day be approved subject to the following corrections: Page 1, change Mr. Cooper to Mr. Rosswog. Page 2, add the following to the third paragraph from the bottom "so they would have an official document from the Convention for their scrapbook". Page 7, add "V." before Rivers. There being no objection, it was so ordered.

Mr. Doogan announced that the Journals for the first three convention days would be reported on Monday.

Mr. McLaughlin moved that the present convention schedule of committee meetings be dispensed with, that the afternoon plenary session be dispensed with and that alternative (a) of the schedule which was included in Secretariat Memorandum 24/a, dated December 1, be adopted until such time as the President recommends revision. Mr. Sundborg suggested that the motion include an effective date such as Saturday. Mr. McLaughlin asked that the effective date be Monday morning because of the committee hearings already set up for Saturday. On voice vote the motion carried.

Mr. McCutcheon, Chairman of the Committee on Legislative Branch, submitted the following report and asked unanimous consent for its adoption:

"The Committee on the Legislative branch, to which Proposal Number 11 and Resolution No. 4 were referred wish to report that it feels this proposal and resolution are

not properly a matter of this committee and therefore recommends that these proposals be referred to the Committee on Resolutions. The above proposal and resolution relate to the capital of the State Government. Other proposals on the same subject have been referred to the Committee on Resolutions."

Mr. Sundborg asked unanimous consent to revert to the introduction of resolutions.

Resolution No. 9, as follows, was introduced by Mr. Sundborg:

"The Alaska Constitutional Convention takes note of the fact that Anthony J. Dimond Day, as designated by act of the twenty-second Territorial Legislature, occurred for the first time on November 30, 1955, the anniversary of the birth of this great Alaskan.

Anthony J. Dimond served Alaska well as pioneer citizen, lawyer, legislator, Delegate in Congress for six successive terms and as District Judge.

His career, not only as a public servant, but as a private citizen, husband and father, furnished example and inspiration to all Alaskans, including the Delegates to this Constitutional Convention.

His advocacy of, and devotion to, statehood for Alaska was well known and contributed to the advancement of that cause to the point that we are now assembled here writing a Constitution for the State of Alaska.

Now therefore be it resolved by the Alaska Constitutional Convention that upon adjournment of the last plenary session of this week, such adjournment be taken out of respect to the memory of that great Alaskan and outstanding American, the late Anthony J. Dimond."

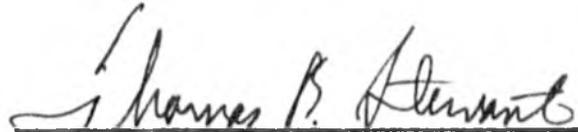
Mr. Sundborg asked unanimous consent that the resolution be adopted without reference to any committee and be spread upon today's Journal.

Mr. V. Rivers asked unanimous consent that a correction be made in the resolution to change "to Congress" to "in Congress". There being no objection, it was so ordered.

There being no objection, the Resolution was ordered adopted.

Mr. Collins announced that the Committee on Direct Legislation meet in the KFRB study at 3:45 this date.

Mr. V. Rivers asked unanimous consent that the Convention adjourn until 9 o'clock Saturday morning. There being no objection, it was so ordered.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-SIXTH CONVENTION DAY, Saturday, December 3, 1955

The Convention was called to order by President Egan at 9:00 o'clock a.m.

The Invocation was given by Reverend James Gamble, minister of the Pentacostal Holiness Church.

Roll call showed all delegates present except Mr. Coghill, Mr. Davis, Mr. Emberg, Mr. Gray, Mr. Hilscher, and Mr. Walsh, whose absences had been excused by the President.

Telegram from the Office of the Governor of Alaska stating Governor Heintzleman would be unable to attend the hearing of the Executive Committee to be held this date because of his absence in Washington, D. C., and calling attention to remarks made in his speech to the delegates at the opening ceremonies, was read and ordered referred to the Executive Committee.

Mr. Rosswog announced that the Committee on Local Government would not meet today, but would meet Sunday at 2 o'clock in Apartment 205 in the Northward Building. Mr. Rosswog introduced Mr. Weldon Cooper, consultant to the Local Government Committee, who spoke briefly.

Mr. Smith announced that there would be no meeting of the Resources Committee this morning.

Mr. V. Rivers called attention to the committee hearing of the Executive Branch Committee at 9:30 this morning.

Miss Awes announced that there would be no meeting of the Bill of Rights Committee today, but the Committee would meet Monday as scheduled.

Mr. McLaughlin announced a special meeting of the Committee on Judiciary on recess.

Mr. Sundborg announced a brief meeting of the Committee on Style and Drafting on recess.

Mr. Collins announced a meeting of the Committee on Direct Legislation on schedule.

Mr. McNealy announced that the Committee on Ordinances would not meet until Monday, but that the subcommittees would meet over the weekend.

Mr. Armstrong reported that the letter of sympathy to the Command at Eielson, which he had been directed to write for the President, had been sent.

Mr. Armstrong called the attention of the delegates to the presence in the gallery of Reverend Elmer Parker, who had served for many years at St. Lawrence Island and Hydaburg and stated he would be pleased to answer any questions concerning these areas.

Mr. Sundborg moved and asked unanimous consent that the Convention dispense with the afternoon plenary session and at the conclusion of this morning's business adjourn until 9 o'clock Monday morning. There being no objection, it was so ordered.

The President declared a short recess.

The President called upon Mr. Sundborg to report for a select committee of three, appointed from the Committee Chairmen--Mr. Sundborg, Mr. Nerland and Mr. Hellenthal--, to look into the feasibility of holding public hearings during a proposed recess.

Mr. Sundborg asked that the delegates fill out a questionnaire submitted by the Committee which would aid them in reaching a decision.

Mr. R. Rivers asked about the Attorney General's opinion on a recess.

Mr. Sundborg stated that the Attorney General's opinion had been verbal, but that a written opinion would arrive within a few days. He stated that the Attorney General gave his opinion on what was allowable, but that it was up to the Convention to decide whether or not they wished to pay transportation and per diem for the recess and salary during the time hearings were held. Mr. Sundborg also stated that it had been proposed that the recess begin December 20 and last until January 4, making 15 days in all.

Mrs. Hermann requested a statement from the Committee Chairmen regarding the public hearings to be held today.

Mr. V. Rivers announced the Executive Branch would hold its hearing at 9:30 a.m. in the gallery.

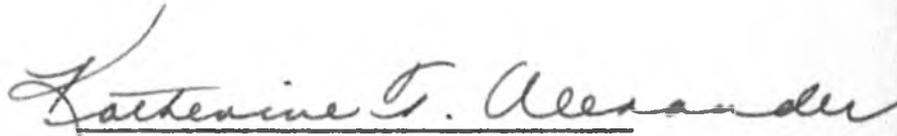
Mr. Smith stated the Resources Committee would hold its hearing at 3 o'clock p.m. in the Convention Hall.

Mr. Nerland stated the Finance hearing would be at 2 o'clock p.m. in the Committee Room.

Mr. Collins stated there would be no meeting of the Committee on Direct Legislation today.

Mr. Sundborg moved that the secretariat write letters to the Director of Finance and Territorial Treasurer expressing thanks for the expeditious manner in which they have been handling the matters pertaining to the Convention. There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent that the Convention adjourn until 9 o'clock Monday morning and that in line with action taken that the adjournment be out of respect to the memory of the late Anthony J. Dimond. There being no objection, it was so ordered.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-EIGHTH CONVENTION DAY, Monday, December 5, 1955

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

The Invocation was given by the Episcopal Bishop of Alaska, William J. Gordon, Jr.

Roll call showed all present except Mr. Coghill, Mr. Emberg, Mr. Gray and Mr. Hilscher whose absences had been excused.

Mr. White moved and asked unanimous consent that the Journals of the twenty-fourth and twenty-fifth days be approved as read. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 31, by Mr. Robertson, entitled BILL OF RIGHTS, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

Proposal No. 32, by Mr. Robertson, entitled STATE LANDS AND NATURAL RESOURCES, was introduced, read the first time and referred to the Committee on Resources.

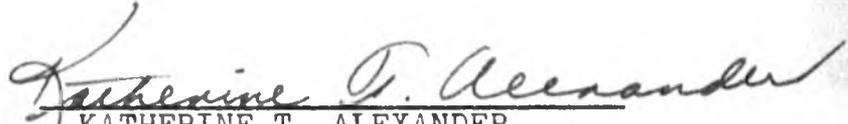
Proposal No. 33, by Mr. Lee, entitled ABOLITION OF FISH TRAPS was introduced, read the first time and referred to the Committee on Direct Legislation. Mr. Lee asked that the proposal be referred to the Committee on Resources. Without objection the President referred Proposal No. 33 to the Committee on Resources.

Proposal No. 34, by Mr. Kilcher, entitled CONVENTION FOR CONSTITUTIONAL REVISION, was introduced, read the first time and referred to the Committee on Direct Legislation, Amendment and Revision.

28th Day, Monday, Dec. 5

Proposal No. 35, by Mr. Cooper, entitled QUALIFICATION OF VOTERS, was introduced, read the first time and referred to the Committee on Suffrage, Elections and Apportionment.

There being no further business at this time, the plenary session adjourned until 9 o'clock a.m., Tuesday morning.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/22
Approved Dec. 9, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE TWENTY-NINTH CONVENTION DAY, Tuesday, December 6, 1955

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

The Invocation was given by Chaplain Harry P. Henderson of Ladd Air Force Base.

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

Mr. Smith asked unanimous consent that the privilege of the floor be granted to Senator R. E. Ellis of Ketchikan. There being no objection, it was so ordered. Senator Ellis spoke briefly to the delegates.

Mr. Doogan reported that the Journals for the first four days had been read and corrected, but rather than take the time of the Convention the corrected copies would be placed in the library where the delegates could check the corrections before approval would be requested.

Miss Awes, Chairman of the Committee on Preamble and Bill of Rights, reported that paragraphs 6 and 7 of Proposal 17 and paragraph 5 of Proposal 9 had been referred to the Committee on Resources.

Mr. Hellenthal, Chairman of the Committee on Suffrage, Elections and Apportionment, submitted a committee report containing the Article on Suffrage and Elections, Committee Proposal No. 1, which had been unanimously approved by the Committee.

The President ordered the proposal placed on the calendar in second reading.

Mrs. Hermann questioned whether a Committee could refer a proposal to another Committee without the consent of the President.

Mr. Riley, Chairman of the Rules Committee, referred to and read Rule 45.

The President announced that, in accordance with the recommendation of the Committee on Preamble and Bill of Rights, paragraphs 6 and 7 of Proposal 17 and paragraph 5 of Proposal 9 would be referred to the Committee on Resources.

29th Day, Tuesday, Dec. 6

COMMUNICATIONS

A telegram from R. E. McFarland, President of the Alaska Territorial Federation of Labor, stating that the first day of merger of the AFL-CIO saw the unanimous passage of a resolution calling for immediate statehood for Alaska, was read and ordered filed.

A letter from Colonel Carl Y. Farrell, District Engineer, offering a film to be shown, entitled "The Great Land" covering the activities of the Corps of Engineers in Alaska since 1869, was read.

Mr. Taylor moved that the Convention accept the offer of the District Engineer.

The President announced that Mr. Frank Whaley had offered to show a film on the Arctic and asked for an expression from the Convention on arranging to view both films some evening.

Mr. Taylor withdrew his motion.

Mr. Sundborg asked unanimous consent that the Convention view the films offered by Colonel Farrell and Mr. Whaley and that the Committee on Administration arrange the details. There being no objection, it was so ordered.

Mr. V. Rivers asked unanimous consent that the Convention acknowledge the telegram from Mr. McFarland and thank the combined AFL-CIO Association for the support in their resolution approving statehood for Alaska and Hawaii at an early date and that the President and Secretary be authorized to sign such a wire.

INTRODUCTION AND FIRST READING OF PROPOSALS

Proposal No. 36, by Mrs. Sweeney, entitled MEMBERSHIP OF THE STATE SENATE, was introduced, read the first time and referred to the Committee on Legislative Branch. At the request of Mrs. Sweeney the President ordered the proposal referred to the Committee on Suffrage, Elections and Apportionment.

Mrs. Hermann asked unanimous consent that all Chairmen of Committees beginning with Committee No. IV make a daily progress report as a part of the regular business of this Convention.

Mr. Smith objected. Mrs. Fischer seconded.

After lengthy discussion, Mr. Cooper moved the previous question. Mr. Stewart seconded. On voice vote the previous question was ordered.

The previous question being "Shall the Committee Chairmen make a daily progress report?", on voice vote the motion failed.

Mr. McLaughlin moved and asked unanimous consent that the Convention make the consideration of the Judiciary Article, which will be reported out Wednesday, a special order of business on Thursday morning at 10 o'clock a.m. Mr. V. Rivers objected. Mr. Taylor seconded.

Mr. V. Rivers stated he believed the Judiciary Proposal should take its regular course and come up for second reading and be assigned to the calendar by the Rules Committee.

The President stated that the Chairman of the Rules Committee was planning to call a meeting to discuss the setting of the calendar.

Mr. McLaughlin asked unanimous consent that with the consent of his second he be allowed to withdraw his motion. There being no objection, it was so ordered.

Mrs. Hermann inquired whether the Chairman of the Committee on Style and Drafting had received target dates for Committee Proposals from Committee Chairmen.

The Chairman of the Committee on Style and Drafting, Mr. Sundborg, stated he had received a few, but that a complete report would be made in the morning.

Mr. Coghill announced a meeting of the Committee on Administration one hour after adjournment.

Mr. Armstrong asked unanimous consent that Mr. Coghill make a report to the Convention on the White House Conference on Education and that this be made an order of business in the near future. There being no objection, it was so ordered.

Mr. Riley announced a meeting of the Rules Committee in the gallery on adjournment.

Mr. Sundborg announced a meeting of the special committee to arrange hearings during the recess at 3 o'clock p.m.

Mrs. Hermann inquired when the matter of the recess would be decided by the Convention.

Mr. Hurley moved and asked unanimous consent that the question of setting the dates for recess and hearings be made a general order of business on Wednesday. Mr. Sundborg objected. Mr. Kilcher seconded.

Mr. Hellenthal stated that the Attorney General had been requested to send his written opinion on the question of recess and hearings as soon as possible and the Convention should wait until the special Committee assigned to looking into the matter of hearings had had time to report.

The question being "Shall the question of setting the dates for recess and hearings be made a general order of business Wednesday?", on voice vote the motion failed.

Mr. Gray moved and asked unanimous consent that the Convention adjourn until 9 o'clock a.m. Wednesday. There being no objection, it was so ordered.

KATHERINE T. ALEXANDER
Chief Clerk

Attested:

WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE THIRTIETH CONVENTION DAY, Wednesday, December 7, 1955

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

The Invocation was given by the Rev. A. L. Moore of the Seventh Day Adventist 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 26th day be approved as read. There being no objection, it was so ordered.

Mr. Cross, Chairman of the Committee on Resolutions and Recommendations, submitted the following report:

"The Committee, having had under consideration at several meetings Delegate Victor Fischer's Proposal No. 10, and Mr. Fischer as well as Consultants Sady and Elliott having appeared before the Committee and expressed their views, and Mr. Elliott having stated that he did not think that the subject matter of Proposal No. 10 properly constituted Constitutional Matter, reports to the Convention that the Committee is of opinion that Proposal No. 10 should not be included in the Constitution and that it is not Constitutional Matter.

Adopted December 6, 1955."

Mr. Fischer moved and asked unanimous consent that the report of the Resolutions and Recommendations Committee be approved. There being no objection, it was so ordered.

Mr. Sundborg called the attention of the delegates to a memorandum from the Committee on Style and Drafting regarding target dates for reporting Committee proposals.

Mr. McLaughlin, Chairman of the Committee on Judiciary Branch, submitted a report containing the Judiciary Article, Committee Proposal No. 2. The report stated that while incorporating many of the ideas contained in Convention Proposals numbered 1, 12 and 22, the Proposal was a Committee substitute for these proposals.

INTRODUCTION AND FIRST READING OF PROPOSALS

Committee Proposal No. 2, by the Committee on Judiciary Branch, entitled ARTICLE ON THE JUDICIARY, was introduced, read the first time and referred to the Rules Committee for assignment to the calendar.

The President ordered the first reading of Committee Proposal No. 1 which had been introduced Tuesday.

Committee Proposal No. 1, by the Committee on Suffrage, Elections and Apportionment, entitled ARTICLE ON SUFFRAGE AND ELECTIONS, was read the first time and referred to the Committee on Rules for assignment to the calendar.

Delegate Proposal No. 37, by Mr. Londborg, entitled SENATE APPORTIONMENT, was introduced, read the first time and referred to the Committee on Suffrage, Elections and Apportionment.

Delegate Proposal No. 38, by Mr. Taylor, entitled BILL OF RIGHTS, was introduced, read the first time and referred to the Committee on Bill of Rights.

Mr. Coghill, Chairman of the ^{Committee on} Administration ~~Committee~~, introduced on behalf of the Committee Resolution No. 10 pertaining to the Convention Recess. *Insert*

Mr. Coghill moved the adoption of the resolution. Mr. Taylor seconded.

Mr. Londborg asked that ~~the~~ ^{the} consideration of the report be held up until Thursday in order to get an estimate of the costs.

Mr. White moved to divide the question. Mr. Fischer seconded.

The President stated that he believed Mr. Londborg wished to make a motion to delay consideration of the resolution.

Mr. Londborg moved that ~~the~~ consideration of the resolution be postponed until Thursday. Mr. Sundborg seconded.

Mr. Johnson rose to a point of order that the motion was in effect a motion to lay on the table and therefore was not debatable.

The President stated that the motion was to make it an order of business at a time certain and not in the nature of laying the matter on the table and was debatable.

The question being "Shall Resolution No. 10 be held over and made a first order of business Thursday?", the roll was called with the following result:

- Yeas: 32 - Armstrong, Barr, Boswell, Buckalew, Collins, Emberg, V. Fischer, Gray, Hellenthal, Hilscher, Johnson, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President.
- Nays: 21 - Awes, Coghill, Cooper, Cross, Davis, H. Fischer, Harris, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Nerland, Nolan, Nordale, Peratrovich, Poulsen, V. Rivers, Stewart, VanderLeest
- Absent: 2 - Doogan, McCutcheon

and so the motion carried.

Mr. Johnson asked unanimous consent to revert to the introduction of proposals.

Delegate Proposal No. 39, by Mr. Johnson, entitled TRANSITORY PROVISIONS, was introduced, read the first time and referred to the Committee on Ordinances and Transitional Measures.

Mr. Coghill rose to a point of order to state he believed it took a two-thirds vote to make a matter a special order of business.

Mr. V. Rivers stated that this was a postponement to a certain time and required only a simple majority.

Mrs. Hermann asked unanimous consent to revert back to communications from outside the Convention. There being no objection, it was so ordered.

Telegram from Dr. Fred M. Langsam, President of the Northwestern Alaska Chamber of Commerce at Nome, opposing any Judiciary proposal combining the second and fourth divisions and removing the court from Nome, was read and referred to the Committee on the Judiciary Branch.

Mr. McLaughlin stated that there is no such proposal in the Judiciary Branch Article.

The President advised Mr. McLaughlin he should communicate with Dr. Langsam regarding this matter.

The President announced that Mr. A. L. Renshaw of the University of Alaska Mining Society had an announcement to make. Without objection, Mr. Renshaw was granted the privilege of the floor to invite the delegates to the dance to be held Saturday night, December 10, in the cafeteria. The President thanked Mr. Renshaw for his invitation.

Mr. Riley announced a meeting of the Committee on Rules on adjournment.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 12:15 in the cafeteria.

Mr. McNealy announced a meeting of the Ordinance Committee at 3 o'clock p.m. *12:15 P.M. - [Signature]*

Mr. King asked unanimous consent that Dr. Ira N. Gabrielson be allowed to speak before the Convention as a whole when he arrives in Fairbanks to appear before the Resources Committee. Mr. V. Rivers objected. Mr. Cooper seconded.

Mr. Taylor moved to lay the matter on the table. Mr. White seconded. Mr. Johnson called for a roll call. The roll was called with the following result:

- Yeas: 17 - Buckalew, Coghill, Cross, Davis, H. Fischer, V. Fischer, Hellenthal, Hinckel, Hurley, Londborg, Poulsen, Reader, R. Rivers, Taylor, Walsh, White, Mr. President.
- Nays: 36 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Emberg, Gray, Harris, Hermann, Hilscher, Johnson, Kilcher, King, Knight, Laws, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Wien
- Absent: 2 - Doogan, McCutcheon

and so the motion failed.

Mr. Sundborg moved and asked unanimous consent to amend the motion to state that the Convention invite Dr. Gabrielson to speak. Mr. Gray seconded. Mr. Taylor objected. Mr. Taylor withdrew his objection and so the amendment was adopted.

Mr. Rosswog inquired whether Dr. Gabrielson's expenses were being paid by the Alaska Sportsmen's Association and the Wildlife Institute. The answer was in the affirmative.

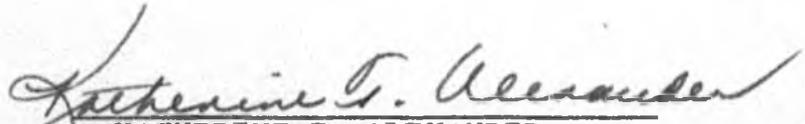
Mr. Harris moved the previous question. Mrs. Sweeney seconded. On voice vote the previous question was ordered.

The President stated the question: "Shall Dr. Gabrielson be invited to appear before the Convention?"

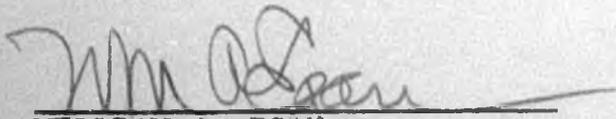
Mr. Davis rose to a point of order that the previous question was on the amendme.c. The President stated that when Mr. Taylor withdrew his objection and no further objection was made the amendment had been adopted by unanimous consent.

On voice vote the motion to invite Dr. Gabrielson to appear before the Convention was adopted.

Mr. Marston moved and asked unanimous consent that the Convention adjourn until 9 o'clock a.m., Thursday morning. There being no objection, it was so ordered.


KATHERINE T. ALEXANDER
~~Secretary~~
Chief Clerk

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE THIRTY-FIRST CONVENTION DAY, Thursday, December 8, 1955

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

The Invocation was given by the Rev. Bert J. Bingle, Presbyterian missionary.

The roll call showed all members present except Mr. Buckalew and Mrs. Fischer whose absences were excused because of illness. The President declared that a quorum was present.

Mr. White asked unanimous consent that the consideration of the Journal be delayed until the next Convention day. There being no objection, it was so ordered.

A letter from Mr. Coghill expressing thanks for the granting of leave permitting him to attend the White House Conference on Education and stating that the Alaska conferees found Alaska's educational system equal to if not better than that of any of the other states or territories in administration procedures as well as in teaching methods and standards, was read and ordered filed.

A letter from ^{Mr.} Charles J. Keim of the University of Alaska inviting the delegates to attend an Open House to be held on the University campus from 10 o'clock a.m. to 10 o'clock p.m. Friday, December 9, was read.

Mr. Riley presented a report of the Rules Committee recommending the following changes in the rules:

"Rule 13 - Insert XV - Committee on Engrossment and Enrollment
three members

Rule 16 - Insert new sub-section (g) The Committee on Engrossment and Enrollment shall see that all amendments approved in second reading are properly engrossed upon the original committee proposal and that the engrossed proposal is returned to the Chief Clerk for filing as part of the records of the convention. The Committee shall also arrange for distribution to all delegates of copies of the proposal in completed form after second reading.

Rule 44 - Insert following new sub-sections under Section 5.

- a. Reference to Committee on Engrossment and Enrollment.
- b. Report of Committee on Engrossment and Enrollment.
- c. Action on report of Committee on Engrossment and Enrollment."

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

Mr. Sundborg moved and asked unanimous consent that the members insert the mimeographed page of changes in their rules to avoid remimeographing the rules. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Delegate Proposal No. 40, by Mr. Barr, entitled COMPOSITION OF THE SENATE, was introduced, read the first time and referred to the Committee on Suffrage.

Delegate Proposal No. 41, by Mr. Emberg, entitled REVERSION OF FUNDS ORIGINATING FROM DISPOSAL OF NATURAL RESOURCES TO SOURCE AREAS, was introduced, read the first time and referred to the Committee on Resources. At the request of Mr. Smith the proposal was referred to the Committee on Finance.

Delegate Proposal No. 42, by Mr. Hinckel, entitled MEMBERSHIP IN STATE SENATE, was introduced, read the first time and referred to the Committee on Suffrage.

Mr. McLaughlin inquired into the setting of the calendar. Mr. Riley advised that the calendar for Friday, December 9, was prepared yesterday and put in the delegates' mailboxes.

SPECIAL ORDER

Mr. Coghill stated he believed there was a matter before the Convention as a first order of business'.

The President advised that Mr. Coghill was correct and the Resolution regarding the recess was before the Convention at this time.

Mr. Fischer asked if there were any motions before the Convention held over from the previous day.

The President stated that the motion to adopt the resolution was before the Convention.

Mr. Coghill moved and asked unanimous consent to amend the resolution by making the dates conform to the fifteen days allowed by changing the date in the resolve to December 20 and by adding the words "both dates" after "1956". There being no objection, it was so ordered.

Mr. Coghill reported that estimated costs of the recess in accordance with the provisions of the resolution would be approximately \$10,742.98.

The President announced that Mr. White's motion to divide the question made yesterday was still before the Convention.

Mr. Sundborg asked if Mr. White would include in his motion the provision that the preamble of the resolution would be part of the first half of the division.

The question being "Shall the question be divided and paragraphs 1 and 2 and the preamble, on the one hand, and paragraphs 3, 4, 5 and 6, on the other, be considered separately?", on voice vote the motion carried.

Mr. White moved and asked unanimous consent that page 1 of the resolution be adopted. There being no objection, it was so ordered.

Mr. Coghill rose to a point of order regarding his main motion for adoption of the resolution.

The President stated that the adoption of the motion to divide the question made it necessary for a motion to be made to adopt the first half of the resolution, but that Mr. Coghill's motion to adopt made it unnecessary for a motion to be made to adopt the last half and that that question was now before the Convention.

Mr. Fischer moved and asked unanimous consent that paragraph 3 in the resolve be amended as follows: on line 3 delete the words "compensation and". Mr. Gray objected. Mr. Sundborg seconded.

Mr. Coghill asked if Mr. Fischer would strike "per diem" also. Mr. Fischer accepted the amendment.

Mr. Sundborg rose to a point of order that the amendment required rewording to achieve the intent of Mr. Coghill's amendment.

The President asked Mr. Fischer if he would withdraw his motion and restate the motion.

Without objection Mr. Fischer was allowed to withdraw his motion.

Mr. Fischer moved and asked unanimous consent that paragraph 3 in the resolve be amended as follows: Line 3, place a period after "recess" and delete the remainder of the sentence. Mr. Kilcher objected. Mr. Taylor seconded.

Mrs. Sweeney pointed out that the estimates of costs were not in accordance with the provisions of the resolution and that the cost of recess would not be as much as stated by Mr. Coghill.

Mr. Kilcher stated that he objected on the grounds that actual travel costs do not take care of the fact that some delegates need to stay in a hotel and have meals while travelling to their homes, and he felt that the motion was out of order.

Mr. McLaughlin rose to a point of order that under the law the Convention could not deprive delegates ~~from~~ per diem while traveling to attend to Convention business. *of*

After further discussion, Mr. Sundborg requested that the chair rule on Mr. McLaughlin's point of order.

The President referred Mr. McLaughlin's point of order to the Rules Committee and declared a short recess.

AFTER RECESS

Mr. Riley, Chairman of the Rules Committee, reported that with respect to paragraph 3 of the resolution it was the Rules Committee's opinion that under the provisions of Chapter 46 - *S.L.A. 1955* delegates shall be paid actual travel costs to and from places where hearings will be held as directed by the Convention together with per diem for days of actual travel, but not salary. As to paragraph 4 of the resolution it is the opinion of the Rules Committee that the act did not authorize salary or per diem during the recess for days of hearings as distinguished from days of travel. He further stated that the Rules Committee would like to give further consideration to paragraph 5.

The President stated he would accept the opinion of the Rules Committee as the opinion of the chair.

Mr. Sundborg rose to a point of order that in view of the ruling Mr. Fischer's motion was out of order in part.

The President stated that Mr. Sundborg was correct that the Convention could not override the law and that in its reference to per diem Mr. Fischer's motion would be out of order.

Mr. Sundborg moved and asked unanimous consent that paragraph 3 be amended as follows: lines 2 and 3, strike "their homes for the recess and to compensation and" and substitute in lieu thereof "hearings authorized by the Convention and to".

Mr. Gray objected.

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

Mr. Egan asked for and was granted personal privilege of the floor to give the background of the reason a recess for hearings was provided for in the Act establishing the Convention.

There being no objection, Mr. Sundborg's motion to amend paragraph 3 of the resolution was adopted.

Mr. Sundborg moved and asked unanimous consent that in view of the ruling of the chair, based on the opinion of the Rules Committee, paragraph 4 be stricken from the resolution. There being no objection, it was so ordered.

Mr. McNeas suggested that the President appoint a committee of three to decide the issue of hearings and that the Convention abide by their decision.

Mr. Riley asked unanimous consent for a five-minute recess to permit the Rules Committee to consider paragraph 5 of the resolution. There being no objection, it was so ordered.

AFTER RECESS

The President took the chair.

Mr. Riley reported that the Rules Committee had ruled that paragraph 5 was not out of conformity with Chapter 46, S.L.A. 1955.

Mr. Sundborg moved and asked unanimous consent that paragraphs 5 and 6 be renumbered 4 and 5 respectively. There being no objection, it was so ordered.

Mr. Robertson moved and asked unanimous consent for the adoption of the following amendment to paragraph 5: delete the words "compensation and".

Mr. Kilcher objected. Mr. Coghill seconded.

Mr. Kilcher stated that the grounds for his objection were that it was not fair not to pay salary for holding hearings.

Mr. Riley rose to a point of order to state that this matter had been covered by the interpretation of the Rules Committee.

The President stated that Mr. Riley was correct.

Mr. Riley asked if Mr. Robertson would agree to include in his amendment changing the word "those" to "that". Mr. Robertson, with the consent of his second, accepted the change in his amendment.

Mr. Cooper moved the previous question. Mr. White seconded. On voice vote the previous question was ordered.

The previous question being the adoption of Mr. Robertson's amendment, on voice vote the amendment was adopted.

Mr. Barr moved the adoption of the following amendment to paragraph 4 of the resolution: line 1, after the word "delegates" strike the words "whose normal residence is outside the Fairbanks area" and substitute therefor the words "remaining in attendance upon the Convention". Mr. Kilcher seconded.

Mr. Coghill moved to lay the amendment on the table. Mr. Gray seconded.

The roll was called with the following result:

Yeas: 36 - Armstrong, Awes, Boswell, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hurley, Johnson, King, Knight, Lee, Londborg, McLaughlin, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Riley, Robertson, Rosswog, Smith, Sundborg, Sweeney, Walsh, White, Wien, Mr. President.

Nays: 15 - Barr, Collins, Hermann, Hinckel, Kilcher, Laws, McCutcheon, McNees, Marston, Nolan, Reader, V. Rivers, Stewart, Taylor, VanderLeest

Absent: 4 - Buckalew, H. Fischer, McNealy, R. Rivers

and so the amendment was laid on the table.

Mr. McNees moved that the President name a committee of three to decide the issue of hearings and that the Convention agree to abide by that decision.

Mr. McNees was ruled out of order because the motion to adopt the last portion of the resolution had not been taken.

Mr. Harris moved the previous question. Mr. White seconded. On voice vote, the previous question was ordered.

The question being "Shall paragraphs 3, 4 and 5 of the resolution be adopted?", Mr. Robertson requested a roll call and the roll was called with the following result:

Yeas: 37 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hinckel, King, Knight, Lee, Londborg, McLaughlin, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Riley, V. Rivers, Rosswog, Smith, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President.

Nays: 13 - Cross, Hermann, Hurley, Johnson, Laws, McCutcheon, McNees, Marston, Nolan, Reader, Robertson, Stewart, Taylor.

Absent: 4 - Buckalew, H. Fischer, McNealy, R. Rivers

Not Voting: 1 - Kilcher

and so the last paragraph of the resolution was adopted. Before the result of the vote was announced Mr. Sundborg rose to a point of order that Mr. Kilcher could not under the rules abstain from voting.

The President stated that Mr. Kilcher had not abstained from voting, but had not been clear on the issue so had voted last.

Mr. Sundborg stated that this being a basic matter he would like assurance from the Chair that members would not be given the advantage of choosing to vote last.

Mr. Fischer rose to a point of order to state he believed Mr. Sundborg was out of order since the vote had not been announced.

The President stated he would call a short recess and refer the matter to the Rules Committee.

Mr. Sundborg stated he would withdraw his point of order. There being no objection, the point of order was withdrawn and the result of the roll call was announced.

Mr. Barr moved to amend paragraph one of the resolution.

Mr. Sundborg rose to a point of order that the paragraph had already been adopted and that what Mr. Barr would have to do was move to rescind action.

Mr. Peratrovich rose to a point of information to state he believed Mr. Barr was in order since the question had been divided and the resolution needed to be adopted as a whole.

The President ruled that the resolution had been adopted pursuant to division of the question.

Mr. Barr moved to rescind action on part one of the resolution. Mrs. Hermann seconded. Mr. Sundborg asked unanimous consent. Mr. Johnson objected.

Mr. Doogan moved the previous question. Mr. Gray seconded. On voice vote, the previous question was ordered.

The previous question being "Shall the Convention rescind its action on the adoption of part one of the resolution?", the roll was called with the following result:

Yeas: 10 - Barr, Hermann, Laws, Londborg, McCutcheon, McNees, Nolan, Peratrovich, Reader, Stewart

Nays: 41 - Armstrong, Awes, Boswell, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, McLaughlin, Marston, Metcalf, Nerland, Nordale, Poulsen, Riley, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Absent: 4 - Buckalew, H. Fischer, McNealy, R. Rivers.

and so the motion failed.

Mr. Marston inquired into the matter of the staff in relation to the recess.

Mr. Sundborg stated that the Committee on Administration had stated previously that the staff had been hired with the knowledge that there might be a recess, a statement which Mr. Coghill, Chairman of the Committee on Administration, confirmed.

The President suggested that arrangements for the staff during recess be considered by the Committee on Administration, with which suggestion Mr. Marston agreed.

Mr. Harris moved and asked unanimous consent that the Convention revert to the introduction of resolutions.

Mr. Hellenthal objected. Mr. Johnson seconded. On voice vote, the motion carried.

Mr. Harris introduced the following resolution:

"Whereas: the first resolution adopted by the Alaska Constitutional Convention stated 'that it is the intent of this Convention that the Constitution should be a document of fundamental principles of basic government and contain the framework for state government', and

Whereas, the location of the permanent seat of the capital cannot be regarded as a fundamental principle of government, nor as part of the framework of government

Now Therefore Be It Resolved: That the Constitution shall be silent on the matter of the seat of government for the State of Alaska."

Mr. Harris moved and asked unanimous consent for the adoption of the resolution. Mr. Robertson objected. Mr. Taylor seconded.

Mr. Hurley objected, stating that the resolution should be referred to a Committee.

Mr. Sundborg moved and asked unanimous consent to amend the motion to provide that the proposed resolution be referred to the Committee on Resolutions and Recommendations. Mr. Cooper seconded. Mr. Hellenthal objected, on the grounds that the resolution, though so described, was actually a proposal.

The President stated that he believed it to be a resolution.

Mr. Riley stated that he supported Mr. Hellenthal's contention because the resolution in effect would defeat further consideration of several proposals now before a committee of the Convention.

The President ruled that the motion by Mr. Harris could be considered at this time since it was actually a resolution and referred to another resolution adopted by the Convention earlier.

Mr. McCutcheon rose to a point of order that Mr. Sundborg's motion was out of order in that it was a request for a suspension of the rules and should have been so stated.

The President stated that Mr. Sundborg's motion was in order, but since it involved, in effect, a suspension of the rules, it would require a two-thirds vote.

The question being "Shall the rules be suspended and Mr. Harris' resolution be referred to the Committee on Resolutions?", the roll was called with the following result:

Yeas: 35 - Armstrong, Awes, Boswell, Coghill, Collins, Cooper, Doogan, Gray, Hellenthal, Herman, Hilscher, Hurley, King, Knight, Lee, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, V. Rivers,

Robertson, Rosswog, Smith, Stewart, Sundborg,
Sweeney, VanderLeest, Walsh

Nays: 16 - Barr, Cross, Davis, Emberg, V. Fischer, Harris,
Hinckel, Johnson, Kilcher, Laws, McCutcheon,
McNees, Taylor, White, Wien, Mr. President

Absent: 4 - Buckalew, H. Fischer, McNealy, R. Rivers

The President announced that the rules had been suspended and that Mr. Harris' resolution was referred to the Committee on Resolutions and Recommendations.

Mr. Cooper rose to a point of order that the Rules of the Convention require a vote of two-thirds of the membership of the Convention to suspend the rules.

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

AFTER RECESS

The President stated that the point of order raised by Mr. Cooper was well taken and the Chair was in error. He declared that Mr. Sundborg's motion had failed.

Mr. White moved and asked unanimous consent to amend the resolution to strike the words "shall be silent on the matter of" and insert in lieu thereof the words "not name".

Mr. Kilcher seconded. Mr. Barr objected. Mr. White moved to add ~~to~~ word "permanent" before the word "seat" in the resolve clause. ^{(the}

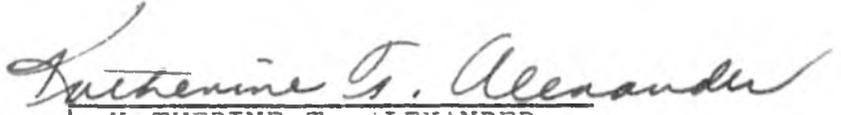
Mr. Robertson moved to table the resolution and the pending amendment. Mrs. Hermann seconded. On voice vote the motion carried.

Mr. Johnson moved to recess.

The President asked Mr. Johnson to delay his motion. Mr. Johnson agreed.

The President introduced Dr. Dayton McKean from the University of Colorado, consultant to the Committee on Legislative Branch. Dr. McKean spoke briefly to the delegates.

Mr. Johnson moved and asked unanimous consent that the Convention adjourn until 9 o'clock ~~am~~, Friday morning. Mr. Sundborg objected. Mr. Stewart seconded. On voice vote the motion carried.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE THIRTY-SECOND CONVENTION DAY, Friday, December 9, 1955

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

The invocation was given by Chaplain Major Henry A. Foss of Ladd Air Force Base.

Roll call showed all members present except Mr. Buckalew and Mrs. Fischer whose absences were excused because of illness.

Mr. White moved and asked unanimous consent for the approval of the Journals of the twenty-eighth and twenty-ninth days as read. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent for the adoption of the Journal of the thirtieth day with the following corrections: page 2, sixth paragraph, insert "Committee on" before "Administration" and delete "Committee" after "Administration"; page 2, paragraphs 8 and 11, strike "the" before "consideration"; page 4, paragraph 4, after "12:15" insert "o'clock p.m." There being no objection, it was so ordered.

Mr. Sundborg, reporting for the select committee to prepare a report on proposed arrangements for hearings during recess, stated that the report was on the delegates' desks and requested a brief recess to make certain changes which had been requested by delegates. There being no objection, the recess was ordered.

AFTER RECESS

Mr. Sundborg moved and asked unanimous consent that the Convention proceed to the introduction of resolutions. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that a resolution consisting of the matter contained in the report to the Convention by Committee Chairmen relative to arrangements during recess be adopted with the following changes:

Item 1, after the word "hearings" strike "of not to exceed two days"; line 2, insert a comma after the word "Anchorage" and strike the word "and" immediately following; change the period after "Fairbanks" to a comma and strike all of the next line which is the first line of the second paragraph; on line 4 strike

"Kotzebue" and insert "Unalakleet"; third paragraph, second line, strike "Unalakleet" and insert in its place "Kotzebue"; page 2, strike "Kotzebue--Mr. Cross" and insert "Unalakleet--Mr. Londborg". Item 5, second line, after the word "Convention" insert the words "if possible"; Item 3, under "Nome" strike "and Mr. Londborg"; under Fairbanks Strike "Mr. Barr". Mr. Kilcher objected. Mr. White seconded.

Mr. Kilcher stated he was objecting to the policy adopted that delegates would hold hearings at only one place and that if the delegate wished to hold hearings in other communities it would be without reimbursement for expenses involved.

Mr. Coghill rose to a point of order that since the matter had been debated previously debate be limited to five minutes.

The President ruled Mr. Coghill out of order because Mr. Kilcher had the floor.

Mr. Gray moved the previous question. Mr. Metcalf seconded. On voice vote, the previous question was ordered.

The question being "Shall the resolution as amended be adopted?", on voice vote the motion carried, and so the resolution was adopted.

Mr. Davis spoke on personal privilege to request that since he would not be able to attend hearings the payroll clerk be advised not to pay his travel or per diem. The President asked the Chief Clerk to make note of Mr. Davis' request.

The President asked that the Convention revert to the business of communications from outside of the Convention.

A letter from Mrs. Laura E. Jones, 8th grade teacher in the Fairbanks schools, thanking the delegates for the invitation extended for her class to attend a plenary session and to be guests of the delegates at lunch, was read.

Mr. Hurley moved that when the students arrive to be guests of the delegates at lunch, each student be assigned to two delegates and asked unanimous consent. There being no objection, it was so ordered.

Mr. Cooper asked that the Rules Committee consult with the President regarding the calendar so the students would be present at a plenary session which would be of interest.

The President requested Mr. Riley to advise him within the next few days regarding the setting of the calendar.

Mr. Kilcher asked for and was granted personal privilege to speak on the action taken in adopting the resolution regarding hearings.

The President stated that it was the intention of the Chair to be very liberal in giving all delegates a chance to speak, but he felt it his duty to see that no delegate cast any reflection on any other delegate or the Convention as a whole.

Mr. Hellenthal asked unanimous consent for a fifteen-minute recess.

AFTER RECESS

GENERAL ORDERS OF THE DAY

Committee Proposal No. 2 was read for the ^{second} ~~first~~ time.

Mr. McNealy moved to amend by striking Sections 4, 5, 6, 9, 10, 11, 12, 13 and 14. The President asked that since the proposal would be taken up section by section the motion be made to include only Section 4. Mr. McNealy moved to amend Proposal No. 2 by striking Section 4. Mr. Sundborg seconded so that Mr. McNealy could speak on the motion.

The President stated that contrary to statements made there had been no official action by the Convention to hold any proposal in second reading during the recess. After Mr. McNealy, Mr. McLaughlin, Mr. Londborg, Mr. V. Rivers, Mr. Smith, Mr. Taylor, and Mr. R. Rivers had spoken, Mr. Johnson moved the previous question. Mr. Taylor seconded. Mr. Sundborg requested a roll call.

The roll was called with the following result:

Yeas: 41 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Gray, Harris, Hellenthal, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, VanderLeest, Walsh, White, Wien.

Nays: 12 - Davis, Emberg, V. Fischer, Hermann, Hurley, Kilcher, Londborg, Nordale, V. Rivers, Sundborg, Sweeney, Mr. President

Absent: 2 - Buckalew, H. Fischer

and so the previous question was ordered.

Mr. V. Rivers rose to a personal privilege to speak on the need for careful use of the motion to move the previous question during debate on amendment of proposals.

Mrs. Nordale moved to rescind the action on calling for the previous question. Mr. Sundborg seconded. On voice vote the motion carried.

Mr. Metcalf was recognized and the President declared a short recess.

AFTER RECESS

Mrs. Sweeney asked unanimous consent that the Convention recess until 1:30 o'clock p.m. and that Mr. Metcalf be the first speaker at the afternoon session. There being no objection, it was so ordered.

AFTER RECESS

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

Mr. Kilcher moved that Rule 35 pertaining to the previous question be referred to the Rules Committee for further study. Mr. Hellenthal seconded. Mr. Kilcher asked unanimous consent. There being no objection, the Rules Committee was instructed to report at the next plenary session.

After Mr. Metcalf, Mr. Barr, Mr. Hellenthal, Mr. Kilcher, Mr. Londborg, and Mr. Sundborg spoke on the amendment, Mr. McNealy stated that if his motion failed he intended to withdraw all the other amendments offered earlier.

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

AFTER RECESS

The President stated that each delegate was entitled to speak twice on every question, but could only speak the second time after all other delegates desiring to speak had been heard.

Mr. V. Rivers rose to a point of order to inquire if he was correct in assuming that asking questions or personal privilege did not count against the allowance to speak twice on an issue.

The President stated Mr. V. Rivers was correct.

Mr. Kilcher inquired whether this implied that the previous question could not be ordered until all delegates had spoken.

The President stated that a motion to order the previous question was in order at any time and elaborated on the latitude the President is given according to Robert's Rules of Order regarding the time involved in calling the previous question after it has been ordered.

The question being "Shall Mr. McNealy's amendment be adopted?", Mr. Johnson requested a roll call.

Mr. Londborg requested the privilege of abstaining from voting on this matter.

Mr. Cooper stated that he would like to know the reason for Mr. Londborg's not voting and, in accordance with Rule 30, he was joined in making this request by Mr. Hellenthal, Mr. McNees, Mr. VanderLeest, Mr. Knight, Mr. Poulsen and Mr. Hinckel.

Mr. Londborg stated that he didn't feel he could vote on Section 4 until he knew what other later sections were going to contain because the material in Section 4 was basic to the whole proposal.

The President stated that if the amendment were defeated it would not preclude another amendment to the section being offered as long as the proposal was in second reading.

The roll was called on the adoption of Mr. McNealy's motion, with the following result:

Yeas: 2 - Laws, McNealy

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

Absent: 2 - Buckalew, H. Fischer.

and so the amendment failed.

Mr. McNealy moved and asked unanimous consent to withdraw his amendments offered earlier. There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following amendment to Section 5, line 8, strike the word "ten" and insert in lieu thereof the word "six". Mr. Sundborg seconded. After explanation of the section by Mr. McLaughlin the question was called and Mr. Johnson requested a roll call. The roll was called with the following result:

Yeas: 11 - Cooper, Hinckel, Killeher, Londborg, McNealy, Nolan, Peratrovich, Reader, V. Rivers, Smith, Sundborg

Nays: 42 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Poulsen, Riley, R. Rivers, Robertson, Rosswog, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 2 - Buckalew, H. Fischer

and so the amendment failed.

Mr. Hellenthal offered the following amendment to Section 7:

Delete period and add "and who have practiced private non-governmental law for said period".

The President declared a short recess.

AFTER RECESS

Mr. Hellenthal asked unanimous consent to withdraw the amendment offered before recess. There being no objection, it was so ordered.

Mr. Hellenthal moved the adoption of the following amendment to Section 7: Delete period and insert semi-colon and add "provided that time spent as an attorney for the United States, or agency thereof, shall not be construed as counting toward the five-year admission requirement". Mr. McNealy seconded.

After Mr. V. Rivers, Mr. Hellenthal, Mr. Riley, Miss Awes, and Mr. Hurley spoke on the amendment, the President declared a recess.

AFTER RECESS

Mr. Hellenthal asked unanimous consent that with the consent of his second he be allowed to substitute the word "eligibility" for the word "admission" in the last portion of his proposed amendment. There being no objection, it was so ordered. On voice vote the amendment failed.

Mr. Coghill moved and asked unanimous consent that if the calendar were not cleared by 5 o'clock p.m. the Convention recess until 7 p.m. and continue until the calendar was cleared. Mr. McCutcheon seconded. Mr. V. Rivers, Mr. Riley, Miss Awes and Mr. Smith objected because of scheduled committee meetings.

Mr. Coghill withdrew his motion with the consent of his second.

The President announced that Mr. Buckalew had called and reported to him that he was ill. He announced also that Mrs. Fischer was ill and it would be Monday before her doctor would let her know when she could attend sessions.

Mr. Sundborg moved the adoption of the following amendment to Section 7, page 3, line 2, following the word "state" insert a period and strike the balance of the section. Mr. V. Fischer seconded.

After Mr. White, Mrs. Nordale, Mr. Barr, Mr. Harris, Mr. Fischer, Mr. McCutcheon, Mr. Taylor, Mr. McNealy, Mr. McNees, Mr. Metcalf, Mr. Doogan and Mr. Sundborg spoke, the question was called. Mr. Johnson requested a roll call.

The roll was called with the following result:

Yeas: 24 - Awes, Coghill, Cross, Davis, Doogan, Emberg, V. Fischer, Hilscher, Hurley, Kilcher, Lee, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Stewart, Sundborg, White, Wien, Mr. President.

Nays: 28 - Armstrong, Barr, Boswell, Collins, Cooper, Gray, Harris, Hellenthal, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNealy, Metcalf, Nolan, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Taylor, VanderLeest, Walsh.

Absent: 3 - Buckalew, H. Fischer, Sweeney

and so the amendment failed.

Mr. Hinckel offered the following amendment to Section 5: page 2, line 6 delete "voters of the state" and substitute "qualified electors".

Mr. McLaughlin asked if Mr. Hinckel would withhold his motion until the Committee on the Judiciary Branch held another meeting. Mr. Hinckel agreed.

Mr. Cooper moved the adoption of the following amendment to Section 7: strike Section 7 and insert the following new Section 7: "To be eligible for appointment, Justices of the Supreme Court, and Judges of the Superior Court shall be citizens of the United States and of the State of Alaska who have been admitted to practice law

in the State of Alaska, and shall be subject to eligibility qualifications to be prescribed by the Legislature". Mr. Johnson objected on a point of information. Mr. Doogan seconded. Mr. Sundborg requested a roll call.

Mr. Cooper asked unanimous consent to amend his amendment as follows: delete "to be" before "prescribed" and insert "which may be". There being no objection, it was so ordered.

The President declared a recess.

AFTER RECESS

Mr. Cooper asked unanimous consent that he be allowed to make further amendments to his amendment as follows: insert "further" before "eligibility" and change "Legislature" to "Judicial Council". Mr. McNealy objected. Mr. Cooper moved. Mr. Lee seconded.

After Mr. McNealy and Mr. McCutcheon spoke the President declared a brief recess.

AFTER RECESS

Mr. Taylor moved that the Convention adjourn until 9 o'clock a.m. Saturday. Mr. Johnson seconded. Mr. V. Rivers objected.

The President called for Committee Announcements.

Mr. Rosswog announced a meeting of the Committee on Local Government at 7:30 o'clock p.m., at Apt. 205 Northward.

Mr. Coghill announced a meeting of the Committee on Administration at 8 o'clock p.m., at Apt. 202 Northward.

Miss Awes announced a meeting of the Committee on Bill of Rights at 7 o'clock p.m., at Apt. 1009 Polaris.

Mr. Boswell announced a meeting of the Committee on Resources at 7:30 o'clock p.m., in the Northward Building.

Mr. McLaughlin announced a meeting of the Committee on the Judiciary Branch before the plenary session Saturday morning and requested Mr. Londborg, Mr. Hinckel, Mr. Walsh, Mr. Armstrong and Mr. Cooper to appear.

Mr. McCutcheon announced a meeting of the Committee on the Legislative Branch at 7:30 o'clock p.m., at Apt. 803 Polaris.

Mr. Rosswog rose to a point of order to state that in view of the public hearing scheduled for Saturday morning, by the Committee on Local Government, the plenary session should be set later.

Mr. Taylor stated he would change his motion to read 11 o'clock a.m.

Mr. V. Rivers stated that in view of the public hearing and committee meetings he planned to move Saturday morning to continue Proposal No. 2 in second reading until Monday.

The question being "Shall the Convention adjourn until 9 o'clock a.m., Saturday morning?", Mr. McCutcheon requested a roll call.

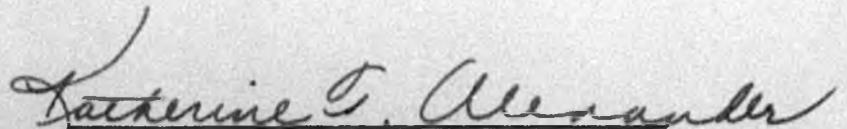
The roll was called with the following result:

Yeas: 30 - Awes, Barr, Boswell, Cross, Doogan, Gray, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Marston, Metcalf, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, VanderLeest, Walsh, White

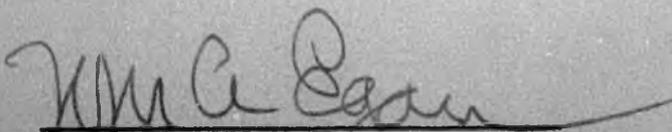
Nays: 22 - Armstrong, Coghill, Collins, Cooper, Davis, Emberg, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Nerland, Peratrovich, Sundborg, Wien, Mr. President.

Absent: 3 - Buckalew, H. Fischer, Sweeney

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


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE THIRTY-THIRD CONVENTION DAY, Saturday, December 10, 1955

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

The Invocation was given by Mr. Harry O. Arend, Branch President, Church of Jesus Christ of Latter Day Saints, Slaterville.

Roll call showed everyone present except Mr. Buckalew and Mrs. Fischer, whose absences were excused because of illness.

Mr. V. Rivers asked unanimous consent that Committee Proposal No. 2 be continued in second reading until Monday, December 12. There being no objection, it was so ordered.

The President called attention to the presence in the gallery of the Anchorage High School basketball team, schoolmates and the coach. Mr. Ned Imlach, spokesman for the group, addressed the delegates.

At the request of Mr. Johnson and with the unanimous consent of the Convention, the remarks of Mr. Imlach were ordered spread on the Journal. They were as follows:

"Mr. President, Delegates and Guests:

As spokesman for the Anchorage High School basketball team I wish to express our gratitude and thanks for the honor of attending this Convention and viewing the proceedings.

The students of Anchorage High School are well aware of the significance of your work here and realize that what is accomplished will have a direct bearing on our future lives here in Alaska.

This awareness was increased by the speeches given our student body by Delegate Bartlett and Senator Knowland.

We are indebted to these distinguished men for increasing our knowledge of the needs of our Territory and future State of Alaska.

Observing the proceedings of the Constitutional Convention will give us a much greater insight into the problems and difficulties involved in drawing up a state constitution.

All of us realize that this is probably the last time that a Constitutional Convention will take place in the history of the United States.

We are aware that this opportunity given us today is one which will probably never be granted to young people of future generations.

We are very grateful for the invitation extended to us by you, the Delegates, and I am sure that this is an occasion none of us will forget the rest of our lives. Thank you."

Mr. Doogan moved and asked unanimous consent that due to the press of work the approval of the Journal be held over until Monday morning.

Mr. Coghill reported that the Committee on Administration had met and requested the pleasure of the Delegates relative to viewing the Alaska Visitors Association film Sunday evening.

Mr. Sundborg moved and asked unanimous consent that the film be shown Sunday evening at 7:30 o'clock p.m. After discussion he changed the motion to read 7 o'clock. Upon further discussion Mr. Sundborg asked unanimous consent to amend his motion that the film be shown Monday evening and the arrangements be made by the Chairman of the Administration Committee. There being no objection it was so ordered.

The President instructed Mr. Coghill to report back on Monday morning.

Miss Awes reported that the Committee on Preamble and Bill of Rights had considered Delegate Proposal No. 6 and since certain provisions were not within the scope of the Committee on Bill of Rights it was recommended that Sections 8, 10, 11 and 12 be referred to the Committee on Finance and Section 13 be referred to the Committee on Resources.

The President stated that in accordance with the recommendation of the Committee on Preamble and Bill of Rights the sections mentioned were referred to the respective committees.

Mr. Sundborg called attention to the Resolution adopted regarding holding hearings and its provision that hearing committees select their chairmen and secretaries and if possible set the exact times and places of hearings so a report thereon may be made to the Convention prior to the fifteen-day recess.

COMMITTEE ANNOUNCEMENTS

Mr. Rosswog announced a public hearing of the Committee on Local Government on recess.

Mr. McLaughlin announced a meeting of the Committee on the Judiciary Branch on recess.

Mr. Collins announced a meeting of the Committee on Direct Legislation on recess.

Mr. Robertson asked the Chairman of the Resolutions Committee whether a meeting was scheduled. Mr. Cross reported there would be no meeting of this committee today.

Mr. Hellenthal announced a meeting of the Committee on Suffrage on schedule.

Mr. Smith announced that the Committee on Resources would meet as scheduled.

Mr. Coghill announced a meeting of the Committee on Administration at 11 a.m.

Mr. McNealy announced a short meeting of the Committee on Ordinances on recess.

Miss Awes announced a meeting of the Committee on Bill of Rights on schedule.

Mr. Sundborg asked unanimous consent that when the Convention adjourned, adjournment be to Sunday afternoon to make it possible to continue with the calendar.

Mr. V. Rivers objected and announced that the Executive Committee planned to meet Sunday afternoon.

Mr. Sundborg asked whether the Executive Committee could not meet Sunday morning as to permit a plenary session that afternoon.

Mr. Armstrong stated he would object to any meetings being set for Sunday morning.

Mr. Nerland announced a meeting of the Committee on Finance on Sunday from 12 until 3.

Mrs. Hermann inquired as to a meeting of the Committee on Style and Drafting.

Mr. Sundborg requested a short recess.

AFTER RECESS

The President announced that all visitors were welcome to attend committee hearings at all times.

Mr. Sundborg announced that the Committee on Style and Drafting would meet at 12:15 Monday in the cafeteria.
10 o'clock p. m.

Mr. Walsh stated that he did not wish to receive per diem even though he would be staying in Fairbanks during the recess.

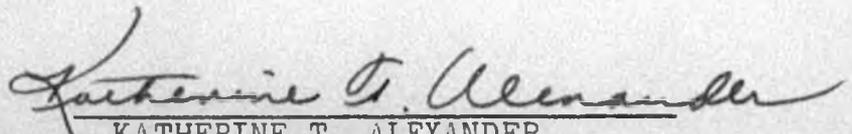
Mr. Robertson stated that he did not wish to receive his transportation or per diem during the recess even though he planned to attend the hearing in Juneau.

Mrs. Nordale stated that since she would neither be remaining in Fairbanks nor returning to Juneau for hearings she wanted the payroll clerk so advised so she would not be paid per diem or travel.

The President announced that he would be receiving today via telephone the opinion of the Attorney General regarding recess and it would be mimeographed and available to the Delegates on Monday.

Mr. Hilscher rose on a question of personal privilege to correct a statement he had made during debate on Thursday regarding the mention of capitals in state constitutions. Mr. Sundborg likewise corrected a statement he had made on the same subject.

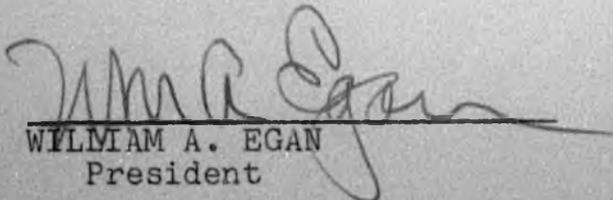
Mr. McLaughlin on behalf of Mrs. Wien moved adjournment until 9 o'clock a.m., Monday morning and asked unanimous consent. There being no objection, it was so ordered.



KATHERINE T. ALEXANDER

Chief Clerk

Attested:



WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE THIRTY-FIFTH CONVENTION DAY, Monday, December 12, 1955

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

The Invocation was given by Mr. Armstrong.

Roll call showed all present except Mrs. Fischer, who was absent because of illness. *The President declared a quorum present.*

Mr. Knight asked unanimous consent for the approval of the Journal of the thirty-first day, subject to the following corrections: page 1, sixth paragraph insert "Mr." before "Charles"; page 4, fifth paragraph change "from" to "of"; page 4, eighth paragraph insert "S.L.A. 1955" after "46"; page 5, paragraph 10 change "rules" to "ruled". There being no objection, it was so ordered.

COMMUNICATIONS

A letter from the Republican Women's Club of Anchorage opposing the adoption of the "Tennessee Plan" by the Convention, was received and referred to the Committee on Ordinances.

MW.
An invitation from ^WWalter J. Hickel inviting the delegates to attend the opening of the Fairbanks Traveler's Inn, December 17 at 1:30 p.m., was read.

A report of the Committee on Direct Legislation, Amendment and Revision presenting a proposed Article on Direct Legislation and an Article on Amendment and Revision, both incorporated in a Committee Proposal, was received.

INTRODUCTION AND FIRST READING OF PROPOSALS

Committee Proposal No. 3 by Committee on Direct Legislation, Amendment and Revision entitled INITIATIVE, REFERENDUM AND RECALL, AMENDMENT AND REVISION was introduced, read the first time and referred to the Committee on Rules for placement on the calendar.

Mr. Marston asked that the record show that he would not be entitled to compensation for travel or per diem since he had received word from the people at Spenard that they did not wish to have hearings.

The President appointed Mrs. Sweeney, Mr. R. Rivers and Mr. Kilcher to the Committee on Engrossment and Enrollment.

35th Day, Monday, Dec. 12

Mr. Coghill announced that the Alaska Visitors Association film would be shown at 7:00 p.m. in the Mines Building.

Mr. Walsh read comments by Delegate E. L. Bartlett, Governor B. Frank Heintzleman and Dr. Patty on the merits of the film.

Mr. McNees moved that the Convention stay organized until 6 o'clock and attend the film at 7 p.m.

Mr. Smith asked and was granted permission to be absent after 3:30 o'clock.

The President asked Mr. McNees to withhold his motion.

Mr. V. Rivers announced there would be a meeting of the Executive Committee at 3 o'clock if time permitted.

Mr. Smith announced a meeting of the Resources Committee on schedule if time is available.

Mr. Rosswog stated the Local Government Committee would meet at the regular hour if time permitted.

Miss Awes stated the Bill of Rights Committee would like to meet if time permitted.

Mr. V. Rivers stated action should be taken to divide the work between plenary sessions and committee work.

Mr. McNees withdrew his motion regarding attending the film showing.

The President announced that the AVA film would be shown at 7 o'clock and asked all delegates who could to attend.

Committee Proposal No. 2 was considered again in second reading.

Mr. Cooper asked unanimous consent to withdraw the pending proposed amendment to his original motion to amend. There being no objection, it was so ordered.

Mr. Cooper then asked unanimous consent to withdraw his original motion to amend. There being no objection, it was so ordered.

The President announced that 56 members of the senior class of the Fairbanks High School were in the gallery.

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

Section 7, page 3, line 2, after the word "state"

delete the rest of the section and substitute the following, "and possess such other qualifications as may be prescribed by law."

Mr. Johnson objected. Mr. White seconded.

After Mr. R. Rivers, Mr. McNees, Mr. Barr, Mr. Kilcher, Mr. Cooper and Mr. Marston spoke, Mr. Johnson stated that he believed the amendment was out of order because he believed the matter had been acted on previously.

The President stated that in his opinion the amendment was in order because it incorporated new material.

After Mr. R. Rivers, Mr. Johnson, Mr. Taylor and Mr. McLaughlin spoke, Mr. Hellenthal asked Mr. Taylor through the President if the amendment failed whether he would favor an amendment to add "and such further eligibility qualifications as the legislature may prescribe" at the end of Section 7. Mr. Taylor's reply was in the negative.

After Mr. Gray, Mr. Metcalf, Mr. McNealy and Mrs. Hermann spoke, Mr. Davis asked Mr. Cooper through the President, if he would consent to amend his amendment by changing the word "other" to "additional". Mr. Cooper accepted the suggestion. Mr. Hurley asked unanimous consent for the adoption of the amendment to the amendment. There being no objection, it was so ordered.

After Mr. V. Rivers, Mr. Coghill, Mr. Rosswog, Mr. Robertson and Mr. Hilscher spoke, Mr. Hellenthal asked whether he could direct a question to Mr. Robertson regarding proposing an amendment if Mr. Cooper's amendment failed.

Mr. Buckalew rose to a point of order to state that he thought Mr. Hellenthal out of order to direct questions regarding the offering of amendments to delegates.

The President stated that Mr. Buckalew's point of order was well taken and ruled Mr. Hellenthal out of order.

After Mr. McCutcheon, Mr. Johnson, Mr. Kilcher, Mr. Barr and Mr. Fischer spoke, Mr. McNees moved the previous question.

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

AFTER RECESS

There being no further debate, the President called for the question. The question being, "Shall Mr. Cooper's amendment be adopted?", Mr. Johnson requested a roll call. The roll was called with the following result:

Yeas: 32 - Awes, Buckalew, Cooper, Cross, Davis, Emberg,

V. Fischer, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Lee, Londborg, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President.

Nays: 21 - Armstrong, Barr, Boswell, Coghill, Collins, Gray, Harris, Hellenthal, Johnson, King, Knight, Laws, McCutcheon, McLaughlin, Metcalf, Nolan, V. Rivers, Robertson, Sweeney, Taylor, Walsh

Absent: 2 - Doogan, H. Fischer

And so the amendment was adopted.

Mr. Hinckel asked to withdraw a motion proposed by him at Friday's session. The President ruled that since the motion had only been read and not moved or seconded it was not before the body.

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

Section 5, page 2, line 6, after the words "rejection by the voters" delete the words "of the State". There being no objection, the amendment was adopted.

Mr. Sundborg moved and asked unanimous consent for a ten-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The President announced that members of the Board of Governors of the Alaska Bar Association were present in the gallery and called particular attention to the fact that the President of the ABA, Mr. Mike Monagle, was present.

Mr. Hurley, Mr. Sundborg, Mr. White and Mr. Fischer directed questions to the Chairman of the Committee on the Judiciary Branch regarding Section 9.

After Mr. Sundborg, Mr. V. Rivers, Mr. Hurley and Mr. Smith had directed questions to the Chairman of the Committee on the Judiciary Branch regarding Section 10, Mr. Fischer moved and asked unanimous consent for the adoption of the following amendment:

Section 10, page 3, line 22, strike comma after "article", substitute a period and strike the remainder of the sentence.

Mr. Johnson objected. Mr. Coghill seconded.

Mr. Fischer, Mr. Taylor, Mr. Cooper and Mr. McLaughlin spoke on the amendment.

During Mr. Londborg's comments, Mr. Coghill rose to a point of order to state that Mr. Londborg was not speaking on the subject at hand, namely the motion to amend. The President ruled that Mr. Coghill was correct.

After Mr. Davis, Mrs. Nordale and Mr. Hellenthal spoke, there being no further debate, the question was called for. Mr. Metcalf called for a roll call. The question being "Shall Mr. Fischer's amendment be adopted?", the roll was called with the following result:

Yeas: 26 - Armstrong, Boswell, Coghill, Collins, Cooper, Cross, Davis, V. Fischer, Hellenthal, Hilscher, Hurley, Kilcher, Knight, Lee, Marston, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Rosswog, Sundborg, Sweeney, VanderLeest, White

Nays: 27 - Awes, Barr, Buckalew, Emberg, Gray, Harris, Hermann, Hinckel, Johnson, King, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, V. Rivers, Robertson, Smith, Stewart, Taylor, Walsh, Wien, Mr. President

Absent: 2 - Doogan, H. Fischer

and so the amendment failed.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to Section 10:

Section 10, page 3, line 22, strike the words "the Senate" and insert in lieu thereof the following: "a majority of the members of the Legislature in joint session assembled".

Mr. Johnson objected. Mr. McNees seconded.

After Mr. Sundborg, Mr. Hilscher, Mr. Barr, Mr. R. Rivers, Mr. McNees and Mrs. Hermann spoke, there being no further debate, the question was called. The question being "Shall Mr. Sundborg's amendment be adopted?", the roll was called with the following result:

Yeas: 28 - Armstrong, Buckalew, Collins, Cooper, Davis, Emberg, V. Fischer, Hellenthal, Hilscher, Hinckel, Hurley, Kilcher, Lee, McCutcheon, McNealy, McNees, Marston, Nordale, Peratrovich, Poulsen, Reader, Riley, Smith, Stewart, Sundborg, VanderLeest, White, Mr. President

Nays: 25 - Awes, Barr, Boswell, Coghill, Cross, Gray, Harris, Hermann, Johnson, King, Knight, Laws, Londborg,

McLaughlin, Metcalf, Nerland, Nolan, R. Rivers,
V. Rivers, Robertson, Rosswog, Sweeney, Taylor,
Walsh, Wien

Absent: 2 - Doogan, H. Fischer

and so the amendment was adopted.

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

Section 10, page 3, line 18, after the word "bar" insert a comma and add the following: "subject to confirmation by the Legislature in joint session assembled".

Mr. Buckalew objected. Mr. Kilcher seconded.

Mr. Sundborg moved to change Mr. Coghill's motion to read, on line 22 after the word "article" change the comma to a period and insert "both attorney and non-attorney members shall be".

Mr. Coghill asked unanimous consent to withdraw his original motion. Mr. Riley objected since that would nullify action previously taken and if Mr. Coghill's motion were adopted Mr. Sundborg's suggestion could be taken care of by the Committee on Style and Drafting.

Mr. Sundborg withdrew his motion.

After Mr. McLaughlin, Mr. R. Rivers and Mr. Coghill spoke, the question was called and Mr. Robertson requested a roll call.

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

Yeas: 4 - Coghill, Kilcher, Londborg, Mr. President

Nays: 49 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien.

Absent: 2 - Doogan, H. Fischer

and so the amendment failed.

Mr. Taylor moved and asked unanimous consent that the following amendment be adopted:

Section 7, page 3, line 2, after word "State" strike the balance of the Section and insert "for at least three years and have been residents of the State for at least three years next preceding their respective nominations; provided, that additional qualifications may be prescribed by law".

Mr. Sundborg objected. Mr. Metcalf seconded.

After Mr. Taylor and Mr. McNees spoke on the amendment, Mr. Marston spoke. Mr. Taylor rose to a point of order to state that Mr. Marston was not speaking on the subject. The President ruled Mr. Taylor was correct and that Mr. Marston was out of order.

After Mr. Barr spoke, the question was called for and Mr. McCutcheon called for a roll call.

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

Yeas: 20 - Armstrong, Barr, Boswell, Coghill, Cross, Gray, Harris, Hellenthal, Johnson, King, Laws, McCutcheon, Metcalf, Nolan, R. Rivers, V. Rivers, Robertson, Sweeney, Taylor, Walsh

Nays: 33 - Awes, Buckalew, Collins, Cooper, Davis, Emberg, V. Fischer, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Rosswog, Smith, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President

Absent: 2 - Doogan, H. Fischer

and so the amendment failed.

Mr. Hellenthal asked unanimous consent for the adoption of the following amendment: Section 11, lines 5 and 6, page 4, strike the word "ex officio".

Mr. R. Rivers objected. Mr. Hellenthal moved. Mr. McNees seconded.

Mr. Hellenthal asked unanimous consent to amend his amendment by inserting the word "voting" before the word "member" on line 6. Mr. Taylor objected.

The President declared a recess.

AFTER RECESS

Mr. Hellenthal asked unanimous consent to withdraw his original motion. There being no objection, it was so ordered.

Mr. Hellenthal moved the adoption of the following amendment to Section 11: Page 4, line 6, insert the word "voting" before the word "member". Mr. McNeese seconded.

of whether spelled out by adding "the voting"
"at officis" needed to be
The President asked if there was any objection to referring the matter to the Rules Committee with the request that they confer with the members of the Committee on the Judiciary Branch. There being no objection, it was so ordered.

Mr. V. Rivers directed a question to Mr. McLaughlin through the President as to whether the Judiciary Council would make a study of the establishment of other courts. Mr. McLaughlin's reply was in the affirmative.

Mr. Hellenthal asked unanimous consent that Section 15 be amended as follows: Page 5, line 24, insert the word "temporary" prior to the word "special". Mr. R. Rivers objected.

Mr. Hellenthal moved to amend Section 15 as follows: Page 5, line 24, substitute the word "temporary" for the word "special". Mr. Davis objected. Mr. Poulsen seconded.

After discussion by Mr. Gray, Mr. Hellenthal, Mr. Kilcher and Mr. Davis, the question was called. On voice vote the amendment failed.

Mr. Taylor moved the adoption of the following amendment to Section 15: Page 5, line 22, strike the words "at the age of 70". Mr. Hellenthal seconded. On voice vote the motion failed.

Mrs. Wien moved and asked unanimous consent that the Convention recess until 1:30 o'clock p.m.

COMMITTEE ANNOUNCEMENTS

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 12:15 o'clock p.m.

Miss Awes announced a meeting of the Committee on Preamble and Bill of Rights at 12:45 o'clock p.m.

Mr. Riley announced a meeting of the Committee on Rules with the Committee on the Judiciary Branch during the recess.

Mr. Nerland called a brief meeting of the Committee on Finance on recess.

Mr. McNealy called a meeting of the Committee on Ordinances at 12:15 o'clock p.m.

There being no objection, the Convention recessed until 1:30 o'clock p.m.

AFTER RECESS

The President announced that members of the senior class of the Fairbanks High School were present in the gallery.

A letter from the Northwestern Alaska Chamber of Commerce at Nome, regarding the Judiciary article, expressing opposition to the combining of the second and fourth judicial divisions, was read.

Mr. Taylor asked that the Chief Clerk advise the Chamber of Commerce that the Judiciary Article did not contain the proposal to which they were opposed.

The President called upon the Chairman of the Committee on the Judiciary Branch who stated he had already advised the Chamber of Commerce of this fact.

Mr. Riley reported that the Rules Committee had considered the matter of the use of the word "ex officio" and believed there was no verbal hazard as used in Section 11, but stated however, the Committee would like to have more time to look into the matter and would report before the proposal was out of second reading.

The President stated the matter would be deferred until a proper understanding could be reached.

Mr. McNees moved the adoption of the following amendment to Section 19 and asked unanimous consent:

Page 7, line 2, delete all of line 2 and insert the following: "meeting in joint session".

Mr. Buckalew objected. Mr. Hurley seconded.

Mr. Riley, Mr. Sundborg, Mr. R. Rivers, Mr. McCutcheon, Mr. Taylor, Mr. Kilcher, Mr. Johnson, Mr. Buckalew, Mr. McLaughlin, Mrs. Sweeney, Mrs. Hermann, Mr. Hurley and Mrs. Nordale spoke on the amendment. On voice vote the amendment failed.

Mr. Buckalew moved the adoption of the following amendment to Section 19: Page 6, line 25, after the word "court" strike the comma and insert a period and delete the remainder of the sentence.

Mr. McCutcheon seconded. Mr. Taylor asked unanimous consent. Mr. V. Rivers objected.

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

Yeas: 13 - Awes, Buckalew, Coghill, V. Fischer, Hermann, Hinckel, Hurley, McCutcheon, McNees, Sundborg, Taylor, VanderLeest, White

Nays: 41 - Armstrong, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Emberg, Gray, Harris, Hellenthal, Hilscher, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Walsh, Wien, Mr. President

Absent: 1 - H. Fischer

and so the amendment failed.

Mr. McLaughlin moved the adoption of the following amendment: add Section 21, "Judicial divisions shall be established by law." Mr. Robertson seconded.

The President declared a recess.

AFTER RECESS

Mr. McLaughlin moved to amend his amendment to add a marginal heading "Judicial Districts" and to change "divisions" to "districts". Mr. Taylor asked unanimous consent. Mr. R. Rivers objected. Mr. Johnson seconded.

After Mr. McCutcheon, Mr. McLaughlin, Mr. R. Rivers, Mr. Davis, Mr. Taylor, Mr. Johnson and Mr. V. Rivers spoke on the amendment to the amendment, the question was called. On voice vote the amendment to the amendment was adopted.

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

Section 21, after the word "established", strike the balance of the section and insert "by the Supreme Court, subject to change by the Legislature in the manner provided in Section 19".

Mr. Johnson objected. Mr. White seconded.

After Mr. Sundborg, Mr. Taylor and Mr. R. Rivers spoke, the question was called.

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

Yeas: 23 - Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Hilscher, Lee, McCutcheon, McNees, Marston, Nordale, Peratrovich, V. Rivers, Rosswog, Sundborg, Taylor, VanderLeest, White, Mr. President

Nays: 31 - Armstrong, Awes, Barr, Boswell, Collins, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Poulsen, Reader, Riley, R. Rivers, Robertson, Smith, Stewart, Sweeney, Walsh, Wien

Absent: 1 - H. Fischer

and so the amendment to the amendment failed.

The question being "Shall Mr. McLaughlin's amendment be adopted?", on voice vote the amendment was adopted.

insert -
Mr. V. Rivers moved that the Convention adjourn until 9 o'clock a.m. Tuesday morning.

The President called for Committee announcements.

Miss Awes called a meeting of the Committee on Preamble and Bill of Rights on adjournment.

Mr. Smith called a meeting of the Committee on Resources on adjournment.

Mr. Hellenthal announced a meeting of the Committee on Suffrage on adjournment.

Mr. Rosswog announced a meeting of the Committee on Local Government at 4 o'clock p.m.

Mr. Nerland announced a meeting of the Committee on Finance for 3:10 o'clock p.m.

The President announced that Mrs. Jones's class had been sent a letter to visit the Convention on Thursday, December 15.

Mr. V. Rivers asked whether C.P. No. 2 would still be in second reading.

The President stated he believed the proposal would be in second reading through the Committee on Engrossments & Enrollments.

Mr. V. Rivers asked unanimous consent that the Convention adjourn until 9 o'clock a.m. on Tuesday. Mr. Taylor objected. Mr. Stewart seconded. On voice vote the motion failed.

Mr. Coghill moved that the Convention recess for 20 minutes. Mr. Sundborg asked if Mr. Coghill would amend his motion to recess until 4:30 o'clock p.m. Mr. Taylor objected. Mr. Sundborg moved. Mr. Riley seconded. On voice vote the motion failed.

Mr. Gray moved and asked unanimous consent that the Convention recess until 3:30 o'clock p.m. There being no objection, it was so ordered.

AFTER RECESS

The President announced that the opinion of the Attorney General regarding the recess would be available the next day.

The President referred Committee Proposal No. 2 to the Committee on Engrossment and Enrollment and stated that when reported back by that Committee the Proposal would be referred to the Committee on Style and Drafting.

Mrs. Hermann directed a question to the Chairman of the Committee on the Judiciary Branch through the President regarding proposals of the Judiciary Branch. The Chairman stated that Committee Proposal No. 2 was the only proposal the Committee would have.

Committee Proposal No. 1 was read the second time.

Mr. Johnson moved the adoption of the following amendment to Section 1: Line 9, page 1, strike the word "or", insert a comma after the word "read" and after the word "speak" insert the following "and write". Mr. Robertson seconded.

After Mr. Barr, Mr. Gray, Mr. Cooper, Mr. Hellenthal, Mr. R. Rivers, Mr. Peratrovich, Mr. Marston, Mr. Johnson, Miss Awes, Mrs. Hermann, Mr. Kilcher, Mr. Robertson and Mr. Londborg spoke on the amendment, the question was called. Mr. Johnson requested a roll call.

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

Yeas: 11 - Boswell, Collins, Cooper, Johnson, Laws, Londborg, Nerland, Reader, Robertson, Sweeney, Walsh

Nays: 42 - Armstrong, Awes, Barr, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris,

Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Taylor, VanderLeest, White, Wien, Mr. President

Absent: 2 - H. Fischer, Smith

and so the amendment failed.

Mr. Fischer offered the following amendment to Section 1:

Line 2, page 1, strike the number "20" and substitute the number "18".

Mr. V. Rivers and Mr. Sundborg asked that since they had submitted identical amendments their names be on the amendment. Mr. Fischer did not object, so it was ordered. Mr. Fischer moved the adoption of the amendment. Mr. Gray objected. Mr. Coghill seconded.

Mr. Fischer, Mr. Coghill, Mr. Marston, Mr. Sundborg, Mr. Taylor, Mrs. Hermann, Mr. Metcalf, Mr. V. Rivers, Mr. White, Mr. Londborg, Mr. Harris, Mr. Robertson, Mr. Buckalew, Mr. McNees and Mr. Armstrong spoke on the amendment.

The President declared a recess.

AFTER RECESS

After Mrs. Wien, Mr. Barr, Mr. Boswell, Mr. Kilcher, Mr. Hurley, Mr. Metcalf, Mr. Hellenthal, Mr. McNealy, Mr. Nerland, Mr. Coghill, Mr. McLaughlin, Mr. White and Mr. Gray spoke, Mr. Coghill moved the previous question. Mr. Robertson seconded. Mr. Coghill withdrew his motion to give Mr. Fischer a chance to close the argument. Mr. V. Rivers also spoke again.

The question being "Shall the amendment offered by Mr. Fischer, Mr. V. Rivers and Mr. Sundborg be adopted?", the roll was called with the following result:

Yeas: 23 - Buckalew, Coghill, Cross, Emberg, V. Fischer, Harris, Hilscher, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Stewart, Sundborg, VanderLeest, Mr. President

Nays: 30 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Davis, Doogan, Gray, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Nordale, Reader, Robertson, Rosswog, Sweeney, Taylor, Walsh, White, Wien

Absent: 2 - H. Fischer, Smith

and so the amendment failed.

Mr. McNees offered the following amendment to Section 1:

Line 2, delete the figure "20" and insert the figure "19". Mr. Gray and Mr. Coghill asked that since they had like amendments they be consolidated into the one. There being no objection, it was so ordered. Mr. Coghill moved the adoption of the amendment. Mr. McNees seconded.

The question being "Shall the amendment offered by Mr. McNees, Mr. Gray and Mr. Coghill be adopted?", the roll was called with the following result:

Yeas: 28 - Buckalew, Coghill, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, VanderLeest, Mr. President

Nays: 24 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Doogan, Hellenthal, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, Metcalf, Nolan, Poulsen, Reader, Robertson, Sweeney, Taylor, Walsh, White, Wien

Absent: 3 - H. Fischer, McNealy, Smith

and so the amendment was adopted.

Mr. R. Rivers asked that an amendment by him which had been on the Chief Clerk's desk regarding Section 21 be withdrawn. Without objection, it was so ordered.

Mrs. Sweeney rose to ask whether there had been amendments on the Chief Clerk's desk prior to the amendment on which action had just been taken.

The Chief Clerk advised in the affirmative. Mr. Robertson stated he had an amendment on the Chief Clerk's desk.

The President stated that there had been so much confusion that it was not the Chief Clerk's error that the amendments were not read.

Mr. Sundborg rose to a point of order to state that amendments should be considered in the order that the maker of a proposed amendment is recognized by the President; that the responsibility for calling up an amendment is the author's and not that of the President or the Chief Clerk.

The President stated that Mr. Sundborg was correct.

Mrs. Sweeney asked unanimous consent to rescind the action on the amendment of Mr. Coghill, Mr. McNees and Mr. Gray. Mr. Buckalew objected. Mrs. Sweeney moved. Mr. Metcalf seconded.

Mr. Doogan asked whether, if the motion to rescind action failed, an amendment substituting 21 would be out of order.

The President stated that a motion to that effect would be in order.

The question being "Shall the Convention rescind its action on the adoption of the amendment of Mr. Coghill, Mr. McNees and Mr. Gray?", the roll was called with the following result:

Yeas: 20 - Armstrong, Awes, Boswell, Cooper, Doogan, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Reader, Robertson, Sweeney, Taylor, Walsh

Nays: 33 - Barr, Buckalew, Coghill, Collins, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President

Absent: 2 - H. Fischer, Smith

and so the motion to rescind action failed.

Mr. Robertson submitted the following amendment to Section 1: Page 1, line 2, delete "19" and insert "21" in lieu thereof.

Mr. White asked that since he had a similar amendment he join Mr. Robertson on the amendment. Mr. Taylor asked unanimous consent that his name be included on the amendment. There being no objection, it was so ordered. Mr. Robertson moved the adoption of the amendment.

Mr. Coghill objected and stated that he would like to appeal the ruling of the Chair that further amendments could be offered regarding age in Section 1.

The President stated that the failure to rescind the action did not preclude further amendments.

Mr. Peratrovich rose to a point of information regarding the propriety of deleting in effect an amendment which has already been adopted.

The President stated it was in order to change the figure.

Mr. Barr moved to recess until 9 o'clock Tuesday morning. Mr. VanderLeest seconded. Mr. Cooper objected. On voice vote the motion lost.

Mr. Londborg asked unanimous consent for a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Johnson seconded Mr. Robertson's motion to amend. The question being "Shall the amendment offered by Mr. Robertson, Mr. White and Mr. Taylor be adopted?", the roll was called with the following result:

Yeas: 19 - Armstrong, Awes, Barr, Boswell, Collins, Doogan, Hinckel, Johnson, King, Knight, Laws, Londborg, Metcalf, Nolan, Reader, Robertson, Sweeney, Taylor, White

Nays: 33 - Buckalew, Coghill, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Walsh, Wien, Mr. President

Absent: 3 - H. Fischer, Smith, VanderLeest

and so the amendment failed.

Mr. McNealy gave notice he would move on the following day to reconsider his vote on the amendment by Mr. Robertson, Mr. White and Mr. Taylor.

Mr. V. Rivers moved to adjourn.

Mr. McCutcheon moved that the rules be suspended and that reconsideration of Mr. McNealy's vote be taken up at this time. Mr Buckalew seconded.

Mr. Hurley rose to a point of order to inquire whether reconsideration of Mr. McNealy's vote would mean reconsideration of the whole question.

The President stated that the reconsideration was on the amendment which had failed of adoption and to suspend the rules and bring the matter up at this time would take a two-thirds vote.

Mr. White made a parliamentary inquiry whether the suspension of the Rules would preclude Mr. McNealy's serving notice to reconsider later.

The President stated since any vote could be reconsidered only once, that would be the case.

Mr. Johnson moved that the Convention adjourn until 9 o'clock a.m. Tuesday.

Mr. Robertson seconded. On voice vote the motion failed.

Mr. Rosswog announced a meeting of the Committee on Local Government for 8:15 o'clock p.m.

Mr. V. Rivers moved to adjourn.

Mr. Peratrovich rose to a point of order to state that before a motion for adjournment could be made another item of business had to be considered.

The President called for the question "Shall the Rules be suspended and Mr. McNealy's motion to reconsider be taken up at this time?" The roll was called with the following result:

Yeas: 20 - Awes, Buckalew, Coghill, Emberg, V. Fischer, Harris, Hilscher, Lee, McCutcheon, McNees, Marston, Nerland, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Stewart, Sundborg, Mr. President

Nays: 32 - Armstrong, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Gray, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nolan, Nordale, Reader, Robertson, Rosswog, Sweeney, Taylor, Walsh, White, Wien

Absent: 3 - H. Fischer, Smith, VanderLeest

and so the Rules were not suspended.

Mr. Sundborg questioned the Chairman of the Committee on Suffrage as to the meaning of the last sentence in Section 1 of Committee Proposal No. 1. Mr. Hellenthal stated the matter would be discussed later.

Mr. R. Rivers moved to adjourn until 9:05 o'clock a.m., Tuesday. Mr. Barr seconded.

Mr. V. Rivers requested a roll call.

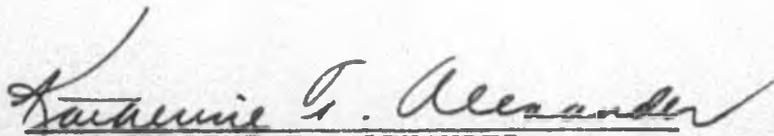
The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Kilcher, King, Knight, Lee, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, White, Wien

Nays: 12 - Buckalew, Coghill, Davis, Harris, Hurley, Laws, McCutcheon, McNealy, McNees, Peratrovich, Walsh, Mr. President

Absent: 3 - H. Fischer, Smith, VanderLeest.

and so the Convention adjourned.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:

WILLIAM A. EGAN
President

Constitutional Convention

Journal/28

Approved Dec. 17, 1955

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE THIRTY-SIXTH CONVENTION DAY, Tuesday, December 13, 1955

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

The Invocation was given by the Rev. B. P. Wilson of the Assembly of God Church of Fairbanks.

Roll call showed all members present except Mr. R. Rivers, who was absent because of illness. The President declared that a quorum was present.

The President stated that the delegates should make it a matter of practice to call up their own amendments to avoid any confusion as to which amendment was placed on the Secretary's desk first.

Mr. Coghill moved and asked unanimous consent that letters be written to Mr. Frank Whaley and Col. Farrell expressing thanks for the opportunity given the delegates to view the films presented the previous evening, and that a letter also be written to the Dean of the School of Mines, Mr. Earl Beistline, for the use of the Mines Building. There being no objection, it was so ordered.

Mr. Barr moved and asked unanimous consent that Rule 38 be referred to the Rules Committee for further study and possible change.

The President stated that after reading the rule he had come to the conclusion that even though several delegates might put their names on an amendment the only person who would be entitled to speak last would be the maker of the motion to adopt the amendment.

Mr. Barr withdrew his motion to refer Rule 38 to the Rules Committee.

Committee Proposal No. 1 was considered again.

The President stated that Mr. McNealy's reconsideration of his vote of the previous day was before the Convention.

Mr. McNealy moved to reconsider his vote on Mr. Robertson's, Mr. White's and Mr. Taylor's amendment at this time. Mr. Johnson seconded.

36th Day, Tuesday, Dec. 13

Mr. Johnson spoke on the amendment.

Mr. Riley stated that the Convention should be operating under a suspension of Rule 33 to debate the motion.

The President stated that Mr. Riley was correct and that Mr. Johnson was out of order.

Mr. Hurley moved and asked unanimous consent that the Rules be suspended so as to permit debate on the motion. There being no objection, it was so ordered.

Mr. Hellenthal spoke on the amendment.

Mrs. Sweeney requested a short recess.

AFTER RECESS

The President announced that members of the Junior Class of the Fairbanks High School were present in the gallery.

After Mr. White, Mr. Buckalew, Mr. Gray, Mr. Metcalf, Mrs. Hermann and Mr. McLaughlin spoke the President declared a short recess.

AFTER RECESS

Mr. Marston, Mr. Barr, Mr. Metcalf and Mr. McNealy spoke on the amendment. Mr. McCutcheon rose to a point of order on remarks made by Mr. McNealy regarding racial prejudice in Georgia.

The President ruled that the question of racial prejudice had nothing to do with the question on the floor.

Mr. Barr rose to a point of order to appeal the ruling of the Chair. Mrs. Hermann and Mr. Taylor stated they believed Mr. McNealy was in order.

The President referred the matter to the Rules Committee and declared a recess.

AFTER RECESS

Mr. Riley, Chairman of the Rules Committee, reported that the Rules Committee was of the opinion that Mr. McNealy was not out of order.

The President stated that the finding of the Rules Committee would be the ruling of the Chair.

Mr. McNealy continued. Mr. Hinckel, Mr. Coghill, Mrs. Wien, Mr. McNees and Mr. V. Fischer spoke.

Mr. Harris moved the previous question. Mr. Davis seconded. The question being "Shall the previous question be ordered?", the roll was called with the following result:

- Yeas: 27 - Awes, Barr, Coghill, Collins, Cross, Davis, H. Fischer, Harris, Hellenthal, Hilscher, Hinckel, Kilcher, King, Knight, McLaughlin, McNealy, Marston, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Rosswog, Stewart, Taylor, VanderLeest, Wien
- Nays: 27 - Armstrong, Boswell, Buckalew, Cooper, Doogan, Emberg, V. Fischer, Gray, Hermann, Hurley, Johnson, Laws, Lee, Londborg, McCutcheon, McNees, Metcalf, Reader, Riley, V. Rivers, Robertson, Smith, Sundborg, Sweeney, Walsh, White, Mr. President
- Absent: 1 - R. Rivers

and so the previous question was not ordered.

After Mr. Emberg, Mr. White, Mr. Metcalf, Mr. Robertson, Mr. V. Rivers, Mr. McCutcheon and Mr. Londborg spoke, Mr. Metcalf moved the previous question.

There being no second, Mr. Fischer spoke again as did Mr. Londborg.

There being no further debate, the question was called.

The question being "Shall the amendment offered by Mr. Robertson, Mr. White and Mr. Taylor be adopted?", the roll was called with the following result:

- Yeas: 23 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Doogan, Hinckel, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Reader, Robertson, Sweeney, Taylor, Walsh, White, Wien
- Nays: 31 - Buckalew, Coghill, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, VanderLeest, Mr. President.
- Absent: 1 - R. Rivers

and so the amendment failed.

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

AFTER RECESS

Mr. Cooper asked unanimous consent for and was granted personal privilege of the floor to discuss Rule 38.

The President stated that he realized that the delegates were only entitled to speak twice on an issue, but that there were many times delegates rose merely to ask questions and this was not counted.

Mr. Robertson moved the adoption of the following amendment to Section 1 of Proposal No. 1: Line 9, delete "or" and insert "and". Mr. Metcalf seconded.

After Mr. Robertson, Mr. Marston, Mr. Peratrovich, Mr. Coghill, Mr. Smith, Mr. Stewart, Mr. V. Rivers, Mr. Londborg, Mr. Buckalew, Mr. Metcalf, Mr. Cross and Mrs. Nordale spoke on the amendment, Mr. Johnson requested a roll call.

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

Yeas: 18 - Armstrong, Barr, Collins, Cooper, Hinckel, Hurley, Johnson, Laws, Londborg, Metcalf, Nerland, Reader, V. Rivers, Robertson, Sweeney, Taylor, Walsh, Mr. President

Nays: 36 - Awes, Boswell, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Stewart, Sundborg, VanderLeest, White, Wien

Absent: 1 - R. Rivers

and so the amendment failed.

Mrs. Hermann moved that Committee Proposal No. 1 be referred to committee for specific amendment. Mrs. Sweeney seconded.

Mr. Taylor stated he had a motion to present which might accomplish what Mrs. Hermann desired.

Mrs. Hermann stated that the reason behind her motion was that she felt the matter in Section 1 was properly a legislative matter and not a constitutional matter.

Mrs. Hermann asked unanimous consent that with the consent of her second she be allowed to withdraw her motion. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. Riley moved that the Convention recess until 1:30 o'clock p.m. for the purpose of Committee meetings. Mr. McCutcheon objected. Mr. Coghill seconded.

COMMITTEE ANNOUNCEMENTS

The following Committee meetings to be held during recess were announced: Preamble and Bill of Rights, Local Government, Resources, Resolutions and Recommendations, Finance, Executive, Subcommittee on Apportionment.

In answer to a question from Mr. McLaughlin, the President announced a meeting of the Committee Chairmen at 1 o'clock p.m.

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

- Yeas: 36 - Armstrong, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, Gray, Hilscher, Hinckel, Hurley, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Rosswog, Smith, Stewart, VanderLeest, Walsh, White, Wien, Mr. President
- Nays: 18 - Awes, Cooper, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Johnson, Kilcher, McCutcheon, McNees, Metcalf, Nolan, V. Rivers, Robertson, Sundborg, Sweeney, Taylor
- Absent: 1 - R. Rivers

and so the Convention recessed.

AFTER RECESS

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

Strike Sections 1, 2 and 3 and insert in lieu thereof, Section 1 which shall read as follows: "Section 1. The legislature of the State may provide by law the age and qualifications of voters of the State."

Mr. Coghill objected. Mr. Taylor moved. Mr. Metcalf seconded.

Mr. Hellenthal, Mr. McNees, Mr. Taylor, Mr. Riley, Mrs. Hermann, Mr. White and Mr. Buckalew spoke on the amendment.

On voice vote the motion failed.

Mr. Metcalf moved the adoption of the following amendment to Section 1:

Page 1, line 12, beginning after the comma following the word "only" insert the following: "And shall have reached their legal majority for purposes of being sued in State courts on actions of contract." Mr. Robertson seconded. On voice vote the motion failed.

Mr. Hinckel moved the adoption of the following amendment to Section 1:

Substitute the following for Section 1: "Every citizen of the United States, having other qualifications prescribed by law, shall be qualified to vote in any State or local election."

Mr. McLaughlin rose to a point of order to state he believed the motion out of order on the grounds that this amendment was similar to the one Mr. Taylor had proposed which had been defeated.

Mrs. Hermann seconded Mr. Hinckel's motion.

The President declared the motion out of order.

Mrs. Hermann moved the adoption of the following amendment to Committee Proposal No. 1: Add to Section 1 the following: "The right of secrecy of ballot shall be preserved." Mr. McNealy seconded. ✓

Mr. Fischer stated he believed the amendment should more properly be to Section 4 which deals with elections.

Mrs. Hermann by unanimous consent amended her motion to read: add "Section 5. The right of secrecy of ballot shall be preserved." On voice vote the amendment was adopted.

Mr. Johnson moved the adoption of the following amendment to Section 4: Line 16, page 2, strike the word "second" at beginning of line and insert the word "first", after the word "Tuesday" add the following: "after the first Monday", strike the word "October" and insert the word "November". Mr. Metcalf seconded.

After Mr. Johnson, Mr. McCutcheon, Mr. Hellenthal, Mr. Sundborg, Mr. Barr, Mr. Coghill, Mr. Taylor had spoken, Mr. Londborg requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg and Mr. Emberg spoke on the amendment. On voice vote the amendment failed.

Mr. V. Fischer moved and asked unanimous consent for the adoption of the following amendment to Section 4: page 2, lines 16 and 17 delete the words "and every second year thereafter on the same day" and substitute "of every even numbered year". Mr. Johnson objected. Mr. Sundborg seconded.

After Mrs. Hermann, Mr. Hellenthal and Mr. Sundborg spoke, the question was called. On voice vote the amendment was adopted. ✓

Mrs. Sweeney moved the adoption of the following amendment to Section 1: Page 1, line 2, change "19" to "20".

Mr. Sundborg rose to a point of order to state that the amendment was out of order because the Convention had already acted on this.

The President ruled the amendment out of order.

Mr. Taylor moved to suspend the rules so that the amendment could be considered. Mr. Buckalew objected. Mrs. Sweeney seconded.

The President declared a recess.

AFTER RECESS

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

Yeas: 33 - Armstrong, Barr, Boswell, Collins, Cooper, Doogan, Gray, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Nordale, Reader, Riley, Robertson, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 21 - Awes, Buckalew, Coghill, Cross, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hilscher, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Peratrovich, Poulsen, V. Rivers, Rosswog

Absent: 1 - R. Rivers

and so the rules were not suspended.

Mr. Knight moved the adoption of the following amendment to Section 2, and asked unanimous consent: Page 2, line 3, delete the figure "2,500" and insert the figure "1,000".

Mr. McCutcheon objected. Mr. Buckalew seconded.

Mr. Cooper moved and asked unanimous consent to amend Mr. Knight's amendment by putting a period after "registration". Mr. McCutcheon objected.

Mr. Hurley rose to a point of order that the amendment was out of order because it changed the content of Mr. Cooper's amendment.

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

Mr. Riley stated that perhaps Mr. Knight would withdraw his original amendment since he had agreed to Mr. Cooper's amendment.

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

Mr. Cooper asked unanimous consent for a recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Cooper yielded to Mr. White who had an amendment with which he agreed.

Mr. White moved and asked unanimous consent for the adoption of the following amendment to Section 2: Lines 2 and 3 delete the words "in municipalities with populations over 2,500". Mr. McCutcheon objected. Mr. Cooper seconded.

Mr. V. Fischer stated that if this amendment were adopted he would propose that an ordinance be adopted which would specify that all those who vote at the first state election shall be automatically put upon the permanent registration list of the state.

Mr. Taylor moved to amend Mr. White's amendment by changing "shall" to "may" in line 1.

The President ruled the amendment out of order because it involved material not under consideration.

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

Yeas: 29 - Awes, Boswell, Cooper, Davis, Doogan, H. Fischer, V. Fischer, Gray, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Nerland, Nolan, Nordale, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, White

Nays: 25 - Armstrong, Barr, Buckalew, Coghill, Collins, Cross, Emberg, Harris, Hellenthal, Hermann, Hilscher, Kilcher, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Peratrovich, Riley, Taylor, Walsh, Wien, Mr. President

Absent: 1 - R. Rivers

and so the amendment was adopted. ✓

Mr. Taylor asked unanimous consent for the adoption of the amendment which had been ruled out of order earlier. Mr. Fischer objected. Mr. Gray seconded.

After Mrs. Nordale, Mr. Gray, Mr. Peratrovich, Miss Awes, Mr. Knight, Mr. McLaughlin, Mr. McNealy, Mr. V. Fischer and Mr. Cooper spoke, Mr. Harris moved for a fifteen minute recess. Mr. Coghill objected. Mrs. Sweeney seconded. On voice vote the motion carried.

AFTER RECESS

Mr. Coghill rose to a point of personal privilege to call attention to the amount of work at hand and need to get proposals out of Committees for action before recess.

Mr. Coghill moved and asked unanimous consent that the Convention adjourn at 4 o'clock p.m. after completion of action on the matter at hand and convene at 1:30 o'clock p.m., Wednesday, and asked unanimous consent.

Mrs. Hermann requested an amendment so that it would read until Thursday morning.

Mr. Sundborg, Mrs. Hermann, Mr. V. Rivers, Mr. Hellenthal, Mr. King and Mr. Marston spoke on personal privilege on the subject of committee work and plenary sessions.

Mrs. Hermann withdrew her amendment. Mr. Coghill withdrew his motion.

Mr. Boswell moved that, *when* the Convention, *considered adjournment it* adjourn until 9 o'clock a.m., Wednesday, have a short plenary session to hear Dr. Ira N. Gabrielson and then adjourn until 1:30 o'clock p.m., Thursday. Mr. Buckalew seconded. There being no objection, it was so ordered.

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

Yeas: 38 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh

Nays: 16 - Barr, Cooper, Doogan, V. Fischer, Hinckel, Johnson, Knight, Laws, Londborg, McNees, Poulsen, Reader, Sweeney, White, Wien, Mr. President

Absent: 1 - R. Rivers

and so the amendment was adopted. ✓

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment to Section 1:

Page 1, line 16, after the word "voted" strike the balance of lines 16 and 17 and insert in lieu thereof "in Alaska prior to its becoming a State".

Mr. Fischer objected. Mr. McCutcheon seconded.

Mr. Hellenthal asked unanimous consent for a recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. V. Rivers asked unanimous consent to withdraw his amendment with the understanding the matter will be taken care of in transitory provisions. There being no objection, it was so ordered.

Mr. Hellenthal moved and asked unanimous consent that the last sentence of Section 1 be deleted and the following be substituted in its place to be included in the transitory provisions: "Those citizens who legally voted in the general election of November 4, 1924, shall not be deprived of their voting rights by any provision of this section of the constitution."

Mr. McCutcheon rose to a point of order to state that Mr. Hellenthal's motion was out of order because it was a compound motion and the motion should merely be to strike the sentence and substitute another.

The President stated that he believed that was what Mr. Hellenthal intended.

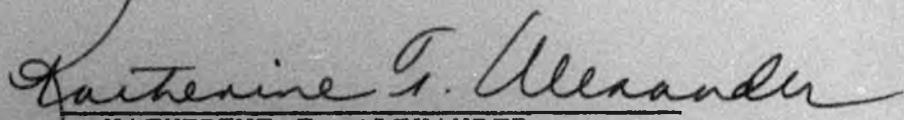
Mr. Hellenthal moved and asked unanimous consent that the last sentence of Section 1 be stricken and the following sentence substituted in its place: "Those citizens who legally voted in the general election of November 4, 1924, shall not be deprived of their voting rights by any provision of this section of the constitution." Mr. Cooper objected. Mr. Gray seconded. ✓

After Mr. Fischer, Mr. Davis, Mr. Cooper, Mr. Hellenthal and Mr. Sundborg spoke, the amendment was ordered adopted by voice vote.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment to Section 1:

Page 1, line 9, after the words "votes and" strike the balance of the line, strike lines 10 and 11 and the first part of line 12 up to and including "only, and" and on line 15 after "election." insert the following line "Additional qualifications may be established by law." Mr. Buckalew objected. Mr. Knight seconded.

Mr. McLaughlin moved and asked unanimous consent that the Convention adjourn until 9 a.m., Wednesday. Mr. V. Rivers seconded. There being no objection, it was so ordered.



KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/29
Approved Jun. 7, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE THIRTY-SEVENTH CONVENTION DAY, Wednesday, December 14, 1955

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

The Invocation was given by Chaplain Swaff^aer of Ladd Air Force Base. At the request of Mr. Hilscher and Mr. Marston and with the unanimous consent of the Convention the prayer offered by the chaplain was ordered spread on the Journal, as follows:

"Almighty God, Creator of our universe, we invoke the blessing of Thy spirit on this assembly today. Bless each one with creativeness of mind, with uprightness of purpose and spirit, Amen."

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

Mr. Doogan moved and asked unanimous consent for the approval of the Journal of the thirty-second day, subject to the following correction: page 3, paragraph 3, change "first" to "second". There being no objection, it was so ordered.

Mr. Doogan moved and asked unanimous consent for the approval of the Journal for the thirty-third day subject to the following correction: page 4, insert "o'clock p.m." after "12:15". There being no objection, it was so ordered.

Mr. King introduced Dr. Ira N. Gabrielson of the Wildlife Institute in Washington, D. C., who was granted privilege of the floor to speak on wildlife resources.

At the conclusion of his remarks, Mr. Barr and Mr. Taylor addressed questions to Dr. Gabrielson.

Mr. Smith introduced Mr. Arthur W. Greeley, Regional Forester of the U. S. Forest Service in Alaska, and with the unanimous consent of the Convention Mr. Greeley was granted the privilege of the floor to speak briefly.

Mr. Cross, Chairman of the Committee on Resolutions and Recommendations, submitted a report containing Committee Proposal No. 4.

Committee Proposal No. 4, by Committee on Recommendations and Resolutions, entitled LOCATION OF STATE CAPITAL, AND PROCEDURE FOR CHANGE THEREOF, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Delegate Proposal No. 43, by Mr. Metcalf, entitled BILL OF RIGHTS, was introduced, read the first time and referred to the Committee on Preamble and Bill of Rights.

The following announcements of committee meetings were made:

Committee on Resources on recess; Committee on Suffrage, Elections and Apportionment ten minutes following recess; Preamble and Bill of Rights on recess; Finances on recess; Local Government at 10:30 o'clock a.m.; Ordinances on recess.

The President declared a short recess so that the Committee Chairmen could get together to arrange committee meetings.

AFTER RECESS

Mr. Johnson moved that the Convention adjourn until 1:30 o'clock p.m., Thursday, subject to Committee announcements.

Mr. V. Rivers announced a meeting of the Committee on the Executive Branch at 2 o'clock p.m.

Mr. Hellenthal objected to the motion for adjournment. Mr. Johnson asked unanimous consent. Mr. Robertson seconded.

Mr. Hellenthal moved to amend the motion for adjournment to read "8 o'clock p.m. for plenary session". Mr. Barr objected. Mr. Metcalf seconded.

Mr. R. Rivers suggested that adjournment be until 12 o'clock noon to simplify the arrangement for meeting the 8th grade students who are to be guests of the delegates at luncheon.

Mr. Rosswog announced a meeting of the Committee on Local Government at 9 o'clock a.m.

Mr. Taylor rose to a point of order to state that Mr. Hellenthal's motion to amend was out of order.

The President declared a short recess.

AFTER RECESS

Mr. Metcalf inquired whether all the Committee proposals would be submitted by the end of the week in order that the delegates would have copies to take home.

The President announced that this was the reason for the need of the longer adjournment to give the committees time to finish their work.

The President stated that he had allowed discussion on the motion to adjourn even though it was not debatable and at this time called for the question. The question being "Shall the Convention adjourn until 12 o'clock noon, Thursday?", on voice vote the Convention adjourned.

KATHERINE T. ALEXANDER
Chief Clerk

Attested:

WILLIAM A. EGAN
President

Constitutional Convention

Journal/30

Approved Jan. 7, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE THIRTY-EIGHTH CONVENTION DAY, Thursday, December 15, 1955

The Convention was called to order at 12 o'clock noon by President Egan.

The Invocation was given by ^{the Rev.} Robert Sheppard of the Church of the Nazarene.

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

The President announced that copies of the Convention keynote address "Let Us End American Colonialism!" by Ernest Gruening, were now available at the message center.

Mrs. Hermann stated that the address had been printed by the Alaska Statehood Committee for wide distribution.

The President stated that Mrs. Laura Jones's 8th grade class was present in the gallery at the invitation of the Convention. He introduced Miss Marjory Thomas, president of the class, who in turn introduced the members of her class.

Mrs. Nordale rose to a point of personal privilege to announce that Delegate Davis was celebrating his birthday. The delegates extended good wishes to Mr. Davis.

Mrs. Hermann asked unanimous consent that the Convention recess until 1:30 o'clock p.m. There being no objection, it was so ordered.

AFTER RECESS

A telegram from Lester Bronson of Nome stating that ^amajority ~~was~~ in favor of four divisions in Alaska as now existing was read and ordered filed.

An invitation from the University of Alaska music department regarding a concert to be held Friday, December 16, was read.

Mr. Riley asked if three or four members of the Resources Committee could be excused from the plenary session so work could be completed with the consultant, Mr. Ostrom, prior to his departure.

38th Day, Thursday, Dec. 15

The President granted Mr. Riley's request.

Mrs. Sweeney, Chairman of the Committee on Engrossment and Enrollment, reported that the Committee had compared the Engrossed copy of Committee Proposal No. 2 with the original and found it correctly engrossed.

Mr. McCutcheon reported that the Committee on Legislative Branch was submitting for the consideration of the Convention the matters which had been delegated to them in the form of Committee Proposal No. 5.

Committee Proposal No. 5 by the Committee on Legislative Branch, entitled LEGISLATIVE POWERS AND DUTIES, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

The President ordered Committee Proposal No. 2 referred to the Committee on Style and Drafting.

Mrs. Hermann rose to a point of privilege and at the request of Mr. R. Rivers and with the unanimous consent of the Convention, her remarks were ordered spread on the Journal as follows:

"HERMANN: I think it is particularly important that we of the Constitutional Convention pause a moment from our regular duties to recognize the fact that this is a very important anniversary in the history of America. This is the 164th anniversary of the ratification of the Bill of Rights which was accomplished in 1791 when the tenth of the thirteen states to whom it had been submitted finally ratified it. I was in hopes that our own Bill of Rights might make the floor on this day, and I am going to request that it be dated as of this day in commemoration of the fact that our national Bill of Rights was finally ratified as of this date.

I think we should turn back and remember some of the struggles of these early founding fathers as they sought to draft the Constitution and the subsequent Bill of Rights. Their condition was somewhat like ours, but it was also vastly different because they had no example upon which to found their work. They were without precedent. They did not have great universities spotting the land from which they could draw on the consultants and the advice that they had to give, as we have been able to do. They had literally nothing to guide them. They simply reached down into their own great hearts and souls and minds and produced the document that Gladstone was later to call the most remarkable document ever struck off by the mind of man. And then, not satisfied that it had given all the liberties and freedoms that we should have, it produced

the ten amendments that constitute the Bill of Rights, after some more years of struggling. There can be no doubt that there was dissention and compromise and frustration all through the course of writing that great Constitution and writing the Bill of Rights that followed after it. But the fact of the matter is that they did come up with a document that set up the principles of government for that Atlantic coastline of thirteen states. From there it became not a localized government, but it crossed the Alleghanies into the great region that was known as the Northwest Territory, on across the great plains, over the Rockies and the Cascades to the Pacific Ocean and northward to Alaska.

And so I think it is particularly important today that we who are assembled here at the site of the farthest north university under the American flag, in Constitution Hall, that may in time become as much of a shrine to Alaskans as Independence Hall has become to Americans, in a Convention that is writing the constitution for a state that may become the last state in this American Union, should take time and, in the presence of these boys and girls, who will probably be among those who will write future amendments to this constitution, rededicate ourselves wholly to the principles of government that made our American Constitution and our Bill of Rights the greatest charter of freedom that the world has ever known. I ask that we date our own Bill of Rights, which we are to produce at this time and for which we have had the example not only of our federal Constitution and the Constitution of our forty-eight states, including Hawaii, but also the help of great students of governmental matters, as of this day, in commemoration of the ratification of the Bill of Rights. We may, in this way, in all gratitude and reverence say, 'Thank God for a job well done in 1789 and 1791.'"

Miss Awes stated that the Committee on Preamble and Bill of Rights had completed its work and the proposal was being prepared for introduction and that in line with Mrs. Hermann's request the proposal was dated as of this date.

The President ordered that Proposal No. 7, Preamble and Bill of Rights, be dated December 15, 1955.

Mr. White rose to a point of order regarding Rule 44.

The President declared a short recess.

AFTER RECESS

The President declared a recess and requested that the Rules Committee meet with the Committee on Engrossment and Enrollment to clarify the question of second reading.

AFTER RECESS

Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment be returned to the Committee at this time. There being no objection, it was so ordered.

Mr. Rosswog reported that the Rules Committee would like to recommend that in Rule 16 on the second to the last line after the word "proposal" delete "in completed form after" and replace with the words "as amended in". Mr. Rosswog moved and asked unanimous consent for the adoption of the change.

After discussion and explanation by the President, the change was adopted by unanimous consent.

Mr. White spoke on personal privilege regarding keeping a proposal in second reading.

Mr. White moved and asked unanimous consent that the Rules be suspended, that Committee Proposal No. 2 be withdrawn from the Committee on Engrossment and Enrollment and be continued in second reading until after the recess hearings and then placed on the calendar for further action under the rules of the Convention. Mr. Sundborg objected. Mr. Coghill seconded.

Mr. V. Rivers stated that he believed he had requested that the proposal be continued in second reading at an earlier plenary session.

The President declared a recess so the record could be checked.

AFTER RECESS

The Chief Clerk read from the Journal of the thirty-fifth day the following:

"Mr. V. Rivers asked whether Committee Proposal No. 2 would still be in second reading.

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

The President stated this matter had been taken up with the Rules Committee and it was the ruling of the Committee that as soon as a proposal had been referred to the Committee on Engrossment and Enrollment no more amendments could be considered and adopted by a majority vote.

Mr. White moved and asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that when Committee Proposal No. 2 is reported by the Committee on Engrossment and

Enrollment that it still be considered in second reading for purpose of amendment. Mr. Davis objected. Mr. White moved. Mr. Knight seconded.

After discussion, the President asked Mr. Peratrovich to take the Chair.

The President stated that because he had not had it clearly in mind regarding the status of a proposal after it was referred to the Committee on Engrossment and Enrollment and possibly many of the delegates were of the same feeling, he would have to support Mr. White's motion in this particular case.

After discussion by Mr. Davis, Mr. White, Mr. Fischer, and Mr. Doogan, Mr. Johnson inquired whether the motion would take a two-thirds vote.

Mr. Peratrovich asked the President to take the Chair.

The President stated that since the motion was a suspension of the rules it would take a two-thirds vote to carry.

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

Yeas: 19 - Armstrong, Barr, Coghill, Emberg, Harris, Hurley, Kilcher, Londborg, McNealy, Nerland, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Smith, Sweeney, White, Mr. President.

Nays: 32 - Awes, Buckalew, Collins, Cooper, Cross, Davis, Doogan, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Robertson, Rosswog, Sundborg, VanderLeest, Walsh, Wien

Absent: 4 - Boswell, Riley, Stewart, Taylor
and so the motion failed.

Mr. Johnson moved for a recess. Mr. Buckalew objected. Mr. Barr seconded. On voice vote the motion carried.

AFTER RECESS

Proposal No. 1 was considered again. Mr. V. Rivers' motion offered December 13 was before the Convention.

After Mr. Peratrovich, Mr. Sundborg and Mr. Marston spoke against the amendment, the question was called.

The question being "Shall Mr. V. Rivers amendment be adopted?" the roll was called with the following result:

Yeas: 10 - Hinckel, Johnson, Laws, Londborg, Metcalf, Nerland, Reader, R. Rivers, V. Rivers, Robertson

Nays: 40 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nolan, Nordale, Peratrovich, Poulsen, Rosswog, Smith, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President.

Absent 5 - Boswell, Riley, Stewart, Taylor, White and so the amendment failed.

Mr. Buckalew moved the adoption of the following amendment to Section 3:

Page 2, lines 10 and 11, strike all language down through word "mind" and insert following: "No person who is non compos mentis". Mr. Barr objected. Mr. McNealy seconded.

After discussion by Mr. McLaughlin, Mr. Davis, Mr. Buckalew, Mr. Hellenthal, Mr. Londborg, Mr. Fischer and Mr. Barr, the President declared a recess.

AFTER RECESS

Mr. Sundborg stated that Mr. Buckalew had agreed to permit the withdrawal of his amendment so that another amendment could be substituted, and in accordance with that agreement, Mr. Sundborg moved and asked unanimous consent for the withdrawal of Mr. Buckalew's amendment. There being no objection, it was so ordered.

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

Section 3. Strike lines 10, 11, 12, and 13 and insert in lieu thereof the following:

"Section 3. No person convicted of a felony involving moral turpitude, unless pardoned and restored to his civil rights, and no person judicially determined to be of unsound mind, until the disability is removed, shall be"

Mrs. Hermann seconded.

Mr. Hellenthal moved to amend the amendment by striking

"involving moral turpitude" after the word "felony". Mr. Sundborg objected. Mr. Kilcher seconded.

After discussion by Mr. Buckalew, Mr. Davis, Mr. Kilcher and Mr. Gray, the question was called. On voice vote the amendment to the amendment failed.

Mr. Kilcher moved to amend the amendment by striking the words "until the disability is removed". Mr. Lee seconded. On voice vote the amendment to the amendment failed.

The question being "Shall Mr. Sundborg's amendment be adopted?", on voice vote the amendment was adopted.

Mr. Metcalf moved the adoption of the following amendment:

Add Section 6. "Provided further that the legal age of persons qualified to vote shall be permanently established by referendum vote of the people at the time this constitution is submitted for ratification by the people." Mr. Sundborg seconded.

Mr. McCutcheon stated he believed this amendment should be included in the transitional measures.

The President stated he was unable to decide whether the amendment was in order and referred the matter to the Rules Committee.

The President declared a short recess.

AFTER RECESS

Mr. Riley, Chairman of the Rules Committee, reported that the Rules Committee had found the amendment out of order.

The President ruled Mr. Metcalf's amendment out of order.

Mr. Metcalf moved the adoption of the following amendment:

Page 1, line 2, after the word "years" insert "unless otherwise determined by a referendum vote of the electors at the time this constitution is submitted for ratification,". Mr. Coghill objected. Mr. Hinckel seconded.

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

Yeas: 12 - Armstrong, Barr, Collins, Hinckel, Johnson, Laws, Londborg, McNealy, Metcalf, Nolan, Reader, Robertson

Nays: 39 - Awes, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King,

Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President.

Absent: 4 - Boswell, Stewart, Taylor, White.

and so the amendment failed.

Mrs. Hermann moved the adoption of the following amendment:

Section 2, page 2, line 7, strike the word "that" and insert "the manner of determining", add period after "elections" and strike the rest of the sentence. Mr. Riley seconded.

After discussion by Mrs. Hermann, Mr. Hellenthal, Mr. Sundborg and Mr. R. Rivers, Mr. Riley asked for a two minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. R. Rivers moved to amend Mrs. Hermann's amendment by adding at the end thereof the following:

"which shall include the right of appeal to a court of competent jurisdiction." Mr. Knight seconded. Mrs. Hermann accepted the amendment and it was ordered adopted.

The question being "Shall the amendment as amended be adopted?", on voice vote the motion carried.

Miss Awes moved the adoption of the following amendment:

Strike Section 5 and substitute the following: "Section 5. Secrecy of voting shall be preserved." Mr. Buckalew seconded. On voice vote the amendment was adopted.

Mr. Fischer moved the adoption of the following amendment:

In the amended language of the last sentence of Section 1, after the year "1924" insert the following: "and meet the residence requirements of this section". Mr. Hellenthal asked unanimous consent. There being no objection, it was so ordered.

Mr. Barr moved the adoption of the following amendment:

Strike Section 2. Mr. McCutcheon objected. Mr. Laws seconded.

After discussion by Mr. Barr, Mr. Sundborg, Mr. McCutcheon and Mr. Robertson the question was called. On voice vote the amendment failed.

Mr. Londborg moved the adoption of the following amendment:

Page 2, Section 3, strike "judicially determined to be of unsound mind" and insert after the word "person" the following: "found, in manner provided by law, to be of unsound mind." Mr. Buckalew seconded. On voice vote the amendment failed.

Mr. Kilcher asked unanimous consent if as general practice the President would entertain a motion to the effect that a certain proposal would be forwarded to the Committee on Engrossment and Enrollment.

Mr. McCutcheon stated that this was the prerogative of the Chair.

The President stated that Mr. Kilcher would have to offer a new rule.

Mr. McCutcheon objected and read Rule 61.

The President asked Mr. Kilcher to hold his motion until later.

Mr. Davis stated that the time for Mr. Kilcher's motion was when the Convention had finished considering all amendments to Proposal No. 1.

Mr. Harris moved to adjourn until 9 o'clock a.m. Friday. Mr. Robertson seconded.

The President called for Committee announcements.

Mr. Hellenthal announced a meeting of the Committee on Suffrage, Elections and Apportionment at 8 ~~p.m.~~ o'clock p.m., at Apt. 1009 Polaris.

On voice vote the motion to adjourn failed.

Mr. Coghill moved to adjourn until 9:05 o'clock a.m. Since no other business had been considered, Mr. Coghill's motion was out of order.

Mrs. Hermann spoke on a matter of personal privilege to congratulate the Committee on Judiciary for having met its target date in the submission of its article.

Mr. V. Fischer spoke on a matter of personal privilege to state that most of the Committees have finished their work and the proposals were being put in final form and it was not the Committees' fault that the formal reports were not in the hands of the delegates.

The President rose to a point of personal privilege to congratulate the Committee Chairmen for the long hours spent on Committee work and for the excellent work being done.

Mr. Davis stated he would like to move that Committee Proposal No. 1 be referred to the Committee on Engrossment and Enrollment.

Mr. Sundborg rose to a point of order to state he believed Mr. Kilcher wanted to make a motion before that was ordered.

Mr. R. Rivers rose to a point of order to state he believed there were some amendments on the Clerk's desk.

Mr. Hellenthal stated that the amendments were Mr. Taylor's and he believed the matter had been taken care of by action on similar amendments this date.

Mr. Barr stated that he believed Mr. Davis's motion was out of order because it was up to the President to move the proposals along in accordance with the rules of the Convention.

Mr. Egan stated that Mr. Barr was correct and that he had advised Mr. Kilcher that he would let him make his motion to amend the permanent rules as soon as all action of amending Proposal No. 1 had been completed.

Mr. Sundborg moved and asked unanimous consent that Committee Proposal No. 1 be continued in second reading.

Mr. Buckalew objected. Mr. McNealy seconded.

On voice vote the motion failed.

Mr. Gray moved that the Convention adjourn until 9:05 o'clock a.m., Friday. Mr. V. Rivers seconded. The roll was called with the following result:

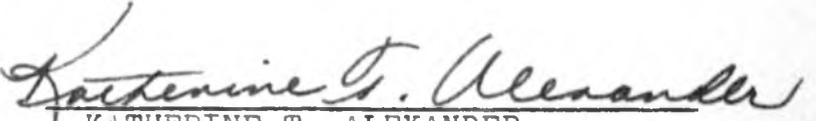
Yeas: 29 - Armstrong, Awes, Barr, Coghill, Collins, Cross, H. Fischer, Gray, Harris, Hellenthal, Johnson, King, Knight, Laws, Londborg, McLaughlin, McNealy, Nolan, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sweeney, VanderLeest, Walsh, White, Wien

Nays: 23 - Buckalew, Cooper, Davis, Doogan, Emberg, V. Fischer, Hermann, Helscher, Hinckel, Hurley, Kilcher, Lee, McCutcheon, McNees, Marston,

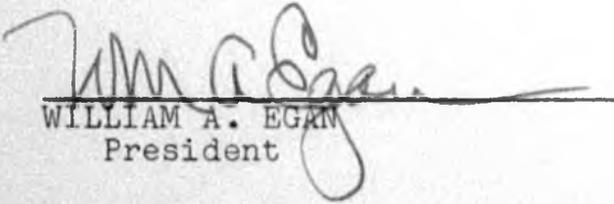
Metcalf, Nerland, Nordale, Peratrovich, Poulsen,
Riley, Sundborg, Mr. President.

Absent: 3 - Boswell, Stewart, Taylor

and so the Convention adjourned.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

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.

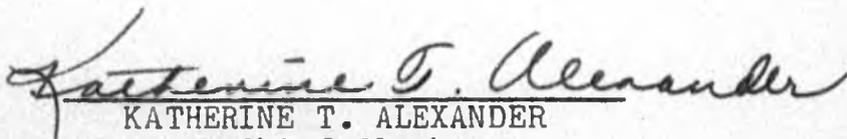
The question being "Shall the Convention adjourn until 9 o'clock a.m., Saturday?", the roll was called with the following result:

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.

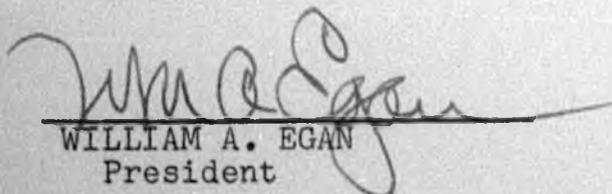
Nays: 17 - Armstrong, Buckalew, Cooper, Emberg, V. Fischer, Gray, Hermann, Hinckel, Hurley, Kilcher, Lee, McCutcheon, Metcalf, Peratrovich, Rosswog, Sundborg, Mr. President

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

Constitutional Convention
Journal/32
Approved Jan. 7, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FORTIETH CONVENTION DAY, Saturday, December 17, 1955

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

The Invocation was given by the Rev. Richard Lambert of St. Matthews Episcopal Church.

Roll call showed all present except Mr. McCutcheon and Mr. Nerland. The President declared a quorum to be present.

Mr. White asked that the approval of the Journal be delayed until later in the day.

Mr. Marston introduced a resolution regarding friendly relations with Canada and asked unanimous consent that it be referred to the Committee on Resolutions and Recommendations. There being no objection, it was so ordered.

COMMUNICATIONS

A letter from the Territorial Librarian regarding the preservation of the papers of the Convention was read and referred to the Committee on Administration.

A letter from the Sitka Central Labor Council regarding the right-to-work clause was read and ordered placed on file.

Mrs. Hermann submitted the following report of the Rules Committee. The Rules Committee recommended that Proposal No. 4, which had been referred to it for placing on the calendar, be referred to the Committee on Ordinances. Pursuant to Rule 46 the Rules Committee recommended that after January 8, only Committee Proposals will be accepted.

Mrs. Hermann moved and asked unanimous consent that in line with statement contained in Rule 46, January 8 be set as the date after which all proposals will have to be Committee proposals. Mr. Johnson objected. Mr. Rosswog seconded.

40th Day, Saturday, Dec. 17

After discussion by Mr. V. Rivers, Mr. Sundborg, Mr. Davis, Mr. Johnson, Mr. Buckalew, Mr. Barr and Mr. Kilcher, Mr. McLaughlin moved the previous question. Mrs. Hermann seconded. On voice vote the previous question was ordered.

The question being "Shall January 8 be set as the cut-off date for individual proposals?", the roll was called with the following result:

Yeas: 31 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cooper, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, King, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, Rosswog, Sundborg, Walsh, White, Wien, Mr. President

Nays: 21 - Boswell, Cross, Emberg, H. Fischer, Harris, Hurley, Johnson, Kilcher, Laws, Londborg, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sweeney, Taylor, VanderLeest

Absent: 3 - Doogan, McCutcheon, Nerland

and so the motion carried.

Mrs. Hermann reported that the Rules Committee would meet daily following the noon recess to set the calendar for the following day. The Committee also reported progress on Mr. Kilcher's request that Rule 35 be reconsidered and would report soon.

Mrs. Hermann moved the adoption of the entire report of the Rules Committee. Mr. Taylor seconded. Mr. R. Rivers asked unanimous consent. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers submitted two reports of the Committee on Executive Branch--Proposal No. 11, ORDINANCE ON THE FIRST ELECTION OF THE GOVERNOR AND THE SECRETARY OF STATE and Proposal No. 12, ARTICLE CONTAINING GENERAL AND MISCELLANEOUS PROVISIONS, were introduced, read the first time and referred to the Rules Committee for assignment to the calendar.

Mr. Sundborg asked whether in line with the Rules Committee action of referring Proposal No. 4 to the Committee on Ordinances, Proposal No. 11 should not be referred to the Committee on Ordinances.

The President re-referred Proposal No. 11 to the Committee on Ordinances.

Mr. McNealy moved and asked unanimous consent that the secretariat write a letter to Judge Vernon D. Forbes thanking him for the use of the law library for the benefit of the Convention. There being no objection, it was so ordered.

Mr. Harris asked that a letter of sympathy be written to Mr. Emil Sady, Staff Consultant, whose father had died. The President ordered a letter written.

Committee Proposal No. 3 was considered again.

Mr. Johnson moved the adoption of the following amendment:

Page 1, Section 4, line/5, strike the word "constitutionality" and substitute in lieu thereof the word "form".

Mr. McLaughlin seconded.

Mr. McLaughlin moved and asked unanimous consent to amend the amendment by striking the first two sentences of Section 4. Mr. Taylor objected. Mr. Stewart seconded.

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

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

Yeas: 33 - Awes, Barr, Boswell, Buckalew, Cooper, Emberg, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, Laws, Lee, McLaughlin, McNealy, McNees, Marston, Nolan, Nordale, Poulsen, Reader, Riley, Robertson, Smith, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President

Nays: 18 - Armstrong, Coghill, Collins, Davis, Doogan, H. Fischer, Hinckel, King, Knight, Londborg, Metcalf, Peratovich, R. Rivers, V. Rivers, Rosswog, Sweeney, Taylor, Walsh

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Barr moved the adoption of the following amendment:

Page 2, line 3, after word "chosen" add a new sentence, "After the required number of signatures to the petition have been obtained, the proposed legislation shall be submitted to the Attorney General who shall edit it and place it in proper legal form."

The President declared a short recess.

AFTER RECESS

Mr. Barr moved the adoption of his amendment. Mr. Peratrovich seconded.

After Mr. Barr, Mr. Marston, Mr. Taylor, Mr. Sundborg spoke, Mr. R. Rivers requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney asked unanimous consent that the Convention revert to Committee Reports. There being no objection, it was so ordered.

Mrs. Sweeney submitted the following report of the Committee on Engrossment and Enrollment: Committee Proposal No. 2 had been properly engrossed and the first enrolled copy was in proper form. Mrs. Sweeney asked unanimous consent for the adoption of the report. There being no objection, it was so ordered.

Committee Proposal No. 2 was referred to the Committee on Style and Drafting.

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

Mr. Johnson moved the adoption of the following amendment:

Page 2, line 3, Section 4, after word "chosen" add new sentence, "The petition shall be from two-thirds of the voting precincts." Mr. Robertson seconded.

After discussion of proposed amendments to the amendment Mr. Johnson asked unanimous consent to withdraw his original amendment to submit a similar amendment to take care of the various suggested amendments. There being no objection, it was so ordered.

Mr. Johnson moved the adoption of the following amendment:

Page 2, line 3, Section 4: after word "chosen.", add new sentence, "The petition shall contain signatures from at least two-thirds of the election districts of the State." Mr. Robertson seconded.

After Mr. Smith, Mr. Taylor, Mr. Hinckel, Mr. Cooper, Mr. Londborg, Mrs. Hermann, Mr. Sundborg, Mr. Buckalew, Mr. McLaughlin, Mr. Davis, Mr. Johnson, Mr. McNealy, Mr. Kilcher and Mr. Armstrong spoke on the amendment, Mr. Boswell moved the previous question. Mrs. Hermann seconded. On voice vote the previous question was ordered.

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

Yeas: 38 - Armstrong, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hilscher, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Nolan, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 13 - Awes, Buckalew, Emberg, Hermann, Hinckel, Hurley, King, Metcalf, Nordale, Peratrovich, Riley, V. Rivers, Taylor

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the amendment was adopted.

Mr. R. Rivers submitted the following amendment:

Page 1, Section 4, strike lines 13 to 18 inclusive, and lines 1 to 5 inclusive, on page 2 and substitute the following:

"Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by ten qualified electors as sponsors and have its legal sufficiency and form certified by the attorney general. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 15% of the number of votes cast for governor in the preceding election at which the governor was chosen. The petition may be filed with the attorney general who shall prepare

a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided."

Mr. Buckalew stated he could not vote on the amendment without a copy.

Mr. R. Rivers moved the adoption of the amendment. Mr. Barr seconded. Mr. Buckalew objected.

Mr. R. Rivers asked unanimous consent to include the Johnson amendment just adopted in his amendment.

The President ordered the amendment held until copies were made available.

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

AFTER RECESS

Mr. Laws moved ^{to} recess until 1:30 p.m. Mr. Riley objected. Mr. Knight seconded. On voice vote the motion failed.

Mr. Kilcher moved that Article 1 of Committee Proposal No. 3 be recommitted to the Committee on Direct Legislation. Mr. Riley seconded.

After discussion by Mr. Smith, Mr. Taylor, Mr. Collins, Mr. Riley, Mr. Gray, Mr. McNees, Mrs. Hermann, Mr. White, Mrs. Nordale, Mr. Hilscher, Mr. McLaughlin, Mr. Marston, Mr. Barr, and Mr. Hellenthal, Mr. Sundborg moved the previous question. Mr. Buckalew seconded. Mr. Kilcher objected. Mr. Sundborg withdrew his motion.

Mr. Kilcher spoke and then the President called for the question. On voice vote the motion failed.

COMMITTEE ANNOUNCEMENTS

Mrs. Hermann announced a meeting of the Rules Committee on recess.

Mr. Hellenthal announced a meeting of the Committee on Apportionment on recess.

Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

Mr. Smith announced a meeting of the Committee on Resources on recess.

Mrs. Hermann moved the Convention recess until 1:30 p.m. Mr. Laws objected. Mr. Sundborg seconded. On voice vote the motion carried.

AFTER RECESS

Mr. Buckalew stated he had an amendment to Section 4.

The President stated it would be out of order at this time since Mr. R. Rivers' amendment was before the Convention at present.

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

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

Page 1, Section 4, strike lines 13 to 18 inclusive, and lines 1 to 5 inclusive, on page 2 and substitute the following:

"Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by ten qualified electors as sponsors and have its sufficiency as to form certified by the attorney general. Denial of certification shall be reviewable by the court. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 15% of the number of votes cast for governor in the preceding general election at which the governor was chosen. The petition shall contain signatures from at least two-thirds of the election districts of the State. The petition may be filed with the attorney general who shall prepare a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided."

Mr. Barr seconded.

Mr. Taylor moved to amend the amendment by striking "15%" and inserting in lieu thereof "10%". Mr. Marston seconded.

Mrs. Sweeney rose to a point of order to state she believed that motion out of order.

The President stated that the amendment was in order because no action had been taken on "10%".

After discussion by Mr. Taylor, Mr. Londborg, Mrs. Sweeney, Mr. Marston and Mr. Harris, Mr. Cooper moved the previous question. Mr. Buckalew seconded. On voice vote the previous question was ordered.

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

Yeas: 29 - Coghill, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest.

Nays: 21 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Gray, Hellenthal, Johnson, Laws, Londborg, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, White, Wien, Mr. President.

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland.

and so the amendment was adopted.

Mr. McNealy gave notice of intention to reconsider his vote.

Mr. Taylor moved that the rules be suspended and that reconsideration by Mr. McNealy be taken up immediately. Mr. Collins seconded. Mr. V. Rivers requested a roll call.

The roll was called with the following result:

Yeas: 32 - Armstrong, Awes, Barr, Coghill, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest, White, Mr. President

Nays: 18 - Boswell, Buckalew, Cooper, Gray, Hellenthal, Hermann, Johnson, Laws, Londborg, McNealy, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, Wien

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland

and so the motion failed and reconsideration was held over.

The question being "Shall Mr. R. Rivers' amendment as amended be adopted?", the roll was called with the following result:

Yeas: 45 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Davis, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien

Nays: 4 - Buckalew, Coghill, White, Mr. President

Absent: 6 - Cross, Doogan, V. Fischer, Hilscher, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Gray moved to rescind action on reconsideration vote.

The President stated that the action could not be rescinded.

Mr. White asked that Mr. Buckalew's amendment be circulated.

Mr. Coghill rose to a point of order to state that vote on amendment could not be reconsidered.

The President declared a short recess.

AFTER RECESS

The President stated that Mr. Coghill's point of order was not well taken.

Mr. Robertson moved the adoption of the following amendment to Section 4: delete "ten" and insert "100". Mr. Johnson seconded.

After discussion by Mr. Robertson, Mr. Taylor, Mr. Barr and Mr. Metcalf, the question was called and Mr. Robertson requested a roll call.

The roll was called with the following result:

Yeas: 33 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Doogan, Emberg, Gray, Hellenthal, Hurley, Johnson, Laws, Londborg, McLaughlin,

The first sentence in the amended

McNealy, Metcalf, Nolan, Poulsen, Reader, Riley,
V. Rivers, Robertson, Rosswog, Smith, Stewart,
VanderLeest, Walsh, White, Wien, Mr. President

Nays: 17 - Davis, H. Fischer, Harris, Hermann, Hinckel,
Kilcher, King, Knight, Lee, McNees, Marston,
Nordale, Peratrovich, R. Rivers, Sundborg,
Sweeney, Taylor

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Buckalew moved the adoption of the following amendment:

"AMENDMENT TO COMMITTEE PROPOSAL NO. 3

Proposed by Mr. Buckalew

I move that Committee Proposal No. 3 be amended as follows:

Strike first 5 sections and in lieu thereof insert

"Section 1. The power of initiative and referendum is reserved to the people. The legislature shall provide by law the necessary procedure to accomplish these purposes.

"Section 2. A valid initiative or referendum petition shall be signed by qualified electors equal to 15% of the number of votes cast for Governor in the preceding general election at which the Governor was chosen. The petition shall contain signatures of qualified electors resident in at least two-thirds of the election districts of the state. Neither the initiative nor referendum may be used as a means of making appropriations for public funds, nor for local or special legislation."

Change "6", page 3, line 2 to "3".

The President ruled that the amendment was not in order for the reason that Mr. McNealy's reconsideration of his vote on the amendment would not be acted on until the following day.

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

Page 1, Section 3, line 10, delete the words "authority reserved" and substitute the word "provisions".

There being no objection, it was so ordered.

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

Page 2, line 25, after the word "legislation" strike the balance of the line and on page 3, strike line 1 and insert in lieu thereof the following:

"The referendum shall not be applicable to such laws as are necessary for the immediate preservation of the public peace, health or safety and laws making appropriations for the current expenses of the State government and for the maintenance of public institutions."

Mr. Buckalew objected. Mr. Smith seconded.

The President declared a short recess.

AFTER RECESS

Mr. Buckalew called the attention of the delegates to the presence in the gallery of Mr. and Mrs. Ben Hitchcock of Caribou Creek.

Mr. R. Rivers moved to amend Mr. V. Rivers' amendment by striking all of the language after the word "safety" and asked unanimous consent. There being no objection it was so ordered.

After discussion by Mr. R. Rivers, Mr. Hellenthal, Mr. Barr, Mr. Cooper, Mr. Gray, Mrs. Sweeney, Mr. Taylor, Miss Awes, and Mr. McLaughlin, the question was called.

The question being "Shall Mr. V. Rivers' amendment as amended be adopted?", the roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 10 - Coghill, Cooper, Gray, Hellenthal, Kilcher, Laws, McNealy, Poulsen, Reader, Robertson

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Robertson moved the adoption of the following amendment:

Section 1, line 2, insert period after first word "laws" and delete remainder of lines 2 and 3. Mr. McNealy seconded.

Mr. Hinckel rose to a point of order that the amendment was out of order because it would in effect strike the initiative from the article.

The President stated that Mr. Hinckel's point of order was well taken and Mr. Robertson's amendment was declared out of order.

Mr. Buckalew requested a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. White asked unanimous consent that the Journal for the thirty-sixth day be approved with the following corrections:

Page 10, paragraph 4, first line, insert "when" before "the convention" and "considered adjournment it" after "the convention".

There being no objection, it was so ordered.

Mr. Coghill requested the delegates to advise the number of copies of proposals needed prior to recess.

Miss Awes asked unanimous consent that the Convention revert to Committee reports. The being no objection, it was so ordered.

Committee Proposal No. 7, entitled PREAMBLE, ARTICLE ON DECLARATION OF RIGHTS AND ARTICLE ON HEALTH, EDUCATION AND WELFARE, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Boswell moved and asked unanimous consent that time be provided on Monday for Committee Chairmen or some other designated committee member to give a brief explanation of their proposals for the benefit of the delegates holding hearings. There being no objection, it was so ordered.

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

Insert after end of line 12, Section 3 the following:

"The legislature may provide by law for a procedure by which the sponsors of the initiative petition may withdraw the petition at any time prior to its submission to the people."

After discussion as to where the amendment should be inserted, Mr. Hinckel asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Without objection, the Convention reverted to Communications.

A letter addressed to Mr. McLaughlin, Chairman of the Committee on the Judiciary Branch, from Arthur T. Vanderbilt, Chief Justice of the Supreme Court of New Jersey, congratulating the Committee on the fine work done on its proposal, was read and ordered filed.

Miss Awes moved the adoption of the following amendment to Proposal No. 3:

Section 3, line 9, delete comma after referendum and insert period. Delete remainder of section. Mr. Buckalew seconded.

After discussion by Miss Awes, Mr. R. Rivers, Mr. Sundborg, Mr. Hinckel, Mr. Coghill, Mr. Gray, Miss Awes, Mr. Smith, Mr. R. Rivers, Mr. Buckalew, Mr. Barr, Mr. Kilcher, and Mr. Marston, Mr. Davis rose to a point of personal privilege to state that he didn't like the implication that anyone present did not have the interest of the people at heart.

The President stated that the record should show that everyone was looking out for the interests of the people.

Mrs. Sweeney moved and asked unanimous consent to divide the question. Mr. Buckalew seconded.

After discussion by Mr. Sundborg, Mrs. Sweeney and Mr. Hellenthal, the President declared a recess.

AFTER RECESS

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

Mr. Sundborg moved and asked unanimous consent to amend Miss Awes' amendment by changing the word "section" to "sentence". There being no objection, it was so ordered.

Miss Awes moved the adoption of the following amendment:

Section 3, line 10, delete the words "No law shall be enacted to hamper, restrict or impair the exercise of powers reserved herein by the people."

Mr. Sundborg seconded.

Mr. Coghill moved to indefinitely postpone the amendment. Mr. Taylor seconded. Mr. Barr objected. Mr. Taylor requested a roll call.

After discussion by Mr. Hellenthal and Mr. Londborg, Mr. Sundborg moved and asked unanimous consent for the previous question. Mr. Coghill objected. Mr. Metcalf seconded. On voice vote the previous question was ordered.

The question being "Shall Miss Awes' amendment be indefinitely postponed?", the roll was called with the following result:

Yeas: 13 - Coghill, Collins, Emberg, King, Knight, Laws, Marston, Metcalf, Peratrovich, Smith, Sweeney, Taylor, VanderLeest.

Nays: 38 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Lee, Londborg, McLaughlin, McNealy, McNees, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Walsh, White, Wien, Mr. President.

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the motion failed.

The question being "Shall Miss Awes' amendment be adopted?", the roll was called with the following result:

Yeas: 32 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Lee, Londborg, McLaughlin, McNealy, Nolan, Poulsen, Reader, Riley, R. Rivers, Robertson, Rosswog, Stewart, Sundborg, Walsh, White, Wien, Mr. President

Nays: 19 - Coghill, Collins, Emberg, Gray, Hinckel, Kilcher, King, Knight, Laws, McNees, Marston, Metcalf, Nordale, Peratrovich, V. Rivers, Smith, Sweeney, Taylor, VanderLeest

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Barr moved the adoption of the following amendment:

Line 9, page 1, after word "referendum" add "No law shall be enacted to nullify the exercise of powers reserved herein by the people."

Mr. Taylor asked unanimous consent. Mr. R. Rivers objected.. Mr. Laws seconded.

Mr. R. Rivers suggested that the word "prevent" be substituted for the word "nullify". Mr. Barr agreed to the suggested amendment.

The question being "Shall Mr. Barr's amendment be adopted?", on voice vote the amendment failed.

Mr. Kilcher stated he had asked for a roll call before the President announced the result of the vote.

The President advised he had not heard the request for a roll call.

Mr. Sundborg moved that the rules be suspended and that the roll be called on the adoption of the amendment of Mr. Barr. Mr. Buckalew objected. Mr. Barr seconded.

The President stated he was not adverse to ordering a roll call.

Mr. Sundborg asked unanimous consent to withdraw his motion.

There being no objection, it was so ordered.

Mr. Riley objected to the calling of the roll to get the matter on the floor.

Mr. Nolan moved that the ruling of the Chair regarding the action on Mr. Barr's amendment be sustained. Mr. Armstrong seconded.

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

Yeas: 39 - Armstrong, Awes, Boswell, Cooper, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien

Nays: 9 - Barr, Buckalew, Coghill, Collins, Davis, Knight,
Laws, Peratrovich, R. Rivers

Not voting: 3 - Doogan, Kilcher, Mr. President

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the President was sustained.

After discussion regarding delegates not voting on a question, Mr. Buckalew read Rule 30.

Mr. Harris moved the Convention adjourn until 9 a.m. Monday. Mr. V. Rivers seconded. Mr. Buckalew objected. Mr. Poulsen requested a roll call.

COMMITTEE ANNOUNCEMENTS

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

Mr. Coghill announced a meeting of the Committee on Administration on adjournment.

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

Yeas: 17 - Armstrong, Barr, Collins, Harris, Johnson,
Londborg, McLaughlin, Marston, Nolan, Poulsen,
Reader, R. Rivers, V. Rivers, Robertson, Stewart,
Sweeney, Walsh.

Nays: 34 - Awes, Boswell, Buckalew, Coghill, Cooper, Davis,
Doogan, Emberg, H. Fischer, Gray, Hellenthal,
Hermann, Hilscher, Hinckel, Hurley, Kilcher,
King, Knight, Laws, Lee, McNealy, McNees, Metcalf,
Nordale, Peratrovich, Riley, Rosswog, Smith,
Sundborg, Taylor, VanderLeest, White, Wien, Mr.
President

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the motion failed.

Mr. Cooper moved and asked unanimous consent that no motion for adjournment be made until at least 5:45.

Mr. Riley rose to a point of order to state a motion for adjournment is always in order.

Mr. Kilcher moved for the adoption of the following amendment:

Section 3, strike first sentence.

Mr. Cooper objected. Mr. Smith seconded. On voice vote the motion failed.

Mr. Davis moved the adoption of the following amendment:

Section 4, as amended by R. Rivers, after word "general" on line 4 insert the following sentence: "The same procedure, so far as applicable, shall apply to referendum petitions."

Mr. Taylor asked unanimous consent for the adoption of the amendment. Mr. R. Rivers seconded. Mrs. Sweeney objected. On voice vote the amendment was adopted.

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

Section 4, amendment to R. Rivers amendment: change "two-thirds of the election districts of the State" to "one-half of the election districts of the State".

Mr. Smith seconded. Mr. Johnson objected. The roll was called with the following result:

Yeas: 26 - Awes, Coghill, Doogan, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McNees, Marston, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Taylor, VanderLeest

Nays: 26 - Armstrong, Barr, Boswell, Buckalew, Collins, Cooper, Davis, V. Fischer, Hellenthal, Johnson, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nolan, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh, White, Wien, Mr. President

Absent: 3 - Cross, McCutcheon, Nerland

and so the amendment failed.

Mr. Buckalew moved the adoption of the following amendment:

Strike the entire sentence of R. Rivers' amendment beginning with "The petition shall, etc.," and add "The petition shall contain signatures of qualified electors resident in at least two-thirds of the election districts of the State." Miss Awes seconded. Mr. Buckalew asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Mr. Robertson moved the adoption of the following amendment:

Section 4, page 2, lines 19, 20 and 21, strike the last sentence of Section 4. Mr. Poulsen seconded.

After Mr. Robertson, Mr. Sundborg, Mr. Smith, Mr. Marston and Mr. Hellenthal spoke the question was called. The roll was called with the following result:

Yeas: 7- Johnson, Laws, Londborg, McNealy, Poulsen, Reader, Robertson

Nays: 45- Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Absent: 3-Cross, McCutcheon, Nerland
And so the amendment failed.

Mr. Hurley moved the adoption of the following amendment: Section 4, page 2, line 10, after the word "at" strike the balance of the line and strike line 11 to and including the word "of" and insert therefor "The first state election after".

Mr. R. Rivers asked for a short recess in line with Mr. Hurley's motion for a redraft of that portion of Section 4.

There being no objection, the Convention recessed.

AFTER RECESS

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

Mr. Hellenthal together with Mr. Smith, Mr. Davis, Mr. R. Rivers and Mr. Sundborg offered the following amendment:

"Page 2, lines 9 (beginning with the word "Laws") to 17 (ending with the word "sure") should be stricken and the following substituted:

"Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions

on referendum shall also be submitted to the voters by ballot title at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law being referred."

Mrs. Sweeney moved the Convention adjourn until 9 a.m., Monday. Mr. Stewart seconded. The roll was called with the following result:

Yeas: 26 - Armstrong, Barr, Boswell, Collins, H. Fischer, Harris, Johnson, Knight, Laws, Londborg, McLaughlin, McNealy, Marston, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sweeney, VanderLeest, Walsh, Wien

Nays: 27 - Awes, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Lee, McNees, Metcalf, Nordale, Peratrovich, Riley, Smith, Sundborg, Taylor, White, Mr. President

Absent: 3 - Cross, McCutcheon, Nerland

and so the Convention did not adjourn.

Mr. Hellenthal asked that action on his amendment be held until Monday at which time copies would be available.

Mr. Hellenthal together with Mr. Buckalew offered the following amendment: Section 4, strike all words after "Governor" on lines 20 and 21.

Mr. Hellenthal moved the adoption of the amendment. Mr. Buckalew seconded. The roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Boswell, Buckalew, V. Fischer, Hellenthal, Hermann, Hilscher, Johnson, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Nolan, Poulsen, Reader, Riley, Robertson, Rosswog, Sundborg, VanderLeest, Walsh, White, Mr. President

Nays: 25 - Barr, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hinckel, Hurley, Kilcher, King, Marston, Metcalf, Nordale, Peratrovich, R. Rivers, V. Rivers, Smith, Stewart, Sweeney, Taylor, Wien

Absent: 3 - Cross, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Sundborg moved that the Convention adjourn until 2 p.m., Sunday. Mr. V. Fischer seconded. Mr. Armstrong objected. The roll was called with the following result:

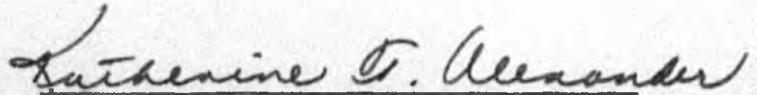
Yeas: 23 - Aves, Boswell, Buckalew, Coghill, Collins, Doogan, Emberg, V. Fischer, Gray, Hinckel, Hurley, Kilcher, Knight, McNees, Marston, Metcalf, Peratrovich, Riley, Smith, Sundborg, VanderLeest, White, Mr. President

Nays: 28 - Armstrong, Barr, Cooper, Davis, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Johnson, King, Laws, Lee, Londborg, McLaughlin, McNealy, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sweeney, Walsh, Wien

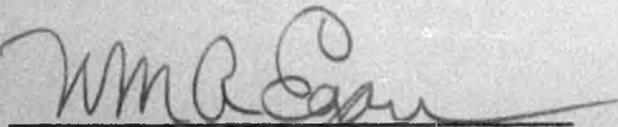
Absent: 4 - Cross, McCutcheon, Nerland

and so the Convention did not adjourn.

Mr. V. Rivers moved the Convention adjourn until 9:05 a.m., Monday. Mr. Robertson seconded. On voice vote the motion carried and the Convention adjourned until 9:05 a.m., Monday.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President

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

Constitutional Convention

Journal/34

Approved

Jan. 9, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-THIRD CONVENTION DAY, Wednesday, January 4, 1956

The Convention was called to order at 10 a.m. by President Egan.

The Invocation was given by Rev. Alwyn Reiners, of St. George's in the Arctic, the Episcopal Church of Kotzebue.

Roll call showed all delegates present except Mr. Armstrong, Mr. Buckalew, Mr. Davis, Mr. Nolan, Mr. Peratrovich and Mr. Robertson. The President declared a quorum to be present.

Miss Awes asked the delegates to check their copies of the Bill of Rights Proposal to make certain they had a complete report including the commentary.

Mr. Gray presented the report of the public hearings held in Juneau.

Mrs. Sweeney stated that the statements presented by witnesses at the Juneau hearings would be placed on file with the Secretary. She also stated she was turning over to Mr. Rosswog a statement regarding Proposal No. 6.

Mr. Sundborg reported that he had received a statement from Mr. Don Dafoe, Commissioner of Education, regarding the Executive Article and was referring it to the Chairman of the Committee on the Executive Branch, Mr. V. Rivers.

Mr. Rosswog reported on the hearings held in Cordova.

Mr. Boswell reported on the hearings held in Fairbanks.

Mrs. Fischer stated that a report on the hearings held in Anchorage would be presented as soon as it could be typed.

Mr. Harris reported on the Valdez hearings.

Mr. Knight stated he was unable to hold a public hearing in Sitka, but he had appeared at a Chamber of Commerce meeting and had spoken on the radio.

Mrs. Hermann reported on the Nome hearings.

43rd Day, Wednesday, Jan. 4

Mr. Londborg reported on the hearings held at Unalakleet.

Mr. Hinckel reported on the Kodiak hearings.

Mr. McNees reported he had stopped in Kotzebue and left copies of the Proposals for study.

Mr. Coghill reported on the hearings held in Nenana.

Mr. Smith reported on the Ketchikan hearings.

Mr. Emberg reported on hearings held at Dillingham and told of his attempt to hold hearings at other places in Bristol Bay, which were not held because of weather.

Mr. Metcalf reported that the hearing in Seward was a failure.

Mr. Kilcher reported on the hearings in Homer.

Mr. King reported on the hearings held at Haines.

Mr. Hurley submitted reports on the hearings held at Palmer and Wasilla.

Mr. Lee reported on the hearings held in Petersburg.

Mr. Johnson asked unanimous consent for a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Barr reported that he had addressed two high school classes in Fairbanks during the recess.

Mr. White reported that the Committee to read the Journal had placed mimeographed corrections to the Journals for the first four convention days on the delegates' desks and would call for the approval of those Journals the next day.

The President suggested that it would be a good idea to recess until after lunch to allow the delegates to bring themselves up to date on Proposal No. 3 which would be considered again at that time.

Mr. Marston moved and asked unanimous consent that the Convention recess until 1:30 p.m.

Before calling for the question the President allowed the following Committee announcements to be made:

The President announced a meeting of Committee Chairmen at 12:30 p.m. in the cafeteria.

Mr. Riley announced a meeting of the Rules Committee on recess.

Mr. Rosswog announced a meeting of the Committee on Local Government at 11:30 a.m.

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

Mrs. Fischer announced a meeting of the Anchorage delegation immediately on recess.

Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

There being no objection to Mr. Marston's request for a recess, the Convention recessed until 1:30 p.m.

AFTER RECESS

The President announced the return of the Secretary of the Convention, Mr. Thomas B. Stewart, who had been absent during the past month because of illness.

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

Mr. Smith announced a meeting of the Committee on Resources at 7:30 p.m. in the lobby of the Northward Building.

Miss Awes announced a meeting of the Committee on Bill of Rights at 7:30 p.m. at Apartment 1009, Polaris Building.

Mr. Rosswog announced a meeting of the Committee on Local Government at Apartment 19, Alaskan Inn at 8 p.m.

Mr. Coghill announced a meeting of the Committee on Administration on adjournment.

Mr. Sundborg reported that the Committee Chairmen recommended that the Convention have no evening sessions until Monday, January 9, and that starting Monday evening sessions be held as long as necessary. The Chairmen also recommended that the plenary sessions be held from 9 a.m. until 12 noon, that the Convention then recess until 1:30 and meet again at 1:30 until 5:40 daily, and that only two fifteen-minute recesses be called, one at 10:30 a.m. and the other at 3:30 p.m. After discussion Mr. Sundborg moved and asked unanimous consent that for the balance of the week plenary sessions be held daily from 9 a.m. until 12 noon; then recess until 1:30 p.m. and reconvene at 1:30 and continue until 5:40 p.m. and that recesses of fifteen minutes be called at 10:30 a.m. and 3:30 p.m.

Mrs. Hermann rose to a point of order to state that the motion was out of order because motions to recess and adjourn are always in order.

The President stated that Mrs. Hermann was correct and under the circumstances without objection it would be the general understanding among the delegates that the suggestion contained in the recommendation from the Committee Chairmen would be the manner in which the Convention would arrange its meetings until Monday, January 9.

Mr. R. Rivers objected.

The President called for a short recess.

AFTER RECESS

The President stated that the suggestion of the Committee Chairmen as to length of plenary sessions would be the manner in which the Convention would proceed until Monday morning.

Mr. V. Rivers asked unanimous consent that Committee Proposal No. 12 be recommitted to the Committee on the Executive Branch. There being no objection, it was so ordered.

Mr. Riley stated that the Rules Committee had met and would be submitting a calendar later in the day showing the amount of work before the Convention at this time so that the Convention could better budget its time.

Mr. Hellenthal stated that since Proposal No. 14 had not been read the first time before recess it be considered in first reading at this time. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Committee Proposal No. 14, by the Committee on Suffrage, Elections and Apportionment, entitled LEGISLATIVE APPORTIONMENT was introduced, read the first time and referred to the Rules Committee for assignment to the calendar.

Mr. Rosswog requested that Committee Proposal No. 6 be returned to the Committee for further revision. There being no objection, it was so ordered.

COMMUNICATIONS

The Secretary summarized communications received from Adlai E. Stevenson, Senator Warren G. Magnuson, Colonel Ray J. Will and a petition from 22 residents of Bristol Bay.

Mrs. Hermann moved that the communications which were summarized be spread upon the Journal in their entirety.

Mrs. Nordale objected. Mr. Taylor seconded.

After discussion by Mr. Coghill, Mr. Gray and Mr. White, the question was called. Mr. Poulsen requested a roll call.

The question being "Shall the communications summarized be spread on the Journal in their entirety?", the roll was called with the following result:

Yeas: 17 - Cross, H. Fischer, Hermann, Hilscher, Knight, McCutcheon, McNees, Nordale, Riley, R. Rivers, V. Rivers, Smith, Stewart, Taylor, VanderLeest, Walsh, Mr. President

Nays: 32 - Awes, Barr, Boswell, Coghill, Collins, Cooper, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, Hurley, Johnson, Kilcher, King, Laws, Lee, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Poulsen, Reader, Rosswog, Sundborg, Sweeney, White, Wien

Absent: 6 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson

and so the motion failed.

Mr. V. Fischer suggested that consideration be given by the Convention to a method whereby at the end of the Convention all communications could be included in a separate report which would be appended to the Journal.

Mrs. Hermann moved and asked unanimous consent that the Secretary read in full the communications which had been summarized. Mr. Metcalf objected. Mrs. H. Fischer seconded.

After discussion by Mr. V. Rivers and Mr. Marston the question was called.

The question being "Shall the communications which were summarized be read in full?", the roll was called with the following result:

Yeas: 31 - Awes, Boswell, Coghill, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, Knight, McCutcheon, McNees, Nordale, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 18 - Barr, Collins, Cross, Harris, Hinckel, Johnson, King, Laws, Lee, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Poulsen, Reader, Rosswog

Absent: 6 - Armstrong, Buckalew, Davis, Noland, Peratrovich, Robertson

and so the motion carried.

Two telegrams from Adlai E. Stevenson, one expressing his conviction that the rights and responsibilities of self-rule, which he implied meant statehood, can give impetus to the greater growth of which Alaska is capable, and the other thanking President Egan for inviting him to speak to the Convention and expressing regrets because of his crowded schedule, were read and ordered filed.

A letter from Honorable Warren G. Magnuson, United States Senator from the State of Washington, stating he hoped this Congress would act on the bill to grant statehood to Alaska and expressing the belief that having a constitution ready which is acceptable to Congress would shorten the time between passage of the bill and statehood, was read. He also expressed the assurance that the Convention would make every effort to draw a fair, sensible and acceptable document. The letter was ordered filed.

A letter from Colonel Ray J. Will, Commander, 5010th Air Base Wing, Eielson Air Force Base, expressing appreciation for the letter of sympathy given by the Convention to the tragedy which occurred at the Base November 29, was read and ordered filed.

A petition from 22 residents of the South Naknek-Kvichak area of Bristol Bay expressing confidence in the members of the Convention and extending wishes of success and pointing out that they felt Bristol Bay should be represented in both the House and the Senate of any future legislative body of the state, was read and ordered filed.

An opinion from the Attorney General in response to a request from the President of the Convention regarding the exact time for adjournment of the Convention was read.

The President stated that in accordance with the opinion of the Attorney General the time for the Convention will have terminated at 10 a.m. February 6.

Mrs. Hermann stated that the reason she had asked that the communications be spread on the Journal was because of their inspirational quality.

SECOND READING OF COMMITTEE PROPOSALS

Committee Proposal No. 3 was considered again.

Mr. Riley moved to reconsider his vote on the amendment to strike lines 20 and 21 after the word "Governor". Mr. Doogan seconded.

Mr. Riley asked unanimous consent that the Rules be suspended in order to allow debate on the amendment. There being no objection, it was so ordered.

After discussion by Mr. Riley, Mr. Hellenthal, Mr. V. Fischer and Mr. Kilcher, the question was called.

The question being "Shall Section 4 of Committee Proposal No. 3 be amended by striking lines 20 and 21 after the word 'Governor'?", the roll was called with the following result:

Yeas: 9 - Barr, V. Fischer, Johnson, Londborg, McLaughlin, McNealy, Poulsen, Reader, Rosswog

Nays: 39 - Awes, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Laws, Lee, McCutcheon, McNees, Marston, Metcalf, Nerland, Nordale, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 7 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson, Taylor

and so the amendment failed.

Mr. R. Rivers asked unanimous consent for the adoption of the following amendment to Committee Proposal No. 3: Section 4, Page 2, line 20, delete "amended or" and on the last line of Section 4 after the word "years", change period to a comma and add "but may be amended at any time."

Mr. White objected. Mr. R. Rivers so moved. Mr. McCutcheon seconded.

After discussion by Mr. R. Rivers, Mr. White, Mr. McCutcheon, Mr. Kilcher and Mr. Johnson, the question was called.

The question being "Shall the amendment offered by Mr. R. Rivers be adopted?", the roll was called with the following result:

- Yeas: 40 - Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President.
- Nays: 8 - Hurley, Johnson, Laws, Londborg, McLaughlin, Poulsen, Reader, White
- Absent: 7 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson, Taylor

and so the amendment was adopted.

Mr. Kilcher moved the adoption of the following amendment:

Page 2, line 21, after last word of Section 4 as amended, add the following: "by an affirmative vote of two-thirds of the members elected to each house." Mr. Marston seconded.

After discussion by Mr. Kilcher, Mr. Barr and Mr. Marston, the question was called.

The question being "Shall the amendment offered by Mr. Kilcher to Section 4 be adopted?", the roll was called with the following result:

- Yeas: 22 - Coghill, Cooper, Emberg, H. Fischer, Harris, Hilscher, Hurley, Johnson, Kilcher, Knight, Lee, McNees, Marston, Metcalf, Nerland, Nordale, R. Rivers, Smith, Stewart, Sundborg, VanderLeest, Wien
- Nays: 26 - Awes, Barr, Boswell, Collins, Cross, Doogan, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, King, Laws, Londborg, McCutcheon, McLaughlin, McNealy, Poulsen, Reader, Riley, V. Rivers, Rosswog, Sweeney, Walsh, White, Mr. President
- Absent: 7 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson, Taylor

and so the amendment was not adopted.

Mr. Londborg moved the adoption of the following amendment: In the fifth section of Section 4 as amended by Mr. R. Rivers, after the word "signatures" delete the 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. Johnson seconded.

After discussion by Mr. Londborg, Mr. R. Rivers, Mr. Hurley and Mr. V. Rivers, the question was called.

The question being "Shall the amendment to Section 4 as offered by Mr. Londborg be adopted?", the roll was called with the following result:

Yeas: 17 - Barr, Boswell, Cross, Hinckel, Johnson, Kilcher, Laws, Londborg, McNealy, Metcalf, Nerland, Poulsen, Reader, R. Rivers, Stewart, Sweeney, Walsh

Nays: 31 - ^{Arves}~~Barr~~, Coghill, Collins, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nordale, Riley, V. Rivers, Rosswog, Smith, Sundborg, VanderLeest, White, Wien, Mr. President

Absent: 7 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson, Taylor

and so the amendment failed.

Mr. Sundborg moved and asked unanimous consent for a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

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

Mr. Smith announced the meeting of the Committee on Resources scheduled earlier would be postponed until Thursday, but would be held at the same hour and place.

Mr. Rosswog moved the adoption of the following amendment to Committee Proposal No. 3: Page 2, Line 21, change word "three" to "two". Mr. White seconded.

After discussion by Mr. Rosswog and Mr. Taylor the question was called.

The question being "Shall the amendment offered by Mr. Rosswog be adopted?", the roll was called with the following result:

Yeas: 39 - Awes, Barr, Boswell, Collins, Cooper, Cross, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nordale, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien

Nays: 10 - Coghill, Doogan, Emberg, H. Fischer, Hurley, Metcalf, Nerland, Poulsen, V. Rivers, Mr. President

Absent: 6 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson

and so the amendment was adopted.

Mr. Kilcher offered the following amendment: Section 4, page 2, line 20, after the word "Governor" delete balance and substitute the following: "nor may it be amended or repealed by the legislature within a period of 2 years except by a two-thirds majority vote of the members to which each house is entitled."

Mr. Hellenthal rose to a point of order to state he believed the amendment was out of order.

The President stated he believed the amendment in order in that it was an entirely new idea.

After explanation by Mr. Kilcher, Mr. Hellenthal withdrew his point or order.

Mr. Kilcher moved the adoption of his amendment. Mr. Barr seconded.

After discussion by Mrs. Hermann, Mr. Kilcher, Mr. Marston and Mr. R. Rivers, the question was called. On voice vote the amendment failed.

Mr. Smith moved the adoption of the following amendment: in the fourth sentence of Section 4 as amended, after the word "chosen" change period to a comma and add "but not to exceed eight thousand signatures in any event." Mr. Emberg seconded.

After discussion by Mr. Smith, Mr. Sundborg, Mr. Marston, Mr. Emberg, Mr. Barr, Mr. Taylor and Mr. Kilcher, the question was called. On voice vote the motion failed.

Mr. Hellenthal moved the adoption of the following amendment: in the fourth sentence of Section 4 as amended, strike "qualified

electors equal to 10% of the number of votes cast for governor" and substitute "10% of the voters who cast votes for governor". Mr. Smith seconded.

Mr. Johnson objected.

Mr. Hellenthal asked unanimous consent that with the consent of his second he be allowed to amend his amendment to strike the words "for governor".

After discussion by Mr. Taylor, Mr. Londborg, Mr. Metcalf, Mr. Hellenthal and Mr. Kilcher, Mr. Johnson rose to a point of inquiry to ask whether Mr. Hellenthal's amendment had been amended.

The President stated that Mr. Hellenthal had asked unanimous consent to amend his amendment by striking the words "for governor". Mr. Taylor objected. Mr. Hellenthal so moved. Mr. Smith seconded. By voice vote the amendment to the amendment was adopted.

After Mr. Cooper spoke on the amendment, Mr. Hellenthal asked unanimous consent to amend his amendment by striking from the sentence the following: "at which the Governor was chosen." Mr. V. Rivers objected. Mr. Hellenthal so moved. Mr. Cooper seconded. On voice vote the amendment to the amendment was adopted.

After discussion by Mr. Lee, Mr. Riley, Mr. Gray, Mr. Taylor, Mr. McLaughlin, Mr. Cooper, Mr. Marston and Mr. Hellenthal, the question was called. The question being "Shall Mr. Hellenthal's motion as amended be adopted?", on voice vote the motion failed.

Mr. Cooper moved and asked unanimous consent for the adoption of the following amendment: in Section 4 as amended, after the word "cast" in the fourth sentence delete "for governor" and insert a period after "election".

Mr. Riley objected. Mr. Sundborg seconded.

After discussion by Mr. Taylor, Mr. Gray, Mr. Cooper and Mr. Londborg, Mr. Cooper requested a brief recess to write an amendment to the amendment. There being no objection, it was so ordered.

AFTER RECESS

Mr. Cooper moved to amend his amendment by deleting the word "votes" in the fourth sentence and inserting the word "ballots". Mr. Cooper asked unanimous consent for the adoption of the amendment to the amendment. Mr. V. Rivers objected. Mrs. Fischer seconded.

After discussion by Mr. Londborg, Mr. Kilcher and Mr. McCutcheon, the question was called. On voice vote the amendment to the amendment failed.

Mr. Londborg moved to amend the amendment by striking the words "votes cast" and inserting in lieu thereof the words "voters who voted".

Mr. McNealy moved to table the amendment. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 15 - Collins, Gray, Kilcher, Knight, McNealy, Marston, Metcalf, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Taylor, VanderLeest, White

Nays: 33 - Awes, Barr, Boswell, Coghill, Cooper, Cross, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Nerland, Nordale, Reader, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, Mr. President

Absent: 7 - Armstrong, Buckalew, Davis, Doogan, Nolan, Peratrovich, Robertson

and so the amendment was not tabled.

Mr. Londborg moved to amend the amendment by striking the words "votes cast" and inserting in lieu thereof the words "voters who voted". Mr. Barr seconded. Mr. Londborg asked unanimous consent for the adoption of the amendment to the amendment. Mr. Taylor objected. On voice vote the amendment to the amendment was adopted.

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

Yeas: 28 - Awes, Barr, Boswell, Coghill, Cooper, Cross, Emberg, H. Fischer, V. Fischer, Hinckel, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McNees, Nerland, Poulsen, Reader, Riley, R. Rivers, Stewart, Sundborg, VanderLeest, Walsh, Wien, Mr. President

Nays: 20 - Collins, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, King, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nordale, V. Rivers, Rosswog, Smith, Sweeney, Taylor, White

Absent: 7 - Armstrong, Buckalew, Davis, Doogan, Nolan, Peratrovich, Robertson

and so the amendment was adopted.

Mr. Hellenthal moved the adoption of the following amendment to Section 6: page 3, line 6, strike the words "involving moral turpitude". Mrs. Hermann seconded.

After discussion by Mr. Hellenthal, Mr. V. Rivers, Mr. McLaughlin, Mr. McCutcheon, Mr. R. Rivers, Mr. Johnson and Mr. Taylor, the question was called. On voice vote the amendment failed to be adopted.

Mr. Johnson moved to adjourn until 9 a.m. Thursday.

The President asked if there were any announcements to be made prior to adjournment.

Mr. Johnson withdrew his motion to adjourn.

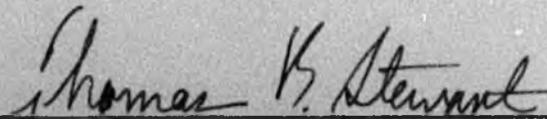
Mr. V. Rivers asked Mr. Taylor through the chair whether Section 6 of Committee Proposal No. 3 would apply to city officials. Mr. Taylor stated that it would, but that cities would have to provide for it by ordinance and that the legislature would have to implement the Constitution.

Mr. V. Fischer asked whether if lines 5 and 6 were stricken the Legislature could not establish grounds for recall. Mr. Taylor stated that would be possible.

The President asked why judicial officers were excepted. Mr. Taylor stated that judicial officers were excepted because the Judiciary Article covers the removal of judges.

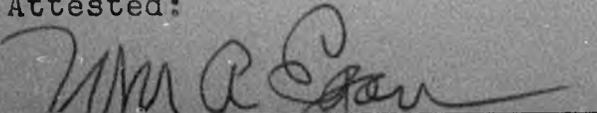
Mr. V. Fischer moved to amend Section 6 by deleting lines 5 and 6 on page 3 and asked unanimous consent. Mr. Taylor objected. Mr. Sundborg seconded.

After discussion by Mr. White, Mr. McCutcheon, Mr. R. Rivers, Mrs. Hermann, Mr. Hellenthal, Mr. Kilcher, and Mr. Fischer, Mr. Coghill moved and asked unanimous consent that the Convention adjourn until 9 a.m. Thursday. There being no objection, it was so ordered.



THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal/35

Approved

Jan. 10, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-FOURTH CONVENTION DAY, Thursday, January 5, 1956

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

The Invocation was given by Mr. Londborg.

Roll call showed all present except Mr. Armstrong, Mr. Buckalew, Mr. Hellenthal and Mr. Taylor. It was reported that Mr. Hellenthal and Mr. Taylor were absent because of illness. The President declared a quorum to be present.

Mr. White asked unanimous consent that Journals numbered 1, 2, 3 and 4 be approved subject to the following corrections:

CORRECTIONS TO JOURNALS 1. 2. 3 and 4.

November 8, 1955, Journal/1

First paragraph, page 1, change period to comma and add "at 10 a.m."

- Page 1 - insert "the" before Rev.
- strike "Robert J., Delegate from the Fourth Division,"
- paragraph 4, strike comma
- strike "Mildred R." in paragraph 12.
- paragraph 13, strike "John H." and "William"

- Page 2 - paragraph 1, strike "John S."
- paragraph 2, strike comma after "place"
- after roll call insert "And so Mrs. Hermann was elected."
- paragraph 7, strike "E.B." "R. Rolland" and "W.W."
and insert in lieu thereof "Mr."

- Page 3 - paragraph 7, strike comma
- insert "Mr." before the names of the members of the Committee on Rules, with the exception of Awes and insert "Miss" before her name.

- Page 4 - insert comma after "discussion" in first paragraph.

November 9, 1955, Journal/2

- Page 1 - paragraph 1, strike commas after "President",
"Hermann" and "Alaska" and strike "Mildred"
- Page 3 - paragraph 4 and 5 strike "#"
- Page 4 - paragraph 1, strike "to be adopted." and insert
period after "failed".
- paragraphs 2, 3, 6, 7, and 10 strike "#"
- paragraph 4, insert "so" after "Sweeney", insert "the"
after "vote"
- Page 5 - After roll call add "And so the amendment failed."
- Paragraph 1, strike "#"
- Paragraph 10, insert "the" before "third"
- Page 6 - Paragraph 3, strike "M. J." and insert in lieu
thereof "Mr."
- Paragraph 7, insert comma after "recess"
- Paragraph 8, strike "According to" and insert in lieu
thereof "In accordance with".
- Paragraph 8, insert comma after "adopted"
- Paragraph 9, strike "Frank" and insert in lieu thereof
"Mr."
- Page 8 - last paragraph, insert comma and "the" after "vote"
- Page 9 - Second paragraph, change period to comma and add
"whereupon by unanimous consent and the consent
of his second Mr. Sundborg withdrew his motion."

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November 10, 1955, Journal/3

- Page 1 - Paragraph 4, capitalize "s" in Secretary.
- Paragraph 5, strike comma after "Schools"
- Paragraph 6, insert "as follows" before colon.
Insert "Mrs." before H. Fischer and Sweeney and
"Mr." before all other names of Permanent Help
Committee.
- Page 2 - Paragraph 1, insert "Mrs." before Hermann and "Mr."
in front of all other names of Permanent Rules
Committee.
- Paragraph 3, strike "George" and insert "Mr."
- Paragraph 5, insert "so" before "moved", change
period after "moved" to comma; change "S" in
seconded to lower case "s".

- Page 3 - Paragraph 1, change T in "The" to lower case and insert "And so" before "the".
- Paragraph 2, add "There being no objection, it was so ordered."
- Paragraph 3, insert "A" before "rising" and change "R" in "rising" to lower case.
- Paragraph 4, insert "A" before "Communication" and change "C" to lower case.
- Page 4 - Paragraph 7, insert "so" after "Riley".
- Page 5 - Paragraph 4, insert quotation marks at end of paragraph after "tie".
- Page 7 - Paragraph 7, insert "p.m." after 1:45.
- Page 9 - Before next to the last paragraph insert in middle of page IN COMMITTEE OF THE WHOLE
- Page 10 - Insert AFTER RECESS in middle of page before paragraph 1.
- Paragraph 2, insert "on Mr. Taylor's motion regarding soundscoring" after "question". Insert "so" before "moved"
- Paragraph 4, insert comma after "objection"
- Paragraph 5, change "principal" to "principle" and add at the end of the paragraph the following:
"On voice vote, the motion was adopted."
- Paragraph 6, insert "of" after "Committee"
- Paragraph 7, insert "for its adoption." after "consent" and strike period
- Paragraph 13, insert "Mr." before the names of the members of the Select Committee
- Page 11 - At top of page, insert "The telegram was as follows:"
- Paragraph 2, insert "so" before "moved". On line 4, insert after "seconded" the following: "On voice vote the amendment was adopted."
- After roll call, insert "And so the motion was adopted"
- Paragraph 4, insert "Mrs." before Nerdale and "Mr." before all other names listed. Strike comma after Barr.
- Page 12 - Paragraph 5, insert at end of paragraph "There being no objection, Mr. V. Rivers' motion was adopted."
- Paragraph 6, strike comma after Coghill.
- Paragraph 8, insert "a.m." after "9:30".

- Paragraph 9, insert "Friday morning" after "o'clock"
- Paragraph 10, insert "a.m." after "9:30".

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November 12, 1955, Journal/4

- Page 1 - Paragraph 4, strike comma after "considered"
- Paragraph 5, insert "A" before "Letter" and make "L" lower case.
- Paragraph 7, insert "the" after "reported"

- Page 5 - Paragraph 9, after "seconded", insert the following sentence: "On voice vote, the previous question was ordered." Insert "Mr. Buckalew's" before "motion".
- Paragraph 11, insert "were" after "report". Insert "the" before "motion" and "was" before "lost".
- Paragraph 12, insert at the end of paragraph the following: "On voice vote, the previous question was ordered. On voice vote, Mr. Sundborg's motion was defeated."

- Page 6 - Paragraph 4, change capital "T" in "Investigate" to lower case.
- Paragraph 6, insert "a" after "include"
- Paragraph 7, insert "the" after "vote"
- Paragraph 8, insert at end of paragraph the following: "On voice vote, the previous question was ordered."

- Page 7 - After both roll calls, insert "And so the motion was adopted."
- Paragraph 2, strike "proceed and"
- Paragraph 4, make "tape" plural

- Page 8 - Last paragraph, strike comma after "o'clock"

There being no objection, it was so ordered.

Mr. Smith asked unanimous consent for the withdrawal of Committee Proposal No. 8 for revision by the Resources Committee. There being no objection, it was so ordered.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 1, had compared the same and found it correctly engrossed and the first enrolled copy correctly enrolled.

Mrs. Sweeney moved that the Rules be suspended and that Committee Proposal No. 1 be returned to second reading for the purpose of rescinding action on the voting age. Mr. Coghill objected. Mr. White seconded.

The President stated that the correct motion would be to suspend the rules and return Committee Proposal No. 1 to second reading. Mrs. Sweeney agreed to the change.

The question being "Shall the Rules be suspended and Committee Proposal No. 1 returned to second reading?", the roll was called with the following result:

Yeas: 22 - Boswell, Cooper, Gray, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Sweeney, Walsh, White, Wien

Nays: 28 - Awes, Barr, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, Smith, Stewart, Sundborg, VanderLeest, Mr. President

Absent: 5 - Armstrong, Buckalew, Doogan, Hellenthal, Taylor

and so the rules were not suspended.

Mrs. Sweeney asked unanimous consent that the report of the Engrossment and Enrollment Committee on Committee Proposal No. 1 be adopted. There being no objection, it was so ordered.

The President referred Committee Proposal No. 1 to the Committee on Style and Drafting.

Miss Awes asked unanimous consent to ^{revert} refer to Committee announcements. There being no objection, it was so ordered.

Miss Awes announced a meeting of the Committee on Preamble and Bill of Rights on recess.

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

SECOND READING OF PROPOSALS

Committee Proposal No. 3 was considered again.

The motion of Mr. V. Fischer, made the previous day, to amend Section 6 by striking lines 5 and 6 on page 3 being before the Convention, the question was called. On voice vote the amendment was adopted.

Mr. R. Rivers moved the adoption of the following amendment to Section 6: page 3, line 7, strike the period and add "and grounds for recall". Mr. R. Rivers asked unanimous consent.

Mr. V. Fischer objected for the purpose of requesting a recess to draft an amendment concerning the same subject.

There being no objection, the President declared a short recess.

AFTER RECESS

Mr. R. Rivers stated he would withhold his amendment until action had been taken on Mr. V. Fischer's amendment.

Mr. V. Fischer stated that in view of its length he requested permission to have his amendment mimeographed before presenting it. Permission was granted.

Mr. Londborg moved and asked unanimous consent for the adoption of the following amendment: Section 6, page 3, line 3, strike the words "except judicial officers". Mr. McCutcheon objected. Mr. Coghill seconded.

Mr. McCutcheon served notice that if a vote was called on the amendment he would order a call of the assembly.

After Mr. Londborg, Mr. McLaughlin, Mr. R. Rivers and Mr. McCutcheon spoke, Mrs. Sweeney rose to a point of information to inquire into the question of the rules the Convention was operating under as regards the call of the assembly.

The President stated that on this question Robert's Rules of Order would govern.

Mr. McCutcheon stated he would not order a call of the assembly.

After Mr. McNealy, Mr. Doogan and Mr. V. Rivers spoke, the question was called. Mr. Robertson requested a roll call.

The question being "Shall the amendment offered by Mr. Londborg be adopted?", the roll was called with the following result:

Yeas: 7 - Kilcher, Laws, Londborg, Poulsen, Reader, Sweeney, Walsh

Nays: 44 - Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, Victor Rivers,

Robertson, Rosswog, Smith, Stewart, Sundborg,
VanderLeest, White, Wien, Mr. President

Absent: 4 -- Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment failed.

Mr. Doogan moved and asked unanimous consent for the adoption of the following amendment: Section 6, page 3, line 3, add after "officers" the following "of the Superior and Supreme Courts". Mr. McCutcheon objected. Mr. McNealy seconded. On voice vote the motion failed.

Mr. Smith moved the adoption of the following amendment to Section 3: page 1, line 9, strike the period and insert a comma and add "except as herein provided."

Mr. R. Rivers seconded. After discussion by Mr. Smith, Mr. Sundborg and Mr. R. Rivers, the question was called.

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

Yeas: 33 - Boswell, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Marston, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, White, Wien, Mr. President

Nays: 18 - Awes, Barr, Coghill, Cooper, Cross, Johnson, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Poulsen, Reader, Robertson, Sundborg, VanderLeest

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment was adopted.

Mr. V. Fischer moved and asked unanimous consent for the adoption of the following amendment to Section 6: Insert the following before the last sentence of Section 6:

"Such number of such voters as shall equal twenty percent of the number of votes cast at the preceding general election for all of the candidates for the office held by such official, may by petition, which shall be known as a recall petition, demand his recall. The petition shall contain a statement in not more than 200 words of the grounds for recall. If the official concerned shall not have resigned within 5 days after

the required number of voters have signed a recall petition, a special election shall be ordered to be held within the state or political subdivision as the case may be, not less than 60 nor more than 90 days after such order, to determine whether such official shall be recalled."

Mr. McCutcheon objected. Mr. Kilcher seconded. After discussion by Mr. V. Fischer, Mr. White, Mr. Barr, Mr. McNealy, Mr. Metcalf, Mr. Gray, Mr. Kilcher, Mr. Peratrovich and Mr. Sundborg, the question was called. On voice vote the amendment failed.

Mr. White moved and asked unanimous consent for the adoption of the following amendment to Section 6: Insert before last line of Section 6 "Grounds for recall shall be set forth in a recall petition." Mr. McCutcheon objected. Mr. Gray seconded.

After discussion by Mr. White and Mr. R. Rivers, Mr. Riley requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion on the amendment by Mr. White, Mr. Hurley and Mr. McCutcheon, the question was called. On voice vote the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment to Section 6: page 3, line 7, strike the period and add to the end of that sentence "and grounds for recall." Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 39 - Awes, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, Londborg, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President

Nays: 11 - Barr, V. Fischer, Johnson, Kilcher, Laws, McCutcheon, McNees, Marston, Peratrovich, Poulsen, White

Absent: 5 - Armstrong, Buckalew, Doogan, Hellenthal, Taylor

and so the amendment was adopted.

Mr. Barr spoke on a matter of personal privilege.

Mr. Sundborg requested a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Riley asked unanimous consent that the first part of Proposal No. 3 be referred to the Committee on Engrössment and Enrollment so that the committee could start processing the amendments.

The President stated that without objection this would be ordered with the understanding that amendments could still be made to the proposal until work had been completed on the whole proposal. There being no objection, it was so ordered.

The Chief Clerk read the Article on Revision and Amendment. ~~of Proposal No. 3.~~

Mr. Cooper moved the adoption of the following amendment to the Article on Revision and Amendment:

Strike Section 1 in its entirety and insert in lieu thereof a new Section 1: "Revision of this Constitution may be adopted by a two-thirds affirmative vote of two successive legislatures, a constitutional convention, or by a three-fourths affirmative vote of the legislature. Amendments to this Constitution may be adopted by the affirmative vote of three-fifths of all votes cast by qualified voters, voting on such amendment."

Section 2, line 5, delete "two-thirds" and insert "three-fourths".

Section 2, line 9, after the word "a" before "majority" insert "three-fifths".

Mrs. H. Fischer objected. Mr. Coghill seconded. After discussion by Mr. Cooper, Mr. Smith, Mr. R. Rivers, Mr. Marston and Mr. Barr, the question was called. Mr. V. Rivers requested a roll call.

The question being "Shall the amendment offered by Mr. Cooper be adopted?", the roll was called with the following result:

Yeas: 5 - Coghill, Cooper, Kilcher, Reader, Rosswog

Nays: 45 - Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 5 - Armstrong, Buckalew, Hellenthal, Hilscher, Taylor

and so the amendment failed.

Mr. Hurley moved the adoption of the following amendment to the Article on Revision and Amendment: Section 1, lines 2 and 3, strike "adopted by two succeeding legislatures, or be", change "proposed" to "adopted" and add "proposed" after "or".

Section 2, strike lines 12, 13, 14, 15 and 16.

Mr. Harris seconded.

Mr. McCutcheon stated that he believed the amendment should be in two parts and would request a division of the question if Mr. Hurley would not do so himself.

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

AFTER RECESS

Mr. Hinckel spoke on a matter of personal privilege.

After discussion by Mr. Davis, Mr. Hinckel, Miss Awes, Mr. V. Fischer and Mr. R. Rivers regarding the intent of the Committee, Mr. Davis suggested that action be taken first on the second part of Mr. Hurley's motion.

Mr. Hurley moved and asked unanimous consent that his amendment be amended by striking the reference to Section 1. Mr. Hinckel objected. Mr. V. Rivers seconded. On voice vote the amendment to the amendment was adopted.

After discussion by Mr. Hurley, Mr. McCutcheon, Mr. Sundborg, Mr. Davis, Mr. V. Rivers and Mr. Metcalf, the question was called. Mr. V. Rivers requested a roll call.

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

Yeas: 33 - Barr, Boswell, Coghill, Cooper, H. Fischer, Gray, Harris, Hilscher, Hurley, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McNealy, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Mr. President

Nays: 18 - Awes, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Hermann, Hinckel, King, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Rosswog, Wien

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment was adopted.

Mr. Johnson moved the adoption of the following amendment to the Article on Revision and Amendment: Section 2, line 7, page 1, strike "may" and insert "shall". Mr. Robertson seconded. Mr. R. Rivers asked unanimous consent. There being no objection, it was so ordered.

Mr. R. Rivers moved the adoption of the following amendment to the Article on Revision and Amendment: strike Section 1 and substitute the following new Section 1: "Revisions of or amendments to this Constitution may be adopted by the Legislature or by constitutional convention as hereinafter authorized subject to ratification by the people." Mr. Hurley seconded. Mr. R. Rivers requested unanimous consent. Mr. McCutcheon objected. The roll was called with the following result:

Yeas: 38 - Aves, Boswell, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, Marston, Metcalf, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President

Nays: 13 - Barr, Cooper, Doogan, V. Fischer, Kilcher, McCutcheon, McLaughlin, McNealy, McNees, Nolan, Poulsen, Reader, White

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment was adopted.

Mr. Johnson moved to amend Section 2 of the Article on Revision and Amendment as follows: line 10, strike the word "adoption" and insert the word "ratification" and on line 11, strike the word "adopted" and insert the word "ratified". Mr. R. Rivers seconded.

After discussion of whether this could not be taken care of in Style and Drafting, the question was called. On voice vote the amendment was adopted.

Mr. Davis moved the adoption of the following amendment to Section 2 of the Article on Revision and Amendment: line 10, strike the words "tallied on the question" and substitute the words "cast at the election" in lieu thereof. Mr. Johnson requested unanimous consent; Mr. R. Rivers objected. Mr. Riley seconded.

After discussion by Mr. R. Rivers, Mr. Kilcher, Mr. Gray, Mr. V. Fischer, Mr. Rosswog, Mr. Marston and Mr. Hinckel, the question was called. The roll was called with the following result:

Yeas: 25 - Awes, Barr, Boswell, Davis, Gray, Hermann, Hurley, Johnson, Laws, Londborg, McCutcheon, McNealy, McNees, Nerland, Nolan, Nordale, Poulsen, Riley, V. Rivers, Robertson, Rosswog, Sundborg, Sweeney, VanderLeest, Walsh

Nays: 26 - Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McLaughlin, Marston, Metcalf, Peratrovich, Reader, R. Rivers, Smith, Stewart, White, Wien, Mr. President

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment failed.

Mr. Sundborg moved to recess until 1:30 p.m. There being no objection, it was so ordered.

AFTER RECESS

A telegram from the Juneau Chamber of Commerce congratulating the Convention on its accomplishments to date and extending best wishes for success, was read and ordered filed.

A letter from Honorable Clair Engle, Chairman of the Committee on Interior and Insular Affairs of the U. S. House of Representatives, commending the Convention on the necessary and important work being done, extending good wishes and sincere and vigorous support toward the final objective, Statehood for Alaska, was read and ordered filed.

Mr. Rosswog asked unanimous consent to revert to Committee announcements. There being no objection, it was so ordered.

Mr. Rosswog announced a meeting of the Committee on Local Government at 8 p.m. at Apartment 19, Alaskan Inn.

Mr. Smith announced a meeting of the Committee on Resources at 7:30 p.m. in the Northward Building lobby.

Mr. Kilcher moved the adoption of the following amendment to the Article on Revision and Amendment:

Page 1, line 18 strike the word "if" and all that follows in the first paragraph of Section 3 through line 3 on page 2, and substitute the following:

"After the lapse of fifteen years during which a constitutional convention has not been convened, delegates to a constitutional convention shall be elected at the next regular election."

Mrs. Hermann seconded. After discussion by Mr. R. Rivers, Mr. Kilcher, Mr. Taylor, Mr. McCutcheon, Mr. V. Rivers, Mr. McNealy and Mr. Hinckel, the question was called. Mr. Kilcher requested a roll call. The roll was called with the following result:

Yeas: 10 - Emberg, V. Fischer, Harris, Hermann, Hurley,
Kilcher, Londborg, McNees, Peratrovich, Poulsen

Nays: 42 - Awes, Barr, Boswell, Coghill, Collins, Cooper,
Cross, Davis, Doogan, H. Fischer, Gray, Hilscher,
Hinckel, Johnson, King, Knight, Laws, Lee,
McCutcheon, McLaughlin, McNealy, Marston,
Metcalf, Nerland, Nolan, Nordale, Reader, Riley, R.
Rivers, V. Rivers, Robertson, Rosswog, Smith,
Stewart, Sundborg, Sweeney, Taylor, VanderLeest,
Walsh, White, Wien, Mr. President

Absent: 3 - Armstrong, Buckalew, Hellenthal

and so the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment to the Article on Revision and Amendment: Section 3, page 1, line 18, change "ten-Year" to "twenty-year". Mr. Robertson seconded. On voice vote the amendment failed.

Mr. Johnson moved the adoption of the following amendment to the Article on Revision and Amendment: Add a new Section 4. "No amendment to this Constitution shall alter the republican form of government established by it or abolish its bill of rights." Mr. Cooper seconded. After discussion by Mr. Taylor, Mr. Johnson, Mr. Gray and Mr. Stewart, the question was called. On voice vote the amendment failed.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment to the Article on Revision and Amendment: Section 3, page 1, line 18, strike "ten-year" and insert in lieu thereof "sixteen-year". Mr. Taylor objected. Mrs. Fischer seconded. Mr. V. Rivers requested a roll call. The roll was called with the following result:

Yeas: 20 - Boswell, H. Fischer, Harris, Johnson, Laws, Londborg,
McNealy, Nerland, Nolan, Nordale, Reader, Riley,
R. Rivers, V. Rivers, Robertson, Sundborg, Sweeney,
Walsh, Wien, Mr. President

Nays: 32 - Awes, Barr, Coghill, Collins, Cooper, Cross, Davis,
Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher,
Hinckel, Hurley, Kilcher, King, Knight, Lee,
McCutcheon, McLaughlin, McNees, Marston, Metcalf,
Peratrovich, Poulsen, Rosswog, Smith, Stewart,
Taylor, VanderLeest, White

Absent: 3 - Armstrong, Buckalew, Hellenthal

and so the amendment failed.

Mr. Kilcher moved the adoption of the following amendment to the Article on Direct Legislation:

Amend Section 1, line 2, to add after the first word "laws", the words "and amendments to this constitution" and add after the second word "laws" the words "and amendments to this constitution".

Add a new section to be numbered Section 7 and to read as follows:

"Section 7. An initiative petition proposing a constitutional amendment shall be signed by twenty per cent of the number of votes cast for governor in the next preceding general election in which the governor was chosen. Initiative petitions proposing constitutional amendments shall be filed with the attorney general. If the proposed constitutional amendment, in substantially this form in which it was submitted, is not presented by the Legislature to the voters for their approval or rejection by the next regular session of the Legislature, the proposed constitutional amendment shall be submitted to the voters for their approval or rejection at the next general election, and be enforced, if sixty-five per cent of the votes cast are in favor of the amendment."

Mr. V. Rivers seconded. After discussion by Mr. Kilcher, Mr. Hinckel and Mr. Robertson, the question was called. On voice vote the amendment failed.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to the Article on Revision and Amendment: Section 3, page 1, line 21, after the word "Convention" insert before the question mark the words "for the purpose of revising the Constitution of the State of Alaska". Mr. Doogan objected. Mrs. Hermann seconded. Mr. Doogan withdrew his objection. After discussion by Mr. Hurley, Mr. Sundborg, Mr. Kilcher, Mr. Cooper, Mrs. Hermann, Mr. Londborg and Mr. Taylor, Mr. R. Rivers moved and asked unanimous consent to amend Mr. Sundborg's amendment by inserting after the word "revising" the words "and amending". Mr. Taylor objected. Mr. Londborg seconded.

The President declared a short recess.

AFTER RECESS

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

Yeas: 26 - Awes, Boswell, Coghill, Cross, Davis, H. Fischer, V. Fischer, Gray, Hermann, Hinckel, Kilcher, Laws, Londborg, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Walsh, Mr. President

Nays: 24 - Barr, Collins, Cooper, Doogan, Emberg, Harris, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Riley, Rosswog, Sweeney, Taylor, VanderLeest, Wien

Absent: 5 - Armstrong, Buckalew, Hellenthal, Hilscher, White

and so the amendment to the amendment was adopted.

The question being "Shall Mr. Sundborg's amendment as amended be adopted?", Mr. V. Rivers requested a roll call. The roll was called with the following result:

Yeas: 17 - Boswell, Coghill, H. Fischer, Hinckel, Kilcher, Laws, Londborg, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Stewart, Sundborg, Sweeney, Walsh, Mr. President

Nays: 33 - Awes, Barr, Collins, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Riley, Robertson, Rosswog, Smith, Taylor, VanderLeest, Wien

Absent: 5 - Armstrong, Buckalew, Hellenthal, Hilscher, White

and so the amendment failed.

Mr. Kilcher requested a short recess in order to prepare an amendment. There being no objection, it was so ordered.

AFTER RECESS

Mr. McNees and Mr. Kilcher presented the following amendment to the Article on Revision and Amendment: page 2, line 3, add "If 20 years should lapse during which a constitutional convention has not been convened, delegates to a constitutional convention shall be elected at the next regular election specifically for the purpose of amendment and revision." Mr. McNees moved the adoption of the amendment and asked unanimous consent. Objection was heard. Mr. Kilcher seconded. On voice vote the amendment failed.

Committee Proposal No. 3 was referred to the Committee on Engrossment and Enrollment.

Committee Proposal No. 7 was read the second time.

After a general discussion and questioning of the Chairman of the Committee on Bill of Rights regarding the intent of the Committee, amendments were called for to the Preamble.

Mr. Harris moved to recess for fifteen minutes. There being no objection, it was so ordered.

AFTER RECESS

Mr. Taylor moved and asked unanimous consent for the adoption of the following amendments to Section 1: page 1, line 10, after word "persons" insert "are created equal and". Mr. Cooper objected. Mrs. Hermann seconded.

After discussion by Mr. Taylor, Mr. Harris and Mr. Cooper the question was called. On voice vote the amendment failed.

Mr. Taylor moved the adoption of the following amendment to Section 1: page 2, line 1, strike words "are equal and". Mr. Gray seconded. After discussion by Mrs. Nordale, Mr. Robertson, Mr. Johnson and Mr. Hinckel, Mr. Taylor asked unanimous consent to withdraw the amendment. There being no objection, it was so ordered.

Mr. Robertson moved the adoption of the following amendment to Section 1: strike the second word "are". Mr. Hurley asked unanimous consent. There being no objection, it was so ordered.

Mr. Rosswog moved and asked unanimous consent for the adoption of the following amendment to Section 3, line 11, after the word "color" insert the word "sex". Mrs. Wien objected. Mr. Cooper seconded.

Mr. R. Rivers moved and asked unanimous consent to amend Mr. Rosswog's amendment by inserting the word "sex" on line 10 after the word "of". There being no objection, it was so ordered.

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

Yeas: 15 - Barr, Coghill, Cooper, Cross, Davis, H. Fischer, Harris, Kilcher, Metcalf, Nolan, R. Rivers, Robertson, Rosswog, Sundborg, Mr. President

Nays: 37 - Awes, Boswell, Collins, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley,

V. Rivers, Smith, Stewart, Sweeny, Taylor, VanderLeest,
Walsh, White, Wien

Absent: 3 - Armstrong, Buckalew, Hellenthal

and so the amendment failed.

Mr. V. Fischer moved the adoption of the following amendment to Section 3: page 2, line 10, after "civil" insert comma and add the word "economic". Mr. Coghill objected. Mr. White seconded. After discussion by Mr. Davis, Mr. V. Fischer, Mr. Johnson, Mrs. Nordale, Mr. Coghill, Mr. Cooper, Mr. McNealy and Mr. Taylor, the question was called. On voice vote the amendment failed.

Mr. Robertson moved the adoption of the following amendment to Section 4: page 2, line 18, after the word "department" insert "bureau, agency or subdivision". Mr. Kilcher objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 22 - Boswell, Coghill, Cooper, Cross, H. Fischer, Harris, Johnson, Knight, Laws, McNealy, Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Sweeney, Taylor, VanderLeest, Mr. President

Nays: 30 - Awes, Barr, Collins, Davis, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nordale, Riley, Rosswog, Smith, Stewart, Sundborg, Walsh, White, Wien

Absent: 3 - Armstrong, Buskalew, Hellenthal
and so the amendment failed.

Mr. White moved and asked unanimous consent for the adoption of the following amendment to Section 4: page 2, line 18, strike the first four words. Mr. Taylor objected. Mr. Kilcher seconded. On voice vote the amendment was adopted.

Mr. Davis moved the adoption of the following amendment to Section 7: page 3, lines 11 and 12, strike the words "or information, which shall be concurrent remedies" and insert the following in lieu thereof: "unless indictment be waived by the accused. If right to indictment be waived, proceedings may be by information." Mrs. Nordale seconded.

Mr. Taylor requested a three minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Davis asked unanimous consent that Section 7 be passed over

at this time until Mr. Buckalew and Mr. Hellenthal could be present. There being no objection, it was so ordered.

Mr. R. Rivers moved the adoption of the following amendment to Section 10: page 4, line 3, delete last sentence commencing on line 3 and substitute the following: "The administration of criminal justice shall be founded upon the principle of reformation as well as upon the need to protect the public." Mr. Knight seconded.

After discussion by Mr. R. Rivers, Mr. McLaughlin, Mr. Doogan, and Mrs. Hermann, the question was called. On voice vote the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment to Section 11: page 4, line 12, after the word "siezed", insert the following sentence: "That the legislature shall provide by law for penalties for officers of the state or any subdivision thereof violating the right of the citizens under this section." Mr. Kilcher seconded. After discussion by Mr. Taylor, Mr. Metcalf, Mr. Peratrovich, Mr. Davis, Miss Awes, Mr. Doogan, and Mr. R. Rivers, the question was called. On voice vote the amendment failed.

Mr. Robertson moved and asked unanimous consent for the adoption of the following amendment to Section 12: line 15, page 4, remove period and insert "of twelve, except". Change capital "I" to small letter "i" in the word "in".

Mr. Johnson asked if the Convention could be at ease for a few minutes. There being no objection, it was so ordered.

AFTER RECESS

There being no objection to Mr. Robertson's request for unanimous consent, the amendment was ordered adopted.

Miss Awes asked unanimous consent to insert the word "that" after the word "except" in Mr. Robertson's amendment. There being no objection, it was so ordered.

Mr. Taylor asked unanimous consent for the adoption of the following amendment to Section 12: line 17, strike the period following the word "persons" and insert "with the consent of the accused." Miss Awes objected. Mr. Taylor so moved. Mr. VanderLeest seconded.

Mr. R. Rivers suggested an amendment to Mr. Taylor's amendment.

The President declared a short recess.

AFTER RECESS

Mr. Taylor asked unanimous consent to withdraw his amendment to Section 12. There being no objection, it was so ordered.

R. Mr. Taylor moved the adoption of the following amendment to Section 12: line 15, after second word "jury" insert "with the consent of the accused." Line 16, strike "not more than 12 nor less than". Mr. Rivers seconded. After discussion by Mr. V. Fischer, Mr. R. Rivers, Mr. McNealy, Mr. Londborg, Mr. Cross, Mr. Hurley, Mr. Taylor, Mr. Sundborg and Mr. McLaughlin the question was called. On voice vote the amendment failed.

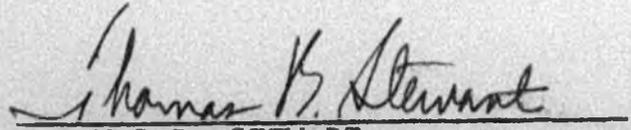
Mr. Gray moved to adjourn until 9 a.m. Friday.

Before putting the question, the President reminded the delegates of the invitation from Pan American World Airway to attend the opening of their new offices this date.

The President requested the delegates to prepare amendments in advance of the plenary session as much as possible.

Mrs. Hermann reminded the delegates to read the Public Administration Service studies on the articles before the proposals come up for amendment.

Mr. Gray asked unanimous consent that the Convention adjourn until 9 a.m. Friday. There being no objection, it was so ordered.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-FIFTH CONVENTION DAY, Friday, January 6, 1956

The Convention was called to order at 9:00 a.m. by President Egan.

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

Roll call showed all members present except Mr. Armstrong and Mr. Cooper. The President announced that Mr. Cooper was ill. The President declared a quorum to be present.

Mr. Marston asked that a communication received by him from the student body of the University of Alaska on the subject of voting age be read.

The President declared a short recess in order to get a communication he had received on the same subject.

AFTER RECESS

A communication from the President of the Associated Students of the University of Alaska pledging their support to and recommending any resolution of the Convention favoring an eighteen-year-old voting age in the future State of Alaska, was read and ordered filed.

A Communication signed by 121 students of the University of Alaska urging the Convention to set eighteen as the minimum age required as a qualification to vote in the future State of Alaska was read and ordered filed.

SECOND READING OF PROPOSALS

Committee Proposal No. 7 was considered again.

Mr. Davis's amendment to Section 7 to strike the words "or information, which shall be concurrent remedies" on lines 11 and 12 and insert the following in lieu thereof: "unless indictment be waived by the accused. If right to indictment be waived, proceedings may be by information." having been held over was considered at this time. After discussion by Mr. Davis, Mr. Buckalew, Mr. R. Rivers, Mr. Taylor, Mr. Kilcher, Mr. Metcalf, Mr. Hellenthal, Mr. Hurley, Mr. Sundborg, Mr. McLaughlin, Mr. Marston and Mr. McNealy, Mr. Hilscher moved to lay the amendment on the table. Mr. Laws seconded. On voice vote the motion failed.

After further discussion on the Davis amendment by Mr. Robertson, Miss Awes, Mr. Hellenthal, Mrs. Hermann, Mr. V. Rivers, Mr. McCutcheon, Mr. Metcalf and Mr. Davis, a short recess was declared.

AFTER RECESS

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

Yeas: 39 - Barr, Boswell, Collins, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McNealy, Marston, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh and White.

Nays: 12 - Awes, Buckalew, Cross, Hellenthal, Hilscher, Laws, McCutcheon, McLaughlin, McNees, Metcalf, Wien and Mr. President

Absent: 4 - Armstrong, Coghill, Cooper and Doogan

And so the amendment was adopted.

Mr. Buckalew moved and asked unanimous consent for the adoption of the following amendment: Strike all of Section 7 commencing with line 24 on page 2 and including line 9 on page 3. Mrs. Hermann objected. Mr. V. Fischer seconded.

After discussion by Mr. Fischer and Mr. Taylor, a short recess was declared.

AFTER RECESS

Mr. Buckalew asked unanimous consent to withdraw his amendment so that he could submit another amendment. There being no objection, it was so ordered.

The President declared a fifteen minute recess.

AFTER RECESS

Mr. Buckalew moved the adoption of the following amendment to Section 7: Strike Section 7 as amended and substitute the following section: "Section 7. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, unless waived by the accused, in which event the prosecution shall be by information. The grand jury shall consist of not less than twelve citizens."

Mrs. Hermann seconded. Mr. Robertson suggested the first word "unless" should be changed to "except". After Mr. Barr and Mr. Davis spoke on the amendment, the President declared a short recess so that the amendment could be revised.

AFTER RECESS

Mr. Buckalew asked unanimous consent that with the consent of his second he be allowed to withdraw the amendment to Section 7. There being no objection, it was so ordered.

Mr. Buckalew moved the adoption of the following amendment offered by Mr. Buckalew, Mr. Davis, Mr. Hellenenthal, Mr. Taylor and Mr. McNealy: Strike Section 7 as amended and substitute the following section: "No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except when waived by the accused, in which event the prosecution shall be by information, but this shall not be applied to cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger. The grand jury may consist of not less than twelve citizens." Mr. Knight seconded Mr. Poulsen requested a copy of the amendment before acting on it. Action was deferred until copies could be furnished the delegates.

Mr. V. Fischer moved the adoption of the following amendment to Section 12: Line 19, page 4, after the word "offenses" insert: "when the proof is evident or the presumption great;" Mr. Hellenenthal seconded. After discussion by Mr. Fischer, Miss Awes and Mr. R. Rivers, the question was called. On voice vote the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment to Section 12: line 22, page 4: change period to semi-colon and insert thereafter the following: "That the accused shall, in no instance, be required to advance money or fees to secure the rights herein guaranteed, nor shall the accused be taxed with any costs of the prosecution." Mr. McLaughlin objected. Mr. Kilcher seconded. After discussion by Mr. Taylor, Mr. Johnson, Mr. McLaughlin, Mr. Buckalew, Miss Awes, Mr. Metcalf, Mr. Buckalew and Mr. McNealy, the question was called. On voice vote the amendment failed.

Mr. Robertson moved and asked unanimous consent for the adoption of the following amendment: Section 13, line 25, page 4, insert "of twelve" after word "jury". Mr. Taylor objected. Mr. Hellenenthal seconded. After discussion by Mr. Taylor, Miss Awes and Mr. R. Rivers, the question was called. On voice vote the amendment was adopted.

Mr. Kilcher moved the adoption of the following amendment: Section 13, line 24, strike "two hundred and fifty dollars" and insert "a sum set by law". Mr. Barr seconded. After discussion by

Mr. Barr, Mr. Hurley, Mr. Davis and Mr. Kilcher, the question was called. The roll was called with the following result:

Yeas: 26 - Barr, Coghill, Collins, Cross, Emberg, H. Fischer, Hinckel, Kilcher, Knight, Lee, Londborg, McCutcheon, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, V. Rivers, Robertson, Rosswog, Stewart, Taylor, Walsh, White, Mr. President.

Nays: 24 - Awes, Boswell, Buckalew, Davis, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hurley, Johnson, King, Laws, McLaughlin, Mc Nealy, Nordale, Poulsen, Reader, Riley, R. Rivers, Smith, Sweeney, Vanderleest, Wien.

Absent: 5 Armstrong, Cooper, Doogan, Hilscher and Sundborg

And so the amendment was adopted.

Mr. Buckalew moved the adoption of the following amendment: Section 13, line 23, strike "in suits at common law" and insert "in civil cases". Mr. Knight seconded. On voice vote the amendment failed.

Mr. Hellenthal asked unanimous consent for the adoption of the following amendment to Section 13: Page 5, line 4, following the word "jury" insert the words "in any court".

Mr. White requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

There Mr. Hellenthal asked unanimous consent to withdraw his amendment. No objection, it was so ordered.
Mr. Hellenthal moved and asked unanimous consent for the adoption of the following amendment to Section 13: Line 4, page 5, strike the word "the" before the word "jury" and substitute the word "any" and insert the words "in civil causes" following the word "jury". Mr. Buckalew seconded. On voice vote the amendment was adopted.

Mr. Gray asked unanimous consent that a letter he had received regarding the Juneau hearings be read. There being no objection, it was so ordered.

A letter from Mrs. Rolf W. Fremming, expressing pleasure at having had the opportunity to attend the public hearings on the constitutional proposals and confidence in the work of the delegates, was read and ordered filed.

Mr. Gray asked unanimous consent that the Convention recess until 1:30 p.m.

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

Mr. Sundborg announced a meeting of the Committee on Style and Drafting on recess.

There being no objection to the unanimous consent request of Mr. Gray, the Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. V. Fischer moved to amend Section 14 by inserting the word "thereof" after the word "peril" on line 8 of page 5. Mr. V. Rivers seconded. Mr. Kilcher objected and requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion by Mr. V. Fischer, Mr. Hellenthal, Mr. Buckalew, Mr. V. Rivers, Mr. Barr and Mr. Taylor the question was called. On voice vote the amendment failed.

Mr. Robertson moved and asked unanimous consent for the adoption of the following amendment to Section 16: Line 20, page 5, delete period and insert a comma and add "or in advocating the overthrow of the government by force or violence." Mr. Buckalew objected. Mr. Johnson seconded.

After discussion by Mr. Robertson, Mr. Hellenthal, Mr. R. Rivers, the question was called. On voice vote the amendment failed.

Mr. Johnson moved the adoption of the following amendment to Section 18: Page 6, line 2, strike comma after "debt" and insert a period. Strike balance of line 2 and all of line 3. Mr. Marston seconded. After discussion by Mr. Barr, Mr. R. Rivers, Mr. Johnson, Mr. Doogan, Mr. Kilcher, Miss Awes, Mr. Taylor, Mr. V. Rivers, Mr. Davis and Mr. Hellenthal, the President declared a short recess.

AFTER RECESS

Mr. Doogan moved to lay the amendment on the table. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 16 - Cross, Doogan, Harris, Hinckel, Mc Cutcheon, McNeese, Metcalf, Nerland, Reader, R. Rivers, Rosswog, Stewart, Taylor, VanderLeest, Walsh, White.

Nays: 34 - Awes, Boswell, Barr, Buckalew, Coghill

Davis, Emberg, H. Fischer, V. Fischer, Gray, Hellenenthal, Hermann, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McNealy, Marston, Nolan, Nordale, Peratrovich, Poulsen, Riley, V. Rivers, Robertson, Smith, Sundborg, Sweeney, Wien, Mr. President.

Absent: 5 Armstrong, Collins, Cooper, Hilscher, McLaughlin

And so the amendment was not laid on the table.

After Mr. Kilcher spoke on the amendment, Mr. Coghill moved the previous question. Mr. Buckalew seconded. Mr. Barr stated he wished to be heard. The President stated the motion was not debatable. On voice vote the motion failed.

After Mr. Barr, Mr. McNealy, Mr. Metcalf and Mr. Hurley spoke, Mr. Taylor moved to amend the amendment by adding after the word "except" the words "in case of absconding debtors."

Mr. Taylor's amendment was ruled out of order. After discussion by Mr. Rosswog, Mr. McNealy, Mr. Kilcher, Mr. Rosswog, Mr. Marston, Mr. Londborg and Mr. Riley the question was called. The roll was called on the adoption of Mr. Johnson's amendment to Section 18 with the following result:

Yeas: 34 - Aves, Barr, Boswell, Buckalew, Coghill, Davis, Emberg, H. Fischer, V. Fischer, Gray, Hellenenthal, Hermann, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McNealy, Marston, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, VanderLeest, Walsh, Mr. President.

Nays: 17 - Cross, Doogan, Harris, Hinckel, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nolan, Poulsen, Reader, Rosswog, Sweeney, Taylor, White, Wien.

Absent: 4 - Armstrong, Collins, Cooper, Hilscher

And so the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment to Section 18: Line 2, page 6, change the period to a comma and insert the following words, "except in case of absconding debtors." Mr. Buckalew objected. Mr. Riley seconded. The roll was called with the following result:

Yeas: 37 - Awes, Boswell, Coghill, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hinckel, Hurley, Kilcher, King, Knight, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. River, V. Rivers, Rosswog, Sweeney, Taylor, Walsh, White, Wien, Mr. President.

Nays: 14 - Barr, Buckalew, V. Fischer, Hermann, Johnson, Laws, Lee, Londborg, Marston, Robertson, Smith, Stewart, Sundborg, VanderLeest

Absent: 4 - Armstrong, Collins, Cooper, Hilscher

And so the amendment was adopted.

Mr. Robertson moved the adoption of the following amendment: Page 6, Insert new Section 19. "Every person shall have the right to work for the gaining of his livelihood". Renumber present Section 19 to be Section 20. Mr. Doogan objected. Mr. Londborg seconded.

After discussion by Mr. Robertson and Miss Awes, Mr. Buckalew moved to lay the amendment on the table. Mr. Stewart seconded. Mr. Sundborg requested a roll call. The roll was called with the following result:

Yeas: 23 - Awes, Buckalew, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, King, Knight, Lee, McNealy, Marston, Metcalf, Nerland, Poulsen, R. Rivers, Rosswog, Smith, Stewart, Sundborg, VanderLeest.

Nays: 28 - Barr, Boswell, Coghill, Cross, Davis, V. Fischer, Hinckel, Hurley, Johnson, Kilcher, Laws, Londborg, McCutcheon, McLaughlin, McNees, Nolan, Nordale, Peratrovich, Reader, Riley, V. Rivers, Robertson, Sweeney, Taylor, Walsh, White, Wien, Mr. President.

Absent: 4:- Armstrong, Collins, Cooper and Hilscher.

And so the amendment was not laid on the table.

After discussion by Mr. Robertson, Mr. Londborg, Mr. Doogan, Mrs. H. Fischer, Mr. Hellenthal, Mr. Johnson and Mr. Boswell, the question was called. Mr. Robertson requested a roll call.

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

Yeas: 4 - Laws, Londborg, Reader, Robertson.

Nays: 47 - Awes, Barr, Boswell, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulson, Riley, R. Rivers, V. Rivers, Ross-wog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Absent: 4 -Armstrong, Collins, Cooper, Hilscher

And so the amendment failed.

Mr. White rose to a point of parliamentary inquiry whether if he gave notice of reconsideration of his vote on the Robertson amendment could he withdraw his request before the vote came up for reconsideration.

The President stated that he could withdraw the request at any time.

Mr. White gave notice of reconsideration of his vote on the Robertson amendment.

Mr. Sundborg moved that the rules be suspended and that Mr. White's reconsideration be taken up at this time. Mr. V. Fischer objected. Mrs. H. Fischer seconded. The roll was called with the following result:

Yeas: 10 - Buckalew, H. Fischer, Metcalf, Peratrovich, Poulson, R. Rivers, Sundborg, Taylor, Walsh, Mr. President.

Nays: 41 - Awes, Barr, Boswell, Coghill, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nolan, Nordale, Reader, Riley, V. Rivers, Robertson, Ross-wog, Smith, Stewart, Sweeney, VanderLeest, White, Wien.

Absent: 4 Armstrong, Collins, Cooper, Hilscher.

And so the rules were not suspended.

Mr. Robertson gave notice to reconsider his vote on the Kilcher amendment to Section 13 changing "two hundred and fifty dollars" to "a sum set by law".

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment proposed by Mr. V. Rivers, Mr. Sundborg, Mr. White, Mr. V. Fischer, Mr. Kilcher, Mr. R. Rivers, Mrs. H. Fischer, Mr. Emberg, Mr. Poulsen, Mr. King, Mr. Riley and Mr. Hellenthal, amendment of Article on Preamble and Bill of Rights:

Strike lines 1 through 5 on page 1 and substitute the following:

"We the people of Alaska, conscious of our heritage of political, civil and religious liberty, grateful to God and to those who founded the nation and pioneered this great land, reaffirm our belief in government by consent of the governed within the Union of States and do ordain and establish this Constitution for the State of Alaska."

Mr. Taylor objected. Mrs. H. Fischer seconded.

Mr. White moved to amend the amendment by striking "to God and". Mr. Laws seconded.

After discussion by Mr. White, Mr. Doogan and Mr. Hellenthal, a recess was ordered.

AFTER RECESS

Mr. McLaughlin moved the previous question. Mr. V. Fischer seconded. On voice vote the previous question was ordered.

On voice vote Mr. White's amendment to the amendment failed.

Mr. Harris moved the adoption of the following amendment to the amendment: Insert "Almighty" before the word "God". Mr. Hinckel objected. Mr. Coghill seconded. The roll was called with the following result:

Yeas:	24 - Armstrong, Awes, Coghill, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Johnson, King, Knight, Londborg, McNees, Metcalf, Nerland, Nolan, Peratrovich, Reader, Robertson, Sweeney, VanderLeest, Walsh, Wien.
Nays:	24 - Barr, Boswell, Buckalew, Emberg, V. Fischer, Gray, Hinckel, Hurley, Kilcher, Laws, Lee, McCutcheon, McLaughlin, Marston, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Smith, Sundborg, Taylor, White, Mr. President.
Absent:	7 - Collins, Cooper, Cross, Hilscher, McNealy, Rosswog, Stewart

and so the amendment failed.

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

Yeas: 49 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Lomborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Mr. President.

Nays: 2 - Laws, Wien

Absent: 4 - Collins, Cooper, Hilscher, Stewart

And so the amendment was adopted.

Mr. Johnson moved the adoption of the following amendment to Section 1: Page 2, lines 1 and 2, insert a comma after word "rights", strike word "and" on line 2 and after "opportunities" insert "and equal protection". Mr. Robertson seconded.

After discussion by Mr. Johnson, Mr. Sundborg suggested that the amendment be amended to strike the word "equal". Mr. Johnson asked unanimous consent that Mr. Sundborg's proposed amendment to the amendment be adopted. There being no objection, it was so ordered. Mr. R. Rivers asked unanimous consent for the adoption of Mr. Johnson's amendment. Mr. Hellenthal objected. On voice vote the amendment was adopted.

Mr. Buckalew moved the adoption of the amendment to Section 7 which had been held while copies were made available. Mr. Taylor seconded. After a suggestion from Mr. McLaughlin, Mr. Buckalew asked unanimous consent to amend the amendment by striking the words "land or naval" and inserting the word "armed". There being no objection, it was so ordered.

Mr. Metcalf moved and asked unanimous consent for the adoption of the following amendment: Strike last sentence of amended Section 7 and substitute the following: "The grand jury shall consist of at least twelve citizens, three-fourths of whom concurring may find an indictment or true bill." Mr. Buckalew objected.

After Mr. R. Rivers and Mr. Hinckel spoke, Mr. Taylor rose to a point of order that the amendment was out of order. The President stated the amendment was in order.

After discussion by Mr. Sundborg, Mr. Robertson, Mrs. Hermann and Mr. Taylor, a short recess was declared.

AFTER RECESS

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

Mr. Metcalf moved the adoption of the following amendment to the amendment: Delete last sentence of amended Section 7 and add: "The grand jury shall consist of at least 12 citizens, three-fourths of whom concurring may return a true bill." Mr. Buckalew seconded. Mr. R. Rivers asked unanimous consent for the adoption of the amendment. Mr. Hellenthal objected. The roll was called with the following result:

Yeas: 23 - Boswell, Buckalew, Coghill, Cross, Davis, H. Fischer, V. Fischer, Gray, Hermann, Hinckel, Hurley, Mc Cutcheon, Metcalf, McKees, Marston, Metcalf, Merland, Nolan, Riley, R. Rivers, V. Rivers, Sweeney, Mr. President

Nays: 29 - Armstrong, Awes, Barr, Doogan, Emberg, Harris, Hellenthal, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, Nordale, Peratrovich, Poulsen, Reader, Robertson, Rosswog, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, White, Wien.

Absent: 3 Collins, Cooper, Hilscher

And so the amendment to the amendment failed.

Mrs. Hermann moved the adoption of the following amendment to the amendment. Delete the last sentence of amended Section 7 and add: "The grand jury shall consist of at least 12 citizens, a majority of whom concurring may return a true bill." Mr. Hellenthal seconded. On voice vote the amendment was adopted.

Mr. R. Rivers asked unanimous consent for the adoption of the following amendment: Insert the word "section" after the word "this" on the fourth line of the proposed Section 7. There being no objection, it was so ordered.

Mr. Barr moved and asked unanimous consent for the adoption of the following amendment to the amendment: at the end of Section 7, as amended, add the following paragraph: "The power of grand juries to investigate and make recommendations concerning conditions detrimental to the public welfare or safety shall never be suspended." Mr. Buckalew objected. Mr. Johnson seconded.

Mr. Sundborg moved and asked unanimous consent to amend the amendment to the amendment offered by Mr. Barr by striking the words "detrimental to" and inserting the word "involving".

Mr. Riley rose to a point of order to state there was already an amendment to the amendment on the floor.

The President stated Mr. Riley was correct and asked Mr. Barr if he would withdraw his amendment to the amendment and submit a revised amendment in its place.

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

Mr. Barr asked unanimous consent for the adoption of the following amendment to the amendment: At the end of Section 7, as amended, add the following paragraph: "The power of grand juries to investigate and make recommendations concerning conditions involving the public welfare or safety shall never be suspended." Mr. Johnson seconded. After voice vote was taken, the President announced that the amendment to the amendment was adopted.

Mr. V. Rivers appealed from the ruling of the chair and requested a roll call vote.

Mr. Johnson moved that the ruling of the chair be sustained.

The President stated that Mr. Johnson's motion was not necessary; that the Chair is required to put the question whenever anyone requests an appeal from the ruling of the chair.

The question being, "Shall the ruling of the chair be sustained?", the roll was called with the following result:

Yeas: 44 - Armstrong, Awes, Barr, Boswell, Coghill, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Lomborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Merland, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien.

Nays: 8 - Buckalew, Doogan, H. Fischer, Laws, Riley, V. Rivers, Smith, Mr. President.

Absent: 3 - Collins, Cooper, Hilscher

And so the ruling of the chair was sustained.

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

The question being, "Shall the proposed amendment to Section 7 as amended be adopted?". On voice vote the amendment was adopted.

Mr. Buckalew called attention to the presence in the gallery of Speaker of the House of Representatives Wendell P. Kay and Representatives Raymond Plummer and Ken C. Johnson. The President stated that the Convention was pleased to have them visit and a hearty greeting was extended by the delegates.

Mr. Hellenenthal moved the adoption of the following amendment to Section 10: Following the first sentence insert "Wire tapping or obtaining unauthorized information by other technical means or devices is prohibited. Evidence obtained in violation of this section shall be inadmissible in the courts." Mr. Doogan objected. Mrs. H. Fischer seconded.

After discussion by Mr. Doogan, Mr. Hellenenthal and Mr. McLaughlin, Mr. Metcalf stated he had an amendment to offer to the proposed amendment. Mr. V. Rivers also stated he had an amendment and requested a recess so that the matter could be discussed. There being no objection, the President declared a short recess.

AFTER RECESS

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

Mr. V. Rivers moved the adoption of the following amendment to Section 11 as offered by Mr. McNealy, Mr. Hellenenthal, Mr. Armstrong and Mr. V. Rivers: Page 4, line 12, at end of line 12 add the following: "The right of privacy of the individual shall not be invaded by use of any electronic, or other scientific transmitting, listening or sound recording device for the purpose of gathering incriminating evidence. Evidence so obtained shall not be admissible in judicial proceedings or legislative hearings." Mr. Armstrong seconded.

After discussion by Mr. White, Mr. Davis, Mr. Armstrong, Mr. McLaughlin, Mr. Johnson, Mr. R. Rivers, Mr. Doogan, Mr. Barr and Mr. Metcalf, Mr. Sundborg moved and asked unanimous consent that, subject to committee and other announcements, the Convention adjourn until 9:00 a.m. Saturday.

Mr. V. Fischer requested that the amendment just introduced be mimeographed before the Saturday plenary session. Without objection, it was so ordered.

Mr. Coghill moved to recess until 8:00 p.m.

The President stated that since Mr. Sundborg's unanimous consent request was before the Convention, action would have to be taken on it first. In view of the objection from Mr. Coghill, Mr. V. Rivers seconded Mr. Sundborg's motion to adjourn. On voice vote the motion carried.

The Convention adjourned at 5.40 p.m. until 9:00 a.m. Friday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Jan. 12, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-SIXTH CONVENTION DAY, Saturday, January 7, 1956

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

The Invocation was given by the Rev. John Stokes of the University Community Presbyterian Church.

Roll call showed all delegates present except Mr. Cooper and Mr. Emberg who were reported ill. The President declared a quorum to be present.

Mr. Doogan moved and asked unanimous consent that the Journals for the 37th through the 42nd days be approved subject to the following corrections:

37th day Journal:

Page 1 - second paragraph, change "e" to "a" in name of Chaplain.

38th day Journal:

Page 1 - paragraph 2, insert "the Rev." before "Robert".

Page 9 - fifth paragraph from bottom of page, strike first "p.m.".

39th day Journal:

Page 3 - fourth paragraph from bottom of page, insert "student body of the" at end of second line.

Page 1 - correct spelling of "ninth" in title.

Page 5 - first paragraph, second line, strike "part" and substitute "another group"; strike "the" before "sophomore"; strike "classes" and substitute "students".

40th day Journal:

Page 1 - delete "o'clock" in first paragraph.

Page 3 - 6th paragraph, strike "5" and insert "15".

Page 6 - first paragraph AFTER RECESS, insert "to" after "moved".

Page 9 - second paragraph AFTER RECESS, after the word "to", insert the following: "the first sentence in the amended".

Page 12 - insert "AFTER RECESS" after paragraph 5, calling the recess.

Page 19 - first roll call, change "27 yeas" to "25 yeas".

- second roll call, change "25 yeas" to "27 yeas".

46th Day, Saturday, Jan. 7, 1955

42nd day Journal:

- Page 1 - next to last paragraph, insert a period after "gallery" and strike rest of sentence and substitute the following: "The Alaska Road Commission District Engineer from Nome, Mr. Frank Morris and Mrs. Morris were introduced."
- Page 3 - third paragraph from the bottom of page, strike "himself and announced" and substitute "the earlier announcement of said vote by announcing".
- second paragraph from the bottom of page, third line, insert "portion of that" at end of line.
 - last paragraph, strike "voting on"; insert comma after "recess"
- Page 5 - third paragraph from bottom of page, third line, strike "H."; insert "Ralston" before "A".
- Page 6 - third paragraph from bottom of page, change "wishes" to "wished".
- second paragraph from bottom of page, second line, strike "of" and substitute "on".

There being no objection, it was so ordered.

Mr. Boswell asked that the Journals show the time of adjournment daily. The President ordered that this be done in the future.

Mr. Robertson moved to reconsider his vote on Mr. Kilcher's amendment to Section 13, line 24, at this time. Mr. Johnson seconded.

After discussion by Mr. Robertson, Mr. Buckalew, Mr. McLaughlin, Mr. Barr, Miss Awes, Mr. Sundborg, Mr. Kilcher, Mr. Riley, Mr. R. Rivers, Mr. Smith, the question was called.

The question being "Shall the amendment to line 24 of Section 13 offered by Mr. Kilcher be adopted?", the roll was called with the following result:

Yeas: 3 - Barr, Kilcher, Lee

Nays: 50 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 2 - Cooper, Emberg

and so the amendment failed.

Mr. R. Rivers moved and asked unanimous consent for the adoption of the following amendment to Section 13: line 24 and 25, strike "two hundred and fifty dollars" and insert the words "three hundred dollars". Mr. Taylor objected. Mr. V. Rivers seconded. After discussion by Mr. V. Fischer, Mr. R. Rivers, Mr. Kilcher and Mr. Taylor, the question was called.

The question being "Shall Mr. R. Rivers's amendment to Section 13 be adopted?", the roll was called with the following result:

Yeas: 17 - Buckalew, Cross, H. Fischer, Hinckel, Laws, McLaughlin, Marston, Nerland, Nolan, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Smith, White

Nays: 36 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Davis, Doogan, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McNealy, McNees, Metcalf, Nordale, Reader, Rosswog, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien, Mr. President

Absent: 2 - Cooper, Emberg

and so the amendment failed.

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

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 10:30 a.m. Sunday in Apt. 1013, Polaris Bldg.

Mr. Coghill announced a meeting of the Committee on Administration on the first fifteen-minute recess.

SECOND READING OF PROPOSALS

Committee Proposal No. 7 was considered again. The amendment to Section 11 which had been moved by Mr. V. Rivers and seconded by Mr. Armstrong having been held over, was considered at this time.

Mr. R. Rivers requested a short recess. There being no objection it was so ordered.

Mr. Taylor moved the adoption of the following amendment to the amendment: after word "admissible" insert the words "as evidence"; strike second word "evidence" and insert word "information"; strike word "or" in last sentence and insert word "and" and insert the words

"or other investigative" after word "legislative". Mr. V. Rivers seconded and asked unanimous consent for its adoption. Mr. Johnson objected.

After discussion by Mrs. Hermann and Mr. Barr, Mr. White rose to a point of order to state that Mr. Barr was not talking on the amendment to the amendment. The President stated that Mr. Barr was in order because his statements related to the amendment.

The question being "Shall Mr. Taylor's amendment to the amendment to Section 11 be adopted?", the roll was called with the following result:

Yeas: 19 - Armstrong, Awes, Davis, H. Fischer, V. Fischer, Harris, Hellenthal, Hinckel, McCutcheon, McNealy, Nordale, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Taylor

Nays: 34 - Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Gray, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, Rosswog, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 2 - Cooper, Emberg

and so the amendment to the amendment failed.

Mr. Robertson moved the adoption of the following amendment to the amendment to Section 11: At end of amendment, delete period and insert comma and add "except when obtained upon warrant issued upon probable cause, supported by oath or affirmation, and particularly describing the objectives thereof." Mr. Metcalf seconded. After discussion by Mr. Robertson, Mr. Hurley, Mr. Taylor, Mr. V. Fischer, Mr. Barr and Mr. White, Mr. Buckalew requested Mr. Robertson to withdraw his amendment so the Convention could act on the main amendment. Mr. Robertson did not withdraw his amendment.

The question being "Shall the amendment to the amendment to Section 11 as offered by Mr. Robertson be adopted?", the roll was called with the following result:

Yeas: 35 - Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Laws, Londborg, McCutcheon, McNealy, Marston, Metcalf, Nerland, Nolan, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, White

Nays: 18 - Armstrong, H. Fischer, V. Fischer, King, Knight, Lee, McLaughlin, McNees, Nordale, Peratrovich, Poulsen, V. Rivers, Sundborg, Taylor, VanderLeest, Walsh, Wien, Mr. President

Absent: 2 - Cooper, Emberg

and so the amendment to the amendment was adopted.

Mr. Coghill moved the previous question. Mr. Laws seconded. On voice vote the motion failed.

Mr. White spoke on the main amendment.

Mr. McNealy moved the adoption of the following amendment to the amendment to Section 11: delete the word "incriminating" and insert the words "information or". Mr. V. Rivers seconded. After Mr. Barr spoke on the amendment, the question was called. On voice vote the amendment was adopted.

After discussion on the main amendment by Mr. McNealy, Mr. Buckalew, Mr. Marston and Mr. V. Rivers, Mr. Sundborg moved and asked unanimous consent for a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. White spoke on a matter of personal privilege.

COMMUNICATIONS

A telegram from Mr. Henning N. Johnson and William Raver of Homer, stating they believed the people on the Kenai Peninsula would not ratify the constitution unless the initiative and referendum are included and recommending an automatic constitutional convention every 25 years, was read and ordered filed.

A statement from Mr. Don M. Dafoe relative to Committee Proposal No. 10 was referred to the Committee on Executive Branch.

Mr. Coghill stated that since Mr. Dafoe would be in Fairbanks shortly could he not address the Convention?

The President directed Mr. Coghill, as Chairman of the Committee on Administration, to make arrangements for Mr. Dafoe to meet with the delegates and to report back to the Convention.

After Mr. Harris and Mr. Riley spoke on the amendment to Section 11, the question was called. Mr. V. Rivers requested a roll call.

The question being "Shall the amendment to Section 11 as amended be adopted?", the roll was called with the following result:

Yeas: 12 - Armstrong, Davis, H. Fischer, Hellenthal, ~~Hinckel~~, Laws, McNealy, Reader, R. Rivers, V. Rivers, Robertson, Smith

Nays: 41 - Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 2 - Cooper, Emberg

and so the amendment failed.

Mr. Riley requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Doogan asked permission to revert to corrections to the Journal. There being no objection, it was so ordered. Mr. Doogan moved and asked unanimous consent that the following correction to the Journal for the fortieth day be adopted: page 13, insert the following before the third to the last paragraph: "On voice vote the amended amendment was adopted." There being no objection, the correction was ordered adopted.

Mr. Riley reported that several delegates had drafted an amendment to Section 11 but wished to have it mimeographed before presenting it to the Convention and asked that the Convention proceed to other sections until copies were available.

Mr. V. Fischer and Mr. Buckalew asked questions of Miss Awes, Chairman of the Committee on Bill of Rights, regarding Section 3.

Mr. V. Rivers moved the adoption of the following amendment proposed Friday: Section 6, page 2, line 23, add to the section the following sentence: "The right of a person to due process of law shall not be infringed by use of the Legislature's investigative power." Mr. McCutcheon seconded.

After discussion by Mr. V. Rivers, Mr. Johnson, Mr. Davis, Mr. Barr, Mr. Buckalew, Mr. McLaughlin, Mr. R. Rivers, Miss Awes and Mr. Taylor, Mr. R. Rivers asked that action on the amendment be held over until after the noon recess. There being no objection, it was so ordered.

Mr. Kilcher moved the adoption of the following amendment to Section 14: line 8, strike the comma and "invasion or imminent peril" and substitute "or actual and imminent invasion,".

Mr. McCutcheon objected. Mr. Buckalew seconded. Mr. Taylor stated he believed the words were inconsistent. Mr. Kilcher spoke on the amendment. Miss Awes asked Mr. Kilcher if he would not amend the amendment by changing the word "and" to "or". Mr. Kilcher asked unanimous consent for the adoption of the amendment offered by Miss Awes. There being no objection, it was so ordered.

After discussion by Mr. Hurley, Mr. Buckalew and Miss Awes, the question was called. The question being "Shall the amendment as amended be adopted?", the roll was called with the following result:

Yeas: 30 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Lee, Londborg, McNeas, Marston, Nerland, Nolan, Peratrovich, Poulsen, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, VanderLeest, Mr. President

Nays: 23 - Barr, Cross, Davis, Doogan, Hellenthal, Hinckel, Johnson, King, Laws, McCutcheon, McLaughlin, McNealy, Metcalf, Nordale, Reader, Riley, Robertson, Rosswog, Sweeney, Taylor, Walsh, White, Wien

Absent: 2 - Cooper, Emberg

and so the amendment was adopted.

Mr. V. Rivers asked whether this was the last day for the introduction of individual proposals. The President stated that since the eighth of January, the date adopted as the cutoff date, fell on Sunday, the time had been extended one day until Monday, January 9, 1956.

Mr. Gray asked unanimous consent to address the Convention on a matter of personal privilege to discuss apportionment. There being no objection, it was so ordered.

At the conclusion of Mr. Gray's remarks, Mr. Nerland moved and asked unanimous consent that the Convention adjourn until Monday morning at 9 a.m. Mr. V. Fischer objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 17 - Barr, Boswell, Collins, Cross, H. Fischer, Johnson, McLaughlin, McNealy, McNees, Nerland, Nolan, Poulsen, R. Rivers, V. Rivers, Robertson, Taylor, Wien

Nays: 36 - Armstrong, Awes, Buckalew, Coghill, Davis, Doogan, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, Marston, Metcalf, Nordale, Peratrovich, Reader, Riley, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Mr. President

Absent: 2 - Cooper, Emberg

and so the Convention did not adjourn.

Mr. Sundborg moved and asked unanimous consent that the Convention recess until 1:30 p.m. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney stated that she was filing with the Secretary of the Convention a report from Curtis G. Shattuck of Juneau regarding apportionment.

The President directed the Chief Clerk to read a memorandum from the Alaska Department of Health regarding Section 1 of Proposal No. 7, Health, Education and Welfare and Section 19 of Proposal No. 5 on the Legislative Branch, prohibiting the expenditure of public funds for the direct aid or benefit of religious or private institutions which Miss Awes had asked be read.

Mr. Riley asked that the tables attached to the memorandum be read to show the hospitals receiving aid. Without objection, the tables were read. The communication was ordered filed.

Mr. Armstrong stated he had a letter from Mr. Dafoe, Commissioner of Education, regarding Committee Proposal No. 7 which he was filing with the Chief Clerk and Miss Awes, Chairman of the Committee on Bill of Rights.

Mr. Buckalew asked that the communication be read at this time.

Mr. V. Fischer suggested that the two communications be held and read at the time the sections referred to were considered.

The President stated the communications would be read at the appropriate time when the sections in question were up for consideration.

Mr. Riley moved the adoption of the following amendment offered by Mr. Robertson, Mr. Davis, Mr. Hellenthal, Mr. R. Rivers, Mrs. Nordale and Mr. Riley to Section 11: strike Section 11 in its entirety and substitute the following:

"Section 11. The right of the people to privacy and to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches, seizures, or other invasions of privacy shall not be violated; and no warrants shall issue, but upon probable **cause, supported by oath or affirmation**, and particularly describing the place to be searched, the information sought or the persons or things to be seized. Information secured in violation of this section shall not be admissible evidence in any Judicial or other proceeding."

Mr. White seconded. After discussion by Mr. Kilcher, Mr. McCutcheon, Mr. White, Mr. Buckalew, Mr. Gray, Mr. Hellenthal, Mr. Doogan, Mr. Davis, Mr. Marston, Mr. Harris, Mr. McNees, Miss Awes and Mr. Hurley, the question was called. Mr. Johnson requested a roll call.

The question being "Shall the amendment to Section 11 be adopted?", the roll was called with the following result:

Yeas: 27 - Armstrong, Coghill, Cross, Davis, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Walsh, White

Nays: 21 - Awes, Boswell, Buckalew, Collins, Doogan, Gray, Harris, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nolan, Sweeney, VanderLeest, Mr. President

Absent: 7 - Barr, Cooper, Emberg, H. Fischer, McNealy, Taylor, Wien

and so the amendment was adopted.

The President requested that delegates refrain from advising other delegates how to vote on a roll call.

Mr. V. Rivers asked unanimous consent to withdraw his amendment to Section 6. There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following amendment: Section 6, page 2, line 23, add to the section the following sentence:

"The right of the people to be protected from unjust abuse in the course of legislative investigations shall not be infringed, to this end the legislature shall prescribe adequate investigative procedures." Mr. R. Rivers seconded. Mr. R. Rivers asked unanimous consent to amend the amendment by striking the comma after "infringed", inserting a period and changing "to" to "To". There being no objection, it was so ordered.

Mr. Hellenthal questioned whether the amendment should not be stated in the affirmative.

Mr. V. Rivers requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. V. Rivers asked unanimous consent to withdraw his amendment and substitute the following amendment in its place: Section 6, page 2, line 23, add to the section the following sentence: "The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed." There being no objection, Mr. V. Rivers's request was granted.

Mr. V. Rivers moved the adoption of the amendment. Mr. Smith seconded. After discussion by Mr. Buckalew, Mr. Smith, Mr. Johnson, Mr. Stewart and Mr. V. Rivers, the question was called. On voice vote the amendment was adopted.

Mr. Harris rose to speak on a matter of personal privilege.

Mr. V. Fischer inquired whether the Proposals which contain two or more parts could not be separated so that the whole proposal would not have to be held up on its way to Engrossment and Enrollment and Style and Drafting. The President stated he didn't think this would be possible because it would involve remimeographing of proposals by the "boiler room".

Mr. Sundborg asked unanimous consent that the Article on Declaration of Rights be ordered to Engrossment and Enrollment.

The President stated the Article on Declaration of Rights would be ordered to Engrossment and Enrollment, but that amendments would be possible until the Convention had completed all work on Proposal No. 7.

Mrs. Sweeney moved that the Convention adjourn until 9 a.m. Monday. Mr. V. Rivers seconded.

Mr. Kilcher rose to a point of inquiry regarding giving notice of reconsideration on a vote if the Convention adjourned.

The President stated that the notice would have to be given before adjournment on this day.

Mr. Hurley served notice of reconsideration on his vote on the adoption of the amendment to Section 11 offered by Mr. Riley and other delegates.

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

Yeas: 21 - Armstrong, Boswell, Coghill, Collins, Cross, Doogan, Harris, Johnson, Londborg, McLaughlin, Metcalf, Nerland, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Stewart, Sundborg, Sweeney, VanderLeest

Nays: 26 - Awes, Buckalew, Davis, V. Fisher, Gray, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Laws, Lee, McCutcheon, McNees, Marston, Nolan, Nordale, Peratovich, Riley, Rosswog, Smith, Walsh, White, Mr. President

Absent: 8 - Barr, Cooper, Emberg, H. Fischer, Hilscher, McNealy, Taylor, Wien

and so the Convention did not adjourn.

Mr. Johnson rose to a point of order that since Mr. Hurley had given notice of reconsideration, the Article on Declaration of Rights could not be ordered to Engrossment and Enrollment.

The President stated Mr. Johnson's point of order was well taken and the Article on Declaration of Rights was not ordered to Engrossment and Enrollment.

Mr. R. Rivers asked that the Article on Health, Education and Welfare be read again.

Mr. Riley asked unanimous consent for a five-minute recess. There being no objection, it was so ordered.

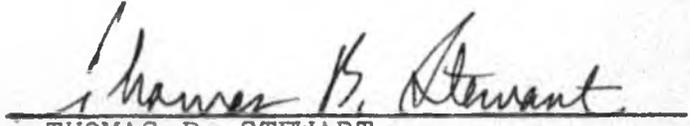
AFTER RECESS

The Chief Clerk read the Article on Health, Education and Welfare.

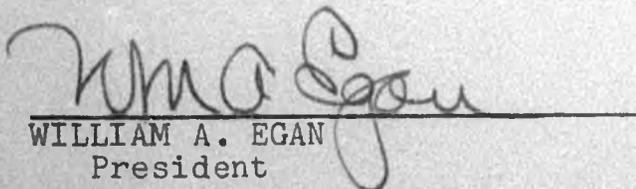
Mrs. Sweeney moved that the Convention adjourn until 9:05 Monday. Mr. Rosswog seconded. Mrs. Hermann requested a roll call. The roll was called with the following result:

- Yeas: 27 - Armstrong, Boswell, Coghill, Collins, Cross, Doogan, Harris, Hellenthal, Hinckel, Johnson, King, Knight, Londborg, McLaughlin, Metcalf, Nerland, Nolan, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, Walsh.
- Nays: 20 - Awes, Buckalew, Davis, V. Fischer, Gray, Hermann, Hilscher, Hurley, Kilcher, Laws, Lee, McCutcheon, McNees, Marston, Nordale, Peratrovich, Riley, Smith, White, Mr. President
- Absent: 8 - Barr, Cooper, Emberg, H. Fischer, McNealy, V. Rivers, VanderLeest, Wien

and so the Convention adjourned at 2:30 p.m. until 9:05 a.m., Monday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-EIGHTH CONVENTION DAY, Monday, January 9, 1956

The Convention was called to order at 9:00 a.m. by President Egan.

At the request of Mr. Johnson and with the unanimous consent of the Convention the following prayer, given by Father George Boileau of the Church of the Immaculate Conception, was ordered spread on the Journal:

"Grant us, Almighty God, the gift of wisdom and understanding; give us health this day that we may continue to work with sincerity, with true charity and harmony, for the good of our country and your glory, through Christ our Lord. Amen."

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

Mr. Knight reported that the Journal for the 43rd day had been read and was approved. Mr. Boswell stated he believed there was an error in the roll call on page 9 where one delegate was recorded as voting twice. The Chief Clerk was requested to look into the matter.

Mr. Sundborg reported the presence of Consultant Dr. John Bebout, Assistant Director of the National Municipal League of New York City and asked for privilege for Dr. Bebout to address the Convention. Dr. Bebout then addressed the Convention.

Mr. Sundborg announced a meeting of the Style and Drafting Committee upon recess.

Mr. Hurley moved for reconsideration of his vote on the Riley Amendment to Section 11 of Committee Proposal No. 7.

Mr. Riley asked suspension of the rules so that the amendment could be debated. There being no objection, it was so ordered.

After discussion by Mr. Hurley, Mr. Buckalew, Mr. Hinckel, Mr. Taylor, Mr. Marston, Mr. Riley, Mr. Davis, Mr. R. Rivers, Mr. Kilcher, Mr. Barr, Mr. Harris, Mr. Robertson, Mr. V. Rivers, Mr. V. Fischer, Mr. Davis, Mr. McNees, Mrs. Hermann, Mr. Metcalf, Mr. Cross and Mr. Buckalew, the Chief Clerk was asked to read the proposed amendment. Mr. Robertson requested a roll call.

The question being "Shall the proposed amendment to Section 11 as offered by Mr. Riley and other delegates be adopted?", the roll was called with the following result:

47th Day, Monday, Jan. 9, 1956

- Yeas: 18 - Barr, Boswell, Coghill, Cross, Davis, H. Fischer, Laws, McCutcheon, Nolan, Nordale, Riley, R. Rivers, V. Rivers, Robertson, Smith, Sundborg, Walsh, White
- Nays: 37 - Armstrong, Awes, Buckalew, Collins, Cooper, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, Rosswog, Stewart, Sweeney, Taylor, VanderLeest, Wien, Mr. President

and so the amendment failed.

Mr. Hinckel offered and moved for the adoption of the following proposed amendment to Section 11. Seconded by V. Rivers.

Insert the following after line 12, Section 11:

"The right of the people to be secure against unreasonable invasion of their individual privacy by the use of any electronic or other scientific device shall not be violated, and ex parte orders or warrants shall issue from the Superior or Supreme Court only upon oath or affirmation that there is reasonable ground to believe that evidence of crime may be thus obtained, and identifying the particular means of communication, and particularly describing the person or persons whose communications are to be intercepted and the purpose thereof. Information secured in violation of this section shall not be admissible evidence in any judicial or other proceeding."

Mr. Hinckel asked to have the proposed amendment mimeographed. Mr. McNees moved for consideration of this amendment after the 10:30 recess.

Mr. White presented an amendment to Section 11 to be mimeographed during the recess.

Mr. Hellenthal moved and asked unanimous consent for a fifteen-minute recess at this time.

The President stated that consideration of the two amendments would be held until after the morning recess, and declared the Convention at recess.

AFTER RECESS

Mr. Hilscher asked for personal privilege and read a wire to be sent to the President of the United States, signed by the President of the Convention, but the cost to be borne by the delegates. The President stated that without objection the telegram would be dispatched.

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

AFTER RECESS

After discussion by Mr. Londborg, Mr. Hinckel and Mr. Buckalew, Mr. Robertson suggested the words "reasonable ground" be changed to "probable cause exists". After discussion by Mr. Collins, Mr. V. Fischer and Mr. R. Rivers, Mr. R. Rivers moved to amend the Hinckel amendment of Section 11, Committee Proposal 7, by deleting in line 5 "there is reasonable ground" and substituting "probable cause exists". Mr. Kilcher objected.

A short recess was declared.

AFTER RECESS

Mr. R. Rivers asked unanimous consent to withdraw his amendment to the amendment. There being no objection, it was so ordered. Mr. R. Rivers offered a new amendment as follows: Delete the words "reasonable ground" and the words "probable cause" be inserted in lieu thereof. Mr. R. Rivers asked unanimous consent for the adoption of the amendment to the amendment. *There being no objection, it was so ordered.*

After Mr. Metcalf spoke on the amendment, Mr. Taylor offered the following proposed amendment to the amendment of Section 11: After the word "violated" in the third line, insert a period and strike the balance of paragraph eleven.

Mr. Taylor moved and asked unanimous consent for the adoption of his proposed amendment to the amendment. Mr. Kilcher seconded.

After discussion by Mr. Taylor and Mr. White, a voice vote was taken and the amendment to the amendment failed.

Mr. Hinckel requested a roll call on his amendment to Section 11 with the following result:

Yeas: 14 - Armstrong, Boswell, Davis, H. Fischer, Hellenthal, Hinckel, McCutcheon, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Smith, Sundborg

Nays: 40 - Awes, Barr, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Rosswog, Stewart, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Absent: 1 - VanderLeest

and so the proposed amendment failed.

Mr. White moved the adoption of his amendment. Mr. Doogan seconded. Mr. White's amendment to Section 11 follows: after last line of Section 11, add:

"The right of privacy of the individual shall not be invaded by use of any electronic or other scientific transmitting, listening or sound recording device for the purpose of gathering information of incriminating evidence, subject to such exceptions and procedures as may be established by law for the protection of the public safety."

After discussion by Mr. White, Mr. Davis and Mr. Barr, Mr. McNealy asked unanimous consent to delete the words "transmitting, listening or sound recording" from Mr. White's proposed amendment. Mr. Johnson objected. Seconded by Mr. R. Rivers.

After discussion by Mr. McLaughlin, Mr. Barr, Mr. White, Mr. Stewart and Mr. Kilcher, Mr. Sundborg rose to a point of order that Mr. Kilcher was not speaking on the amendment to the amendment. The President stated that Mr. Sundborg's point of order was well taken.

The question was called and on voice vote the amendment was adopted.

After discussion by Mr. Cooper, Mr. Taylor, Mr. R. Rivers, Mr. Hellenthal, Mr. Metcalf and Mr. Buckalew on the amendment, the question was called.

The question being "Shall the proposed amendment of Mr. White, as amended, be adopted?". The roll was called with the following result:

Yeas: 14 - Cross, Davis, H. Fischer, Hellenthal, Laws, McCutcheon, McNealy, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Sundborg, White

Nays: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, Rosswog, Smith, Stewart, Sweeney, Taylor, Walsh, Wien, Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

Mr. Hellenthal moved the previous question. Mr. Gray seconded. The President asked if there was a previous question. After discussion, the President ruled there was no previous question.

Mr. Taylor moved the adoption of Section 11 as contained in the Committee Report. Mr. Marston seconded. Mr. Coghill moved the previous question. Mr. Sundborg rose to a point of order to state there was no need to adopt Section 11 because it was still in second reading and adoption could be made only in third reading. The President stated that Mr. Sundborg's point of order was well taken.

Mr. McNeese moved that the Convention proceed to the Article on Health, Education and Welfare. Mr. Barr seconded.

Mr. Riley called attention to the presence in the gallery of Judge Earl Cooper, who played an important role in the calling of the Constitutional Convention as Chairman of the Statehood Committee in the Senate of the last legislature and asked that he be extended the privilege of the floor. Mr. Barr seconded Mr. Riley's request. The President introduced Judge Cooper.

Judge Cooper's remarks follow:

JUDGE COOPER: "Chairman Egan, fellow Alaskans; I think it would not be inappropriate at this time to say fellow Americans, because I feel we are about the business of Americanism today. A lump kind of came into my throat today as I drove up in the taxi and saw the sign out front "Alaska Constitutional Hall". I thought to myself what a historic occasion those people are about in there today. As I look into your faces I could almost call everyone of you by name. That is significant to me from this viewpoint because here establishing a Constitution for the next State of Alaska are people who have identified themselves with civic groups, professional groups, various organizations which have concerned themselves with the welfare of Alaska.

"Two things are significant to me in connection with this Constitutional Convention. One is the fact that you have gone about your deliberations with the sincere and honest desire to bring out a Constitution that is going to be acceptable to all **the** people of Alaska. The second is quite significant to me, that though you happen to be identified with one of the two major political parties, you have approached this Convention here with a spirit of non-partisanship. This was highly necessary to come out with a Constitution acceptable to the people of Alaska. I think you are to be highly commended, my friends. I wish I was a part of this group. I wish I could sometime gather my grandchildren about my knees and say I had the opportunity of fixing my name to a state constitution.

"If I get a little emotional about this it is because you people are making history here today. This deliberation intrigued me the way you have gone about it--with a seriousness, sincerity and the conscientious attitude you have shown. Of course, you will arrive at your areas of difference of opinion. We all have different approaches to the solution of the problems. But you approach this, I think, with what is good for my fellow citizens of Alaska. I predict, although I don't set myself up as a seer, I predict when you come out of here, when your deliberations are over, you can take pride in the fact that you have submitted for confirmation a document all Alaskans can take pride in.

"Thanks very much for extending me this privilege and Godspeed."

to reconsider

Mr. Harris stated that he believed there was still a motion by Mr. White to be considered. Mr. Sundborg rose to a point of order and stated that if Mr. White wished to move to reconsider that his time to do so had expired. Mr. White stated that he had no intention of doing so.

Mr. Davis moved that the article be sent to the Committee on Engrossment and Enrollment. The President stated that Mr. Davis' motion was not out of order. Mr. President asked if there was any objection to Mr. Davis' request that the Article be sent to the Committee on Engrossment and Enrollment at this time. He stated further that it would still be in second reading and could be amended even though it was sent to the Committee on Engrossment and Enrollment. Mr. Johnson stated that if it was sent to the Engrossment and Enrollment Committee it would take a suspension of the rules to be brought up on the floor again. Mr. Taylor stated that the article was not final until the entire proposal was finished. The President stated that this was merely a section of the Article included in Proposal No. 7. Mr. Taylor stated that he believed the President to be right in this matter.

Miss Awes moved for a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg moved and asked unanimous consent that the remarks of Judge Cooper be spread upon the Journal. Mr. Johnson stated that he would also move that the prayer of Father Boileau be included in this motion and asked unanimous consent to that effect. There being no objection, it was so ordered.

Mr. Coghill asked for the opinion of the delegates regarding night sessions. Mr. President stated that evening sessions had been decided and were to begin at 7:00 p.m., but that the adjournment time

had been left open. After discussion by Mr. White, Mr. Fischer and Mr. R. Rivers, Mr. R. Rivers asked unanimous consent that the Convention recess from 5:30 p.m. until 7:00 p.m. for supper and that the evening session convene at 7:00 p.m. and adjourn at 9:30 p.m. There being no objection, it was so ordered.

Mr. Coghill stated that the cafeteria had to be notified by noon the number of delegates desiring to stay for supper and asked for a show of hands. Mr. Coghill then asked for unanimous consent to recess for lunch.

Prior to putting the question the President allowed the following Committee announcements:

Mr. Sundborg announced a meeting of the Committee on Style and Drafting on recess.

Miss Awes announced a meeting of the Committee on the Bill of Rights on recess in the Committee Room.

Mr. V. Rivers announced a meeting of the Executive Committee on recess.

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

Mrs. Sweeney announced a meeting of the Engrossment and Enrollment Committee at 12:45 p.m.

There being no objection to the unanimous consent request of Mr. Coghill, the Convention recessed until 1:30 p.m.

AFTER RECESS

Miss Awes offered the following amendment from the Committee on Preamble and Bill of Rights: Section 1, Article on Health, Education and Welfare, add word "educational" before the word "institution" on last line.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 3, had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled. Mrs. Sweeney moved and asked unanimous consent that the report be adopted. There being no objection, it was so ordered.

Committee Proposal No. 3 was referred to the Committee on Style and Drafting.

Mr. Knight moved the adoption of the Journal for the forty-third day subject to the following correction: page 9, roll call, under nays, strike "Barr" and insert "Awes". There being no objection, the Journal for the forty-third day was approved as corrected.

Mr. Sundborg reported that the Committee on Style and Drafting had divided into subcommittees on the articles which have been referred to it. Three members are going over the proposals word by word. After the subcommittee has agreed upon its recommendations, but before the full committee has acted, the subcommittee will contact the substantive committee involved to sit with the subcommittee to go over in detail the suggested changes so that Style and Drafting may be certain they are following the intent of the Committee which originally drafted the article.

Miss Awes moved and asked unanimous consent for the adoption of the proposed amendment. Mr. V. Rivers objected. Mr. Buckalew seconded.

Mr. Hellenthal rose to a point of order that there was nothing to vote on because this was a committee change and agreed on unanimously by the Committee.

The President stated that he felt it was necessary to adopt the amendment in order to effect the change desired. Mrs. Hermann rose to a point of information to ask if the amendment were adopted it would be possible to remove the word "educational" later.

The President stated that this would not be possible.

After Mr. Coghill, Mr. Robertson, Mr. V. Rivers and Mr. Armstrong spoke on the amendment, Mr. White asked whether or not the rules could be suspended so that the Committee would be allowed to submit its proposed amendment as a part of the Committee report.

The President stated that he stood corrected and that the amendment could be considered under a suspension of the rules.

Mr. White moved that the rules be suspended and that the Committee on Bill of Rights be allowed to submit its proposed amendment as a part of the Committee report. Mr. Hellenthal seconded.

Mr. Riley stated that he believed that what Mr. White wished to move was that the word "educational" be inserted before "institution" and that this be considered a substitute Committee Report.

The President stated that without objection the report of the Committee on Bill of Rights, inserting the word "educational" before the word "institution" would be adopted. There being no objection, it was so ordered.

Mr. Coghill moved and asked unanimous consent for the adoption of the following amendment to the Article on Health, Education and Welfare: Section 1, line 7, after the word "direct" insert the words "or indirect". Mr. R. Rivers objected. Mr. Armstrong seconded.

Mr. White rose to a point of order to state that before the Article was considered certain communications were to be read.

A letter from Mr. Don M. Dafeo, Commissioner of Education, enclosing a statement on Section 1 of the Article on Health, Education and Welfare to the effect that he believed the statement somewhat over-simplified and setting forth seven points which he believed should be included in the Constitution, was read.

Discussion and questioning by Mr. Armstrong, Mr. V. Fischer, Mr. R. Rivers, Mr. Coghill, Mr. Riley, Miss Awes, Mr. Metcalf, Mr. Smith, Mr. Kilcher, Mr. Gray, Mr. Taylor, Mr. McCutcheon, Mr. Poulsen, and Mr. White followed. Mr. Sundborg asked that a communication which he had--a letter from the Director of the Department of Public Welfare to the Attorney General of Alaska--be read. Without objection the letter giving information as to payments made by the territory to various childrens' institutions in the Territory, was read.

After discussion by Mr. Armstrong, Mr. Buckalew, Mr. Rosswog, Mr. Coghill and Mr. Kilcher, the question was called. Mr. Johnson requested a roll call.

The question being "Shall Mr. Coghill's amendment to Section 1 of the Article on Health, Education and Welfare be adopted?", the roll was called with the following result:

Yeas: 19 - Barr, Boswell, Coghill, Collins, Cooper, Cross, Harris, Hilscher, Hinckel, Johnson, King, Knight, Laws, McCutcheon, Metcalf, Nerland, Poulsen, Robertson, Sweeney

Nays: 34 - Armstrong, Awes, Buckalew, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hurley, Kilcher, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, Walsh, White, Wien, Mr. President

Absent: 2 - Nolan, VanderLeest

and so the amendment failed.

Mr. White moved the adoption of the following amendment to the article on Health, Education and Welfare: Section 1, strike the last sentence. Mr. V. Fischer seconded.

After discussion by Mr. Armstrong, Mr. White, Mr. V. Fischer, Mr. Gray, Mr. Sundborg, Mr. Smith, Mr. Coghill, Mr. Barr and Mr. McNees, the question was called. Mr. Johnson requested a roll call.

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

Yeas: 13 - V. Fischer, Hurley, Kilcher, Laws, Lee, McCutcheon, Nolan, Poulsen, Reader, Riley, Sundborg, Walsh, White

Nays: 41 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, Wien, Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

After questioning the Chairman of the Committee on Bill of Rights, Mr. V. Rivers moved the adoption of the following amendment: line 7, Section 1, strike "direct" and insert in lieu thereof the words "support of". Mr. Barr seconded.

~~After~~ Mr. Rosswog spoke on the amendment, Mr. Coghill asked unanimous consent for a recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion by Mr. Robertson and Mr. Taylor, Mr. V. Rivers asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. Barr asked unanimous consent to revert to the introduction of delegate proposals. There being no objection, it was so ordered.

INTRODUCTION AND FIRST READING OF PROPOSALS

Delegate Proposal No. 44 by Mr. Barr, entitled DEPARTMENT OF LABOR, was introduced, read the first time and referred to the Committee on the Executive.

Delegate Proposal No. 45 by Mr. Barr, entitled OFFICE OF THE ATTORNEY GENERAL, was introduced, read the first time and referred to the Committee on the Executive Branch.

Mr. Barr asked that the proposal go to the Committee on the Judiciary Branch also. The President ordered that Proposal No. 45 be referred to the Judiciary Branch after the Committee on the Executive Branch had considered it.

Mr. Hurley rose to a point of personal privilege to discuss the article on Health, Education and Welfare.

Mrs. Hermann moved the adoption of the following amendment to the article on Health, Education and Welfare:

Add a new Section 2 and renumber succeeding sections:

"The state shall provide for a Unified Library Service."

Mr. Buckalew objected. Mr. Taylor seconded.

After discussion by Mrs. Hermann, Mr. Doogan, Mr. Sundborg, Mr. McNealy, Mr. Marston, Mr. Taylor and Mr. Barr, the question was called. The roll was called with the following result:

Yeas: 16 - Armstrong, Boswell, Coghill, Collins, Cooper, Doogan, Hermann, Hinckel, Johnson, Laws, Londborg, McNees, Nerland, Robertson, Sweeney, Walsh

Nays: 37 - Awes, Barr, Buckalew, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, White, Wien, Mr. President

Absent: 2 - Hilscher, VanderLeest

and so the amendment failed.

Mr. Buckalew moved the adoption of the following amendment:

Strike Sections 2 and 3 and renumber Section 4 to read Section 2. Mr. Metcalf seconded. After discussion by Mr. Buckalew, Mr. Armstrong, Mr. Marston, Mr. Taylor and Mr. Sundborg, the question was called. On voice vote the amendment failed.

Without objection the President declared a fifteen-minute recess.

AFTER RECESS

Mr. Kilcher moved the adoption of the following amendment:

Strike all of Section 3 and substitute the following:

"The State may provide for the general welfare." Mr. Robertson seconded. After discussion by Mrs. Nordale, Mr. Kilcher, Mrs. Hermann, Mr. Barr, Mr. Robertson, Mr. Armstrong, Mr. Taylor and Mr. Hellenthal, Mrs. Hermann rose to a point of order to state she believed the speakers out of order because they were not speaking on the motion to amend.

Mr. Kilcher asked unanimous consent to amend his amendment by changing the word "general" to "public". There being no objection, it was so ordered.

After further discussion by Mr. Londborg, Mr. Harris and Mr. Armstrong, the question was called. On voice vote the amendment failed.

Mr. Taylor moved the adoption of the following amendment: line 11, after the word "for", insert "a system of". Mr. Armstrong seconded. After discussion by Mr. Marston, Mr. Gray and Mr. Taylor, the question was called. The roll was called with the following result:

Yeas: 26 - Armstrong, Boswell, Coghill, Cooper, Davis, H. Fischer, Harris, Hellenthal Hermann, Hilscher, Hinckel, Knight, McCutcheon, McNealy, Marston, Metcalf, Nerland, Nordale, Riley, R. Rivers, Robertson, Rosswog, Stewart, Sundborg, Taylor, Walsh

Nays: 27 - Awes, Barr, Buckalew, Collins, Cross, Doogan, Emberg, V. Fischer, Gray, Hurley, Johnson, Kilcher, King, Laws, Lee, Londborg, McLaughlin, McNees, Nolan, Peratrovich, Reader, V. Rivers, Smith, Sweeney, White, Wien, Mr. President

Absent: 2 - Poulsen, VanderLeest

and so the amendment failed.

Mr. Buckalew asked for and was granted the privilege of the floor.

Mr. V. Fischer moved and asked unanimous consent for the adoption of the following amendment: strike Section 4 (Substandard Areas and Public Housing). Mr. Gray objected. Mr. Hurley seconded. After Mr. Fischer explained that it had been at his request that Section 4 had been inserted and he had since ascertained that adequate authority exists in other provisions of the Constitution to carry out the purposes of the sections, Mr. Gray withdrew his objection to the amendment. Mr. Fischer renewed his unanimous consent request. Mr. Taylor objected. After Mr. McNees spoke, the question was called. On voice vote the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment:

Add new Section known as Section 4 as follows: "In all matters of public welfare the legislature may provide by law ~~the~~ cooperation with the United States, or other states." Mr. McNealy seconded. Mr. McLaughlin objected. After discussion by Mr. McLaughlin and Mr. V. Rivers, Mr. Taylor asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. V. Rivers asked unanimous consent to revert to the introduction of proposals. Mr. Kilcher objected since he had an amendment to Section 3 and would like action taken before reverting to other business. Mr. V. Rivers yielded to Mr. Kilcher's objection.

Mr. Kilcher moved and asked unanimous consent for the adoption of the following amendment: lines 11 and 12, strike the words "public welfare". Mr. Sundborg objected. Mr. Londborg seconded. After Mr. Kilcher spoke on the amendment, the question was called. On voice vote the amendment failed.

Mr. Londborg gave notice of intention to reconsider his vote on the Coghill amendment to Section 1 of the Article on Health, Education and Welfare.

Mr. Sundborg requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

At the request of the President, First Vice-President Peratrovich presided.

In accordance with Mr. V. Rivers' request, the Convention reverted to the introduction of delegate proposals.

Delegate Proposal No. 46, introduced by Mr. V. Rivers, entitled ORDINANCE: The legislature shall establish one or more agencies of State government to regulate public utilities in the public interest, was introduced, read the first time and referred to the Committee on Ordinances and Transitional Measures.

Committee Proposal No. 5 was read the second time.

Mr. Hellenthal moved that the matter of possible conflict between the Legislative and Apportionment articles as to Sections 1 and 25 of Proposal No. 5 be referred to the Rules Committee for suggestions. Mr. Marston seconded. On voice vote the motion carried.

After discussion by Mr. Doogan and Mr. McCutcheon, Mr. Riley announced a meeting of the Rules Committee during the recess.

After questions by Mr. Nerland and Mr. White regarding conflict between sections of the Legislative Article and the Finance Article, Mr. Riley asked unanimous consent that the directive just given the Rules Committee extend beyond the Apportionment and Legislative Branch. There being no objection, it was so ordered.

Mr. Doogan moved and asked unanimous consent that the Convention recess until 7 p.m. so that the Rules Committee could meet. Mr. Cooper objected. Mr. Doogan moved. Mr. Barr seconded.

Mr. Rosswog asked to revert to Committee announcements.

Mr. V. Fischer rose to a point of order that the Chairman had not recognized Mr. Doogan and Mr. Cooper had the floor.

The Chairman stated Mr. Fischer's point of order was well taken.

Mr. Cooper stated that since the Apportionment and Legislative Committees had arrived at identical figures the Convention should go on with consideration of Proposal No. 5.

Mr. Doogan moved that the Convention stand at recess until 7 p.m. Mr. Barr seconded.

The Chairman allowed the following Committee announcements to be made:

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

Mr. Sundborg announced a meeting of the Committee on Style and Drafting on recess.

The question being "Shall the Convention recess until 7 p.m.?", the roll was called with the following result:

Yeas: 8 - Barr, Doogan, Harris, Laws, Marston, Nolan, Riley, Sweeney

Nays: 43 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nordale, Peratrovich, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Taylor, Walsh, White, Wien

Absent: 4 - Poulsen, Stewart, VanderLeest, Mr. President

and so the Convention did not recess.

After discussion, the Chairman ordered that Sections 1 and 25 would be referred to the Rules Committee.

After further discussion regarding consideration of Proposal No. 5, Mrs. Sweeney moved and asked unanimous consent that Committee Proposal No. 14 be taken up at this time rather than Committee Proposal No. 5. Mr. Nolan objected. Mr. Harris seconded. The motion requiring a suspension of rules, the roll was called with the following result:

Yeas: 25 - Armstrong, Awas, Coghill, Collins, Emberg, H. Fischer, Harris, Hellenthal, Hinckel, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Reader, Sweeney, Taylor, Wien

Nays: 25 - Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Hermann, Hurley, Johnson, Kilcher, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Walsh, White

Absent: 5 - Hilscher, Poulsen, Stewart, VanderLeest, Mr. President
and so the rules were not suspended.

Mr. Doogan moved that the figures in Section 1 be the same as those finally settled upon in the apportionment article.

Mrs. Hermann stated that Mr. Doogan's motion was out of order. The Chairman stated that Mrs. Hermann was correct.

Mr. Harris moved that the Convention recess until 7 p.m. Mr. V. Rivers seconded. On voice vote the Convention recessed until 7 p.m.

AFTER RECESS

The Convention was called to order at 7:25 p.m. by Vice-President Peratrovich who explained that the stenotypist was delayed and asked the pleasure of the group as to continuing business without the stenotypist. Mr. Harris stated he believed that portion not covered by the stenotypist could be transcribed from the tape recording.

Mr. Hurley moved and asked unanimous consent that the Convention continue with the business before it. There being no objection, it was so ordered.

Mr. Riley reported that the Rules Committee had met and recommended that Section 25 in the Legislative Article be stricken from the Legislative Article and that it be considered later with the Apportionment Article;

that Section 1 be considered now, since the apportionment formula will apply against whatever number of senators and representatives are provided in the legislative article. The Committee on Rules asked that all Committee Chairmen call to the attention of the Rules Committee particular conflicts concerning their articles prior to second reading of the article, so that the Rules Committee can recommend the assignment of the conflicting matter. Mr. Riley asked unanimous consent that the report be adopted. Mr. Marston objected. Mr. Doogan seconded.

After discussion by Mr. Marston and Mr. Londborg, the Chairman declared a short recess so that the stenotypist could get set up.

AFTER RECESS

After discussion by Mr. Londborg, Mr. Riley, Mr. Kilcher, Mr. Cooper, Mr. Londborg, Mr. V. Fischer, Mr. Hellenthal, Mr. Sundborg, Mr. White, Mr. Nordale, and Mr. Lee, the question was called. On voice vote the report of the Rules Committee was adopted.

Mr. Barr moved the adoption of the following amendment to Section 1: line 3, change the figure "20" to "16". Mr. Nolan seconded.

Mr. Hellenthal stated he would give the report of the Apportionment Committee at this time.

Mr. Riley rose to a point of order to state that he believed that report out of order at this time.

The Chairman stated that he believed it had bearing on the motion.

Mr. Coghill requested a two-minute recess.

AFTER RECESS

After further discussion by Mr. Hellenthal, Mr. Barr, Mr. Metcalf and Mr. V. Rivers, Mr. R. Rivers moved and asked unanimous consent that Section 1 be suspended from consideration at this time but that no one be foreclosed from amending when it is considered in connection with apportionment.

The Chairman stated the motion was out of order since Mr. Barr's motion was before the Convention.

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

Mr. V. Fischer rose to a point of order to state there was nothing in the rules which permitted the yielding which had been going on. The Chairman stated Mr. Fischer was correct and Mr. Hellenthal withdrew from the discussion.

Mr. R. Rivers moved that Section 1 be suspended along with Section 25 for consideration later when the Convention had discussed apportionment, and that the rules be suspended so no one would be foreclosed from moving for any particular number at that time.

Mrs. Hermann stated that the Convention had just passed a motion to accept the report of the Rules Committee which would mean taking up Section 1 at this time.

The Chairman stated he believed it was in order to move to postpone consideration of the Section to a time certain.

Mrs. Hermann stated she believed the Convention would have to rescind action on that report.

The President stated that there was nothing before the Convention since Mr. R. Rivers' motion had not been seconded. Mr. Barr seconded Mr. R. Rivers' motion.

After discussion by Mr. McCutcheon, Mr. Johnson, Mr. Taylor, Mr. Nerland, Mr. V. Fischer and Mr. Cooper, Mr. Buckalew moved the previous question. Mr. Doogan seconded.

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

AFTER RECESS

Mr. R. Rivers asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. McLaughlin moved the adoption of the following amendment: Section 1, page 1, line 3, strike the words "of not more than 20 members" and on line 40, strike "of not more than 40 members". Mr. White seconded. Mr. Buckalew objected. After discussion by Mr. McLaughlin, Mr. Buckalew, Mr. Davis and Mr. White, Mr. Coghill moved the previous question. Mr. R. Rivers seconded. On voice vote the previous question was not ordered.

After Mr. McLaughlin spoke, the question was called. The roll was called with the following result:

Yeas: 38 - Armstrong, Awes, Barr, Boswell, Coghill, Cross, Davis, Emberg, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Knight, Laws, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, White, Wien

Nays: 11 - Buckalew, Cooper, Doogan, V. Fischer, Lee, McCutcheon, McNeese, Peratrovich, V. Rivers, Sundborg, Taylor

Absent: 6 - Collins, H. Fischer, King, Robertson, VanderLeest, Mr. President

and so the amendment was adopted.

After questions from Mr. V. Fischer, Mr. Coghill and Mr. Taylor of the Chairman of the Committee on Legislative Branch, Mr. Riley requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg moved the adoption of the following amendment:

Section 5, line 15, after the word "office", insert the words "or the Congress of the United States". Mr. Taylor asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Mr. Harris moved the adoption of the following amendment: Section 5, line 13, delete "or other elective or appointive officer of this State". Mr. Barr seconded. After discussion by Mr. Harris, Mr. R. Rivers and Mr. Barr, the question was called. On voice vote the amendment failed.

Mr. Johnson moved the adoption of the following amendment: Section 5, page 2, line 14, after word "state" add the words "except members of Boards". Mr. Harris seconded. On voice vote the amendment was adopted.

After discussion of Section 6 by Mr. Coghill, Mr. McCutcheon, Mr. V. Rivers, Mrs. Nordale, Mrs. Sweeney, Mrs. Hermann and Mr. Taylor, Mr. Buckalew requested a three-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McCutcheon asked unanimous consent for the adoption of the following amendment: Section 6, line 25, page 2, after the word "arrest" insert "and immune from service of civil process". Mr. R. Rivers objected. Mr. McCutcheon so moved. Mr. Buckalew seconded. After discussion by Mr. R. Rivers, Mr. Buckalew and Mr. Hellenthal, Mr. McCutcheon asked unanimous consent to hold further action on the amendment until the language could be clarified. There being no objection, it was so ordered.

Mr. Boswell moved the adoption of the following amendment to Section 7: strike first two lines of Section 7 and the word "Governor" in the third line and insert in lieu thereof: "Each member of the legislature shall receive for their services and per diem a sum not to exceed one three-hundred-sixtieth of the annual salary of the Governor

for each day's attendance while the legislature is in session,"; strike the comma after salary in line 8, insert a period, and strike the remainder of lines 8, 9 and 10. Mr. Coghill seconded.

After discussion by Mr. Armstrong, Mr. Boswell, Mr. V. Fischer, Mr. McNees, Mr. Rosswog, Mr. Barr and Mr. Hellenthal, Mr. McCutcheon asked unanimous consent for a short recess. There being no objection it was so ordered.

AFTER RECESS

After Mr. Armstrong and Mr. V. Fischer asked questions of Mr. Taylor regarding Section 7, Mr. R. Rivers spoke.

Mr. Marston moved and asked unanimous consent that the Convention adjourn for the evening. Mr. Johnson seconded.

Mr. Doogan served notice of reconsideration of his vote on the amendment to Section 1 of the Article on Health, Education and Welfare offered by Mr. White and Mr. V. Fischer.

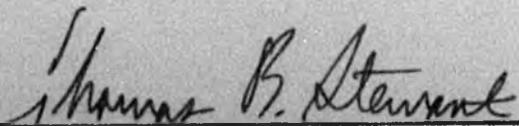
Mr. Riley reported that the Rules Committee had reconsidered the pending calendar and had decided to change it so that Apportionment would follow the legislative article rather than Articles 10 and 12 on the Executive, and as a result of this decision the Article on Apportionment would probably be on the calendar for Thursday, January 12.

Mr. White rose to a point of order that Mr. Marston's motion for adjournment did not state a specific hour.

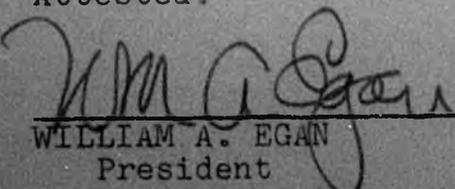
Mr. Marston stated his amendment should have included "until 9 a.m. Tuesday".

Mr. McCutcheon announced a meeting of the Legislative Committee at 8:30 a.m.

There being no objection, the Convention adjourned at 9:35 p.m. until 9 a.m. Tuesday.



THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/39
Approved Jan. 12, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-NINTH CONVENTION DAY, Tuesday, January 10, 1956

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

The Invocation was given by the Rev. Robert Sheppard of the Church of the Nazarene.

Roll call showed all present except Mr. VanderLeest who is ill. The President declared a quorum to be present.

Mr. White asked unanimous consent that the Journal for the 44th day be approved subject to the following corrections:

Page 5 - fifth paragraph from the bottom of the page, change the word "refer" to "revert".

Page 9 - third paragraph from the top, insert a period after the word "Amendment" and strike the words "of Proposal No. 3."

Page 14- bottom paragraph, strike the second "s" on "River's".

Page 16- third paragraph from the bottom, excluding the roll call, strike the comma after Section 3 and insert a colon.

Page 18- third paragraph, beginning with the words "Mr. Taylor" correct spelling of the word "siezed".

Page 19- second paragraph, third line, insert "R." before the name "Rivers".

There being no objection, the Journal for the 44th day was ordered approved as corrected.

Mr. Coghill announced that the children of the Nenana Public School will attend the Convention on Friday morning, January 13th. There will be twenty children.

Mr. Hellenthal announced that there will be a meeting of Committee No. 6 immediately following the calling of the noon recess.

Mr. Cross announced that the Committee on Resolutions and Recommendations had studied Delegate Marston's Resolution and recommended that it be adopted.

49th Day, Tuesday, Jan. 10, 1956

The report of the Committee was read and without objection the report was adopted.

The President referred the Resolution to the Rules Committee for assignment to the calendar.

Mr. Johnson asked to be excused for the balance of the morning session. The President excused Delegate Johnson.

The Boswell Amendment to Section 7 of Proposal No. 5 having been held over was brought up at this time.

After discussion by Mr. Gray, Mr. McNees, Mr. V. Fischer and Mr. V. Rivers, Mrs. Sweeney asked unanimous consent for special privilege of the floor. There being no objection it was so ordered.

After discussion by Mr. Lendborg, Mr. V. Rivers, Mr. McNees, Mr. Buckalew and Mr. Marston, Mr. Boswell asked unanimous consent for a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion by Mr. Boswell, Mr. White, Mr. V. Rivers, Mr. Walsh, Mr. V. Fischer and Mr. McCutcheon on Mr. Boswell's Amendment the Chief Clerk was asked to read the amendment. Mr. V. Rivers asked unanimous consent for the adoption of the following amendment to the amendment: strike the words "and per diem" and the last three lines which are nos. 8, 9 and 10. Seconded by Mr. Barr.

After Mr. Boswell spoke, Mr. Sundborg moved that Mr. Boswell's Amendment be laid on the table. Seconded by Mr. V. Rivers.

The President stated that the motion was not in order; that the motion should be to lay the amendment on the table which would take the original amendment with it. There being no objection, the President declared a short recess.

AFTER RECESS

Mr. Sundborg asked unanimous consent to withdraw his motion to lay Mr. Boswell's motion on the table. There being no objection, it was so ordered.

Mr. V. Rivers asked unanimous consent to withdraw his proposed amendment to the Boswell Amendment. There being no objection, it was so ordered. There being no further discussion, Mr. Walsh asked for a roll call on the Boswell Amendment. The question being "Shall the

Boswell Amendment be adopted?" The roll was called with the following result:

Yeas: 19 - Armstrong, Barr, Boswell, Coghill, Kilcher, King, Laws, Londborg, Nerland, Poulsen, Reader, R. Rivers, Robertson, Stewart, Sweeney, Taylor, Walsh, White

Nays: 33 - Awes, Buckalew, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Riley, V. Rivers, Rosswog, Smith, Sundborg, Wien, Mr. President

Absent: 3 - Doogan, Johnson, VanderLeest

and so the amendment failed.

Mr. Gray and Mr. Taylor presented proposed amendments to Section 7, Proposal 5. Mr. Hellenthal rose to a point of order and stated he understood that the Legislative Committee had an amendment.

Mr. Gray moved for adoption of the following amendment: Section 7, line 4, delete the words "one third" and insert the words "one-tenth". Mr. Taylor seconded and asked unanimous consent for its adoption.

Mr. Buckalew objected.

After discussion by Mr. Gray, Mr. Buckalew, Mr. Kilcher, Mr. V. Rivers and Mr. McNees, Mr. Sundborg asked unanimous consent for a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The President stated that Mr. Sundborg had not withdrawn his motion to table the Boswell amendment because he had been in error in making the motion. He was in order in making the motion since the motion before the body was Mr. Boswell's motion. Mr. V. Rivers' motion was a subsidiary motion and so would have been carried with Mr. Boswell's motion. Mr. Sundborg had withdrawn his motion for the purpose of avoiding any possible confusion to further amendments relating to salary.

After Mr. Londborg spoke, Mr. Davis asked that the following changes be made: Section 7, line 4, page 3, after the word "equal" put in the words "of not to exceed".

Mr. McNealy spoke.

The President asked Mr. Davis if he were offering this change as an amendment. Mr. Davis replied in the affirmative and moved for adoption of his amendment. The President declared a recess.

AFTER RECESS

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

Mr. Gray moved for adoption of the following amendment: after the word "salary", delete "equal to one-third" and insert "not to exceed 10%". Mr. Taylor seconded.

After discussion by Mr. White, Mr. R. Rivers and Mr. Coghill, Mr. V. Rivers moved to insert "20%" instead of "10%".

After discussion by Mr. Buckalew, Mr. Marston, Mr. Hurley, Mrs. Nordale, Mr. Barr, Mr. McCutcheon, Mr. McNees, Mr. Nolan, Mr. Sundborg, Mr. Hilcher and Mrs. Hermann, Mr. Hellenthal rose to a point of order that Mr. McNees had spoken more than twice. Mr. V. Rivers pointed out that Mr. McNees had not spoken on the amendment to the amendment. Mr. McNees then spoke on the V. Rivers amendment to the amendment.

The President then put the question "Shall the proposed amendment to the Boswell Amendment as offered by Mr. V. Rivers be adopted?" The roll was called with the following result:

Yeas: 21 - Awes, Barr, Buckalew, Cooper, Cross, Doogan, Emberg, Hinckel, Hurley, Kilcher, Lee, McCutcheon, McNees, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Smith, Stewart, Taylor

Nays: 32 - Armstrong, Boswell, Coghill, Collins, Davis, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, King, Knight, Laws, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Poulsen, Reader, Riley, Robertson, Rosswog, Sundborg, Sweeney, Walsh, White, Wien, Mr. President

Absent: 2 - Johnson, VanderLeest

and so the amendment to the amendment failed.

Mr. R. Rivers moved to amend Mr. Gray's amendment by changing "10%" to "15%". Seconded by Mr. Fischer.

Mrs. Hermann asked unanimous consent to recess until 1:30 p.m. Mr. Buckalew objected. On voice vote the motion for recess failed.

After discussion by Mr. Taylor, Mr. Londborg, Mr. V. Rivers and Mr. Sundborg, Mr. Harris moved the previous question. Mr. Buckalew seconded. The question being "Shall the previous question be ordered?", the roll was called with the following result:

Yeas: 38 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Sundborg, Sweeney, Taylor, White, Wien

Nays: 15 - Davis, Kilcher, Laws, Londborg, Marston, Metcalf, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Walsh, Mr. President

Absent: 2 - Johnson, VanderLeest

and so the previous question was ordered.

The question is: "Shall the proposed amendment to the amendment be adopted?" Mr. Metcalf asked for a roll call. The roll was called with the following result:

Yeas: 22 - Armstrong, Awes, Barr, Buckalew, Cooper, Cross, Doogan, Emberg, H. Fischer, Hinckel, Hurley, Kilcher, Lee, McCutcheon, McNees, Nordale, Peratrovich, Riley, R. Rivers, Smith, Stewart, Taylor

Nays: 31 - Boswell, Coghill, Collins, Davis, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, King, Knight, Laws, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Sundborg, Sweeney, Walsh, White, Wien, Mr. President

Absent: 2 - Johnson, VanderLeest

and so the amendment to the amendment failed.

Mr. Doogan moved to recess. Mr. Sundborg objected. Mr. Sundborg moved the previous question. Mr. Taylor seconded. On voice vote, the previous question was ordered. The question being "Shall Mr. Gray's amendment be adopted?", the roll was called with the following result:

Yeas: 48 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Nays: 5 - Buckalew, Coghill, Cooper, Laws, Nolan

Absent: 2 - Johnson, VanderLeest

and so the amendment was adopted.

Mr. Sundborg asked unanimous consent to recess until 1:35 p.m. The President asked for Committee Announcements before recess. Mr. Hellenthal announced a meeting of the Committee on Suffrage, Elections and Apportionment on recess. Mr. V. Rivers announced a meeting of the Executive Branch Committee at 12:50.

There being no objection to Mr. Sundborg's motion to recess, it was so ordered.

AFTER RECESS

Mr. White moved the adoption of the following amendment to Section 7 and asked unanimous consent: insert at the end of the paragraph the following: "No increase or decrease in salary or per diem shall apply to the legislature which enacted it." Mr. Buckalew objected. Mr. White so moved. Mr. Metcalf seconded. After discussion by Mr. McLaughlin, Mr. White and Mr. Sundborg, Mr. White asked unanimous consent to strike "or per diem" from his amendment. Mr. V. Rivers objected. Mr. White so moved. Mrs. Sweeney seconded.

After discussion by Mrs. Sweeney, Mr. Sundborg, Mr. Johnson, Mr. Gray, Mr. V. Rivers, Mr. Barr and Mr. V. Fischer, Mr. V. Rivers withdrew his objection. Mr. Riley objected.

Mr. McNees spoke on the amendment. Mr. V. Fischer rose to a point of order to state that Mr. McNees was out of order because he was not speaking on the amendment to the amendment.

The question being "Shall the amendment to the amendment be adopted?", on voice vote, the amendment was adopted.

Mr. McNees asked whether Mr. White would consent to deleting the words "or decrease". Mr. White objected.

The question was called on Mr. White's amendment. On voice vote the amendment as amended failed.

Mr. Buckalew moved the adoption of the following amendment to Section 7: line 4, strike all material following the first word "salary" up to and including the word "governor" on line 5. Miss Awes seconded.

After discussion by Mr. Buckalew and Mr. Metcalf the question was called. The roll was called with the following result:

- Yeas: 28 - Awes, Buckalew, Cooper, Cross, Doogan, Emberg, Harris, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nolan, Nordale, Peratrovich, Riley, V. Rivers, Stewart, Sweeney, Wien, Mr. President
- Nays: 23 - Armstrong, Barr, Boswell, Collins, Davis, H. Fischer, V. Fischer, Gray, Hellenthal, Johnson, Laws, Metcalf, Nerland, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Sundborg, Taylor, Walsh, White
- Absent: 4 - Coghill, Hilscher, Londborg, VanderLeest

and so the amendment was adopted.

Mr. V. Fischer asked unanimous consent for the adoption of the following amendment to Section 7: page 3, strike first sentence and substitute the following: "Members of the legislature shall receive an annual salary and expense allowances as prescribed by law, but the amount thereof shall neither be increased or diminished during the term for which they are elected."

In line 8, replace comma by period and strike remainder of sentence. Mr. Buckalew objected. Mr. Fischer so moved. Mrs. Hermann seconded.

After discussion by Mr. Fischer and Mr. R. Rivers, Mr. Hurley requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

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

Mr. Fischer moved the adoption of the following amendment to Section 7: page 3, strike the first sentence and substitute the following: "Members of the legislature shall receive an annual salary and expense allowances as prescribed by law, but any increase or decrease in salary shall not apply to the legislature which enacted the change." In line 8, replace comma by period and strike remainder of the sentence. Mrs. Hermann seconded. After discussion by Mr. Kilcher, Mr. Fischer, Mr. Riley, Mr. McLaughlin, Mr. Hellenthal, Mrs. Hermann, Mr. Sundborg and Mr. McNealy, the question was called.

The question being "Shall Mr. Fischer's amendment to Section 7 be adopted?", the roll was called with the following result:

- Yeas: 25 - Armstrong, Boswell, Cross, Davis, V. Fischer, Harris, Hellenthal, Hermann, Hurley, Johnson, Knight, Lee, Marston, Nerland, Poulsen, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Walsh, White, Wien, Mr. President

Nays: 26 - Awes, Barr, Buckalew, Collins, Cooper, Emberg, H. Fischer, Gray, Hilscher, Hinckel, Kilcher, King, Laws, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Sundborg, Sweeney, Taylor

Absent: 4 - Coghill, Doogan, Londborg, VanderLeest

and so the amendment failed.

Mrs. Nordale served notice to reconsider her vote on Mr. Buckalew's amendment to Section 7.

Mr. Sundborg asked Mrs. Nordale if she would object to taking up her reconsideration immediately. Mrs. Nordale stated she would not object.

The President declared a short recess.

AFTER RECESS

Mr. Sundborg moved and asked unanimous consent that Mrs. Nordale's reconsideration be taken up at this time. Mr. Metcalf seconded. Mr. Johnson objected.

The question being "Shall the rules be suspended and Mrs. Nordale's reconsideration of her vote be taken up at this time?", the roll was called with the following result:

Yeas: 46 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien

Nays: 5 - Johnson, Kilcher, Laws, Nolan, Mr. President

Absent: 4 - Coghill, Doogan, Londborg, VanderLeest

and so the Rules were suspended.

After discussion by Mr. Hellenthal, Mr. McNees, Miss Awes, Mr. Gray, Mrs. Nordale, Mr. Peratrovich, Mr. Lee, Mr. Hilscher, Mr. Davis, Mr. R. Rivers, Mr. Kilcher, Mr. Nerland, Mrs. Hermann, Mr. Marston, Mr. V. Rivers, Mr. Barr, Mr. V. Fischer, Mr. Taylor, Mr. Riley, Mr. Sundborg, Miss Awes, Mr. Buckalew, Mr. Peratrovich and Mr. McNees, the question was called.

The question being "Shall Mr. Buckalew's amendment to Section 7 of Committee Proposal No. 5 be adopted?", the roll was called with the following result:

Yeas: 27 - Armstrong, Awes, Buckalew, Cooper, Cross, Doogan, Emberg, V. Fischer, Harris, Hermann, Hurley, Johnson, Kilcher, King, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nolan, Peratrovich, Riley, V. Rivers, Smith, Stewart, Mr. President

Nays: 25 - Barr, Boswell, Collins, Davis, H. Fischer, Gray, Hellenthal, Hilscher, Hinckel, Knight, Laws, Metcalf, Nerland, Nordale, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Sundborg, Sweeney, Taylor, Walsh, White, Wien

Absent: 3 - Coghill, Londborg, VanderLeest

and so the amendment was adopted.

Mr. Robertson moved the adoption of the following amendment to Section 8: line, 12, insert the word "uneven" before the word "year". Mr. Doogan objected. Mr. Metcalf seconded. After discussion by Mr. Robertson, Mr. Doogan, Mr. Taylor, Mr. Robertson, Mr. Smith, Mr. McNees, and Mr. Metcalf, the question was called. On voice vote the amendment failed.

The President declared a short recess.

AFTER RECESS

The President announced that there was a communication from Professor Edwin H. Richardson, Coordinator of Student Activities at the University of Alaska, advising the Convention that General William Dean would be visiting the University and would speak to the students January 12, and inviting the delegates to hear General Dean speak. The President stated he believed if the delegates did not wish to recess to hear General Dean that they could invite him to attend the Convention.

Mr. Johnson moved and asked unanimous consent that the President request Major General Dean to present a few remarks to the Convention on Thursday afternoon. There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following amendment to Section 8: page 3, Section 8, line 14, add the following at the end of this section: "If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature to such time as he shall think proper but not beyond the day set for the opening of the next regular session."

Mrs. Nordale seconded. Mr. Hurley asked unanimous consent. Mr. Gray objected. After Mr. McCutcheon, Mr. V. Rivers and Mr. Johnson spoke, Mr. Gray withdrew his objection. Mr. Riley, Mr. Hurley, Mr. Kilcher, Mr. Barr, Mr. V. Rivers and Mr. Buckalew spoke on the amendment. The President declared a two-minute recess.

AFTER RECESS

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

Mr. V. Rivers moved the adoption of the following amendment: page 3, Section 8, line 14, add the following at the end of this section: "If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature, subject to the provisions of Section 9 hereof." Mr. Buckalew seconded.

After discussion by Mr. Smith, Mr. McCutcheon, Mr. Hurley, Mr. V. Rivers, Mr. Kilcher, Mr. McCutcheon, Mr. Riley and Mr. Hellenthal, Mr. Kilcher moved that the proposed amendment be held over until a certain time after Section 11 had been discussed. Mr. Knight seconded. Mr. Kilcher requested unanimous consent. There being no objection, it was so ordered.

Mr. Sundborg moved the adoption of the following amendment to Section 8: line 12, after the word "year" insert "for a session of not to exceed 60 days". Mrs. Hermann seconded. After discussion by Mr. Sundborg, Mr. Kilcher, Mr. Buckalew, Mr. McCutcheon, Mr. Johnson, Mr. Smith and Mr. Armstrong, the question was called. The question being "Shall Mr. Sundborg's amendment to Section 8 be adopted?", the roll was called with the following result:

Yeas: 20 - Barr, Boswell, Cross, Harris, Johnson, Laws, Marston, Metcalf, Nerland, Nolan, Poulsen, Reader, Riley, Robertson, Rosswog, Sundborg, Sweeney, Walsh, Wien, Mr. President

Nays: 32 - Armstrong, Awes, Buckalew, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Nordale, Peratrovich, R. Rivers, V. Rivers, Smith, Stewart, Taylor, White

Absent: 3 - Coghill, Londborg, VanderLeest

and so the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment to Section 8: page 3, line 13, change words "three days" to "one day". Mr. Knight seconded. After discussion by Mr. R. Rivers, Mr. McNees, Mrs. Sweeney and Mr. Barr, the question was called. On voice vote the amendment failed.

Mr. Robertson, Mr. Barr, Mr. Sundborg, Mr. Buckalew and Mr. V. Rivers asked questions of the Chairman of the Committee on the Legislative Branch regarding Section 8.

Mr. V. Rivers asked unanimous consent to amend Section 8 as follows: line 11, delete the word "fourth" and insert the word "second". Mr. Nolan objected. Mr. V. Rivers so moved. Mr. Knight seconded. Mr. V. Fischer suggested that the words "unless otherwise changed by law" be inserted in the sentence.

After discussion by Mr. Gray, Mr. Buckalew, Mr. Nolan and Mrs. Hermann who favored Mr. V. Fischer's suggestion, Mr. V. Rivers requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

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

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment: page 1, line 18, after the word "January"; on page 3, line 12, after the words "each year" insert the words "unless otherwise provided by law". There being no objection, it was so ordered.

Mr. McCutcheon asked unanimous consent to withdraw his amendment to Section 6 and submit a new amendment. There being no objection, it was so ordered.

Mr. McCutcheon moved and asked unanimous consent for the adoption of the following amendment to Section 6: page 2, line 25, following the word "arrest" insert "and not subject to civil process". There being no objection, it was so ordered.

Mr. R. Rivers moved the adoption of the following amendment to Section 9: page 3, line 20, after word "Governor" delete rest of sentence and substitute the following: "he shall in his proclamation state the purpose of the call, but the legislature may also act on other matters and shall be the judge as to the time of its adjournment within the time limit herein prescribed." Mr. Taylor seconded.

After discussion by Mr. R. Rivers, Mrs. Sweeney, Mr. McCutcheon and Mrs. Nordale, Mr. Hellenthal asked that the question be put. After

presented the previous day

discussion by Mr. Davis and Mr. R. Rivers, Mr. R. Rivers asked for a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

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

Mr. R. Rivers and Mr. Hellenthal asked questions of the Chairman of the Legislative Committee regarding Section 9. Mr. Buckalew, Mr. McCutcheon and Mrs. Sweeney spoke on Section 9. Mr. Hellenthal suggested that the word "conducted" be used in place of "directed".

Mr. R. Rivers moved and asked unanimous consent for the adoption of the following amendment to Section 9: add to end of Section: "The Legislature shall determine the time of its adjournment within the thirty-day period." Mr. Johnson objected. Mr. Taylor seconded.

After Mr. R. Rivers, Mr. Sweeney, Mr. Kilcher and Mr. McNealy spoke on the amendment, the question was called. The roll was called with the following result:

Yeas: 23 - Armstrong, Buckalew, Cross, Emberg, Hellenthal, Hermann, Hurley, Kilcher, King, Knight, McNealy, Nerland, Nordale, Peratrovich, Riley, R. Rivers, Smith, Sundborg, Taylor, Walsh, White, Wien, Mr. President

Nays: 25 - Awes, Barr, Boswell, Collins, Cooper, Davis, H. Fischer, V. Fischer, Gray, Harris, Hilscher, Hinckel, Johnson, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Poulsen, V. Rivers, Robertson, Rosswog, Sweeney

Absent: 7 - Coghill, Doogan, Laws, Londborg, Reader, Stewart, VanderLeest

and so the amendment failed.

Mr. Rosswog announced a meeting of the Committee on Local Government at 6:10 p.m. in the Committee Room.

Mr. Barr asked unanimous consent that the Convention recess until 7:05 p.m. There being no objection, it was so ordered.

AFTER RECESS

Mr. McCutcheon stated that in connection with Section 9 the record should show that the Committee in bringing out this section of the Article did not intend that the Governor should in any way limit the time of a special session of the legislature.

Mr. McCutcheon moved the adoption of the following amendment to Section 9: page 3, line 18, strike the comma after "council" and insert "or as otherwise prescribed by law". Mr. Buckalew seconded. On voice vote, the amendment was adopted.

Mr. Harris gave notice of reconsideration of his vote on Mr. R. Rivers' amendment to Section 9.

Mr. Buckalew asked unanimous consent that the rules be suspended and the matter of Mr. Harris' reconsideration be taken up immediately. Mr. Johnson objected. Mr. Buckalew moved the suspension of the rules. Mrs. Fischer seconded. Mr. Fischer asked Mr. Harris if he objected to the reconsideration at this time. Mr. Harris answered that he had no objection.

The question being "Shall the Rules be suspended and Mr. Harris' reconsideration be considered at this time?", the roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, Mr. President

Nays: 8 - Cooper, Davis, Hurley, Johnson, Laws, Londborg, McCutcheon, Nordale

Absent: 7 - Barr, Collins, Nolan, R. Rivers, Robertson, Taylor, VanderLeest

and so the rules were suspended.

After discussion by Mr. Davis, Mr. White, Mr. Harris, Mr. Buckalew, Mr. Davis and Mr. Lee, the question was called. On voice vote the amendment failed.

Mr. Hellenthal moved and asked unanimous consent for the adoption of the following amendment to Section 9: page 3, line 17, strike the word "directed" and insert the word "conducted". There being no objection, it was so ordered.

Mr. Stewart moved the adoption of the following amendment to Section 10: line 25, strike the word "shall" and insert in lieu thereof the word "may". Mr. Buckalew objected. Mr. Knight seconded.

After discussion by Mr. McCutcheon, Mr. Hinckel, Mr. Gray, Mr. Kilcher, Mr. Cooper and Mr. Hellenthal, the question was called. On voice vote the amendment failed.

Mrs. Sweeney moved and asked unanimous consent for the adoption of the following amendment to Section 11: line 11, delete second "of" and insert "to which" and after "house" insert "is entitled". There being no objection, it was so ordered.

Mr. McLaughlin moved the adoption of the following amendment: on page 4, strike Section 12 and substitute:

"Suits against the State, for all liabilities hereafter originating or now existing, shall be provided for by law."

Mrs. Hermann seconded. Mr. Buckalew objected on the ground that the amendment should be considered in transitional measures. After discussion by Mr. McLaughlin, Mr. V. Rivers and Mr. Sundborg, Mr. Cooper requested a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McCutcheon asked unanimous consent for the adoption of Mr. McLaughlin's amendment. Mr. Sundborg objected. Mr. McLaughlin requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg stated he would withdraw his objection if Mr. McLaughlin would explain the intent of the amendment.

Mr. McLaughlin did so and Mr. Sundborg withdrew his objection. Mr. Davis and Mr. Buckalew objected. Mr. White questioned Mr. McLaughlin.

Mr. Hellenthal asked unanimous consent that the matter be taken up tomorrow so that the members of the Judiciary Committee could meet and go into the matter. There being no objection, it was so ordered.

Mr. Buckalew moved the adoption of the following amendment to Section 13: line 21, strike words "the Senate" and insert "either house"; line 22, strike "of all the senators" and add period after "vote"; line 24, strike "before the house of representatives" and insert "in joint session assembled"; line 26 strike last word on line, "of", and in line 1, page 5, strike "The house of representatives" and insert "in joint session assembled". Mr. Sundborg seconded. After discussion by Mr. Johnson, Mr. Buckalew, Mrs. Nordale, Mrs. Sweeney, and Mr. Barr, Mrs. Sweeney asked for a three-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Buckalew asked unanimous consent to withdraw his amendment on the understanding that Mr. McCutcheon would submit an amendment. Mr. Hinckel objected to that arrangement. Mrs. Sweeney objected. Mr. Armstrong stated he believed much time could be saved if the Committee Chairman would explain each section before the amendments are offered.

Mrs. Sweeney withdrew her objection, but wanted it understood that if Mr. McCutcheon explained his amendment she wished to propose hers and explain it before action was taken. Mr. McCutcheon stated he did not intend to submit an amendment.

After discussion by Mr. McCutcheon, Mrs. Sweeney, Mr. Buckalew and Mr. Barr, the question was called. Mr. Barr requested a roll call.

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

Yeas: 6 - Buckalew, V. Fischer, Hurley, Kilcher, Sundborg, White

Nays: 44 - Armstrong, Awes, Barr, Boswell, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, Wien, Mr. President

Absent: 5 - Collins, R. Rivers, Robertson, Taylor, VanderLeest

and so the amendment failed.

Mrs. Sweeney moved and asked unanimous consent for the adoption of the following amendment to Section 13: page 4, line 21, delete "Senate" and insert "House of Representatives"; line 22, delete "Senators" and insert "Representatives"; line 24, delete "House of Representatives" and insert "Senate"; page 5, line 1, delete "House of Representatives" and insert "Senate". Mr. McNealy objected. Mrs. Sweeney so moved. Mr. Harris seconded.

After discussion by Mr. Barr, Mr. McNees, Mr. V. Rivers, Mr. Emberg, Mr. McCutcheon, Mr. McLaughlin, Mr. Kilcher and Mr. McNealy, the question was called. Mrs. Sweeney requested a roll call. The question being "Shall Mrs. Sweeney's amendment to Section 13 be adopted?", the roll was called with the following result:

Yeas: 18 - Armstrong, Boswell, Cross, Gray, Harris, Johnson, King, Laws, Londborg, Metcalf, Nolan, Poulsen, Reader, V. Rivers, Stewart, Sundborg, Sweeney, Walsh

Nays: 32 - Awes, Barr, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratovich, Riley, Rosswog, Smith, White, Wien, Mr. President

Absent: 5 - Collins, R. Rivers, Robertson, Taylor, VanderLeest

and so the amendment failed.

Mr. Buckalew proposed the following amendment to Section 13: page 4, line 21, beginning with the words "the Senate", delete the balance of the line and line 22 up to the period. Insert in lieu thereof the following: "either house and shall be by two-thirds of the votes of all the members of such house." Page 4, line 24, strike "of representatives" and insert before the word "house" the word "other". Page 5, line 1, strike the words "of representatives" and insert in lieu thereof "hearing the matter".

Mr. Johnson rose to a point of order to state that the amendment was substantially the same as an amendment voted down earlier.

Mr. Buckalew pointed out that it was not the same amendment. Mr. Buckalew moved the adoption of the amendment. Mrs. H. Fischer objected. Mr. Sundborg seconded.

After Mr. Sundborg, Mr. Barr, Mr. Hinckel and Mr. Buckalew spoke, the question was called. On voice vote the amendment failed. Mr. V. Fischer rose to speak on personal privilege.

After Mr. Marston and Mr. Doogan spoke, the President declared a short recess.

AFTER RECESS

The President announced that henceforth the Chairman would be asked to give the Committee explanation of any section to which amendments will be offered.

Mr. McLaughlin proposed to strike Section 14. Mr. McCutcheon explained the Committee's position on the section. After questions from Mr. Hellenthal to the Committee Chairman, Mr. McLaughlin moved to strike Section 14. Mr. Sundborg seconded.

After discussion by Mr. McNees, Mr. Sundborg, Mr. Harris, Mr. V. Fischer, Mr. V. Rivers, Mr. Davis, Mr. McLaughlin, Mr. Hinckel, Mr.

Metcalf, Mr. Lee and Mr. Barr, the question was called. On voice vote the amendment to strike Section 14 was adopted.

Mr. Johnson stated he had an amendment to Section 15. Mr. McCutcheon explained the Committee's position on the section.

Mr. Johnson moved the adoption of the following amendment to Section 15: page 5, line 19, strike the word "the", then insert: "Each house of the", strike the word "as" at the end of line 19; line 20, strike the words "one body", insert in lieu thereof the word "separately"; line 23, strike the words "the state" and insert in lieu thereof the words "each house"; page 6, line 3, strike the words "the state" and insert in lieu thereof the words "each house". Mr. Londborg seconded.

After discussion by Mr. Armstrong, Mr. Johnson, Mr. Barr, Mr. Londborg, Mrs. Sweeney, Mr. Rosswog, Mr. McNealy, Mr. Riley, Mr. Hellenthal and Mr. McCutcheon, the question was called. Mr. Johnson requested a roll call.

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

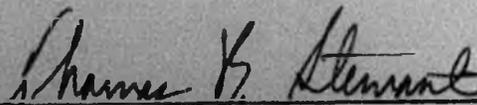
Yeas: 25 - Armstrong, Barr, Boswell, Coghill, Cross, Gray, Harris, Hellenthal, Johnson, Kilcher, King, Laws, Londborg, McLaughlin, Nerland, Nolan, Poulsen, Reader, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, Mr. President

Nays: 25 - Awes, Buckalew, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Hermann, Hilscher, Hinckel, Hurley, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, Sundborg, White, Wien

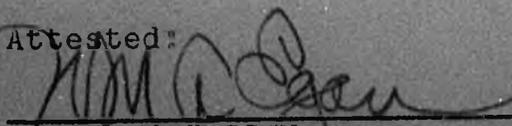
Absent: 5 - Collins, R. Rivers, Robertson, Taylor, VanderLeest

and so the amendment failed.

Mr. Sundborg moved and asked unanimous consent that the Convention adjourn until 9 a.m. Wednesday. There being no objection, the Convention adjourned at 9:30 p.m. until 9 a.m. Wednesday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Jan. 18, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTIETH CONVENTION DAY, Wednesday, January 11, 1956

The Convention was called to order by President Egan at 9:00 a.m.

The Invocation was given by Reverend James Gamble of the Pentacostal Holiness Church.

Roll call showed all present except Mr. VanderLeest, who was absent because of illness.

The President declared a quorum present.

Mrs. Sweeney suggested that the delegates wait and arise after the full introduction of the minister giving the Invocation. The President asked the delegates to keep the suggestion in mind.

Mr. Doogan asked unanimous consent for the approval of the Journal of the 45th day, with the following correction: page 4, after the words "After Recess", insert the following paragraph: "Mr. Hellenthal asked unanimous consent to withdraw his amendment. There being no objection it was so ordered."

The President referred Committee Proposal No. 7 to the Committee on Engrossment and Enrollment since the reconsideration votes had not been called the previous Convention day.

Mrs. Hermann submitted the report of the Nome hearings which would be placed on file.

President Egan called for amendments to Committee Proposal No. 5, Section 15.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to Section 15, page 5: strike all of line 21 and the first two words on line 22 and insert in lieu thereof the words "although vetoed". Strike all of lines 24 and 25 on page 5; lines 1, 2 and 3 on page 6 and the word "entitled" on line 4 of page 6. Seconded by Mr. Kilcher.

After discussion by Mr. Sundborg, Mr. White, Mr. McCutcheon and Mr. V. Rivers, the President called for the question. The question being "Shall the proposed amendment as offered by Mr. Sundborg be adopted?", on voice vote the amendment failed.

50th Day, Wednesday, Jan. 11, 1956

Mr. Barr presented the following amendment:

Section 15, line 17, after the word "Legislature" and the period, strike the rest of line 17 and all of lines 18, 19 and line 20 except the last word "Bills" and substitute the following: "within five days after vetoing a bill, the governor shall return it to its house of origin for further action, and if passed by a two-thirds majority, it shall be transmitted to the other house for its consideration, and if like action is taken it shall become law." Line 23, strike the words "the state" and substitute the words "each house". Page 6, line 3, strike the words "the state" and substitute the words "each house".

Mr. McNees rose to a point of order to state he thought this amendment similar to one voted on at the previous meeting.

Mr. McCutcheon stated it was similar but with enough of a change possibly to make a new amendment. The President stated he was not entirely clear on the similarity, and called a short recess to refer the matter to the Rules Committee.

AFTER RECESS

Mr. Davis reported that the Rules Committee believed Mr. Barr's amendment in effect was the same as one made and defeated at the previous session and consequently the point of order was well taken.

The President stated that the ruling of the Rules Committee would be the ruling of the chair.

Mr. Barr asked unanimous consent for the withdrawal of his amendment. There being no objection it was ordered.

Mr. Barr gave notice that he would make a motion to rescind the action.

Mr. Davis stated that Mr. Barr should make clear the action he was talking about.

Mr. Barr stated he planned to make a motion to rescind the action on Mr. Johnson's amendment to Section 15.

Mr. McLaughlin asked unanimous consent for the suspension of the rules so that he could make a motion.

Mr. McLaughlin moved that the Rules Committee be instructed to report out this evening at 7:30 p.m., any recommendations they might have for the purpose of expediting the proceedings of this Convention. Mr. Cooper seconded.

Mr. Davis reported the Rules Committee was not ready and would not be ready by 7:30 p.m.

Mrs. Hermann rose to a point of order to state that the motion was out of order since the rules provide that fourteen people have to request a committee to bring out a report.

The President stated that this motion was in order since it was a suspension of the rules request.

Mr. V. Fischer rose to a point of information to ask Mr. McLaughlin to change his motion to read "as soon as possible" instead of "7:30 p.m.".

Mr. McLaughlin agreed to amend his motion to read "as soon as possible".

Mr. Buckalew asked Mr. McLaughlin to withdraw his motion since Mr. Davis had reported that the Rules Committee would not be ready by 7:30 p.m.

Mr. McLaughlin withdrew his motion.

Mr. Davis announced a meeting of the Rules Committee during the morning recess.

Mrs. Nordale asked unanimous consent for the adoption of the following amendment: Section 15, line 20, after the word "shall" insert the word "immediately".

After discussion by Mr. Buckalew, Mrs. Nordale, Mr. R. Rivers, Mr. McCutcheon and Mr. Sundborg, Mrs. Nordale asked unanimous consent to withdraw the amendment. Mr. Taylor objected, and asked for a roll call on adoption of the amendment.

The question being "Shall the amendment as offered by Mrs. Nordale be adopted?", the roll was called with the following result:

Yeas: 39 - Armstrong, Awes, Barr, Boswell, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNeas, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Robertson, Stewart, Taylor, Walsh, Wien, Mr. President

Nays: 12 - Buckalew, Cooper, Cross, Harris, Laws, Poulsen, Reader, Rosswog, Smith, Sundborg, Sweeney, White

Absent: 4 - Coghill, McNealy, Riley, VanderLeest

and so the amendment was adopted.

The President called for further amendments to Section 15, there being no further amendments offered, the President called for amendments to Section 16.

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

Section 16, line 22, after the period add the following: "The enacting clause of each law shall be, 'Be it enacted by the legislature of the State of Alaska.' No bill shall become law unless it shall pass three readings in each house, on separate days."

Seconded by Mr. Robertson.

After Mr. Johnson spoke on the amendment, Mr. V. Fischer requested that the question be divided because it was dealing with two questions, namely the enacting clause and specifying readings.

Mr. Buckalew, Mr. V. Rivers, Mr. Marston and Mr. Sundborg spoke. The President asked Mr. Sundborg if it was his pleasure to offer an amendment to the amendment.

Mr. Sundborg stated he would offer an amendment to the amendment. The President declared a short recess.

AFTER RECESS

Mr. Sundborg moved and asked unanimous consent to amend the Johnson Amendment by deleting the last three words "on separate days". Mr. Johnson objected. Mr. McCutcheon seconded.

After Mr. Sundborg, Mr. Londborg and Mr. V. Rivers spoke, the question was called. The question being "Shall the proposed amendment to the amendment as offered by Mr. Sundborg be adopted?", the roll was called with the following result:

Yeas: 24 - Awes, Barr, Buckalew, Collins, Cross, Doogan, Emberg, H. Fischer, Gray, Hilscher, Kilcher, McCutcheon, McNees, Marston, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, Smith, Sundborg, White, Wien, Mr. President

Nays: 27 - Armstrong, Boswell, Cooper, Davis, V. Fischer, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McLaughlin, Metcalf, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Stewart, Sweeney, Taylor, Walsh

Absent: 4 - Coghill, McNealy, Riley, VanderLeest

and so the amendment to the amendment failed.

After discussion by Mr. V. Fischer, Mr. Cooper, Mr. Taylor, Mr. Armstrong, Mr. Marston, Mr. Nordale, Mrs. Sweeney and Mr. Sundborg, Mr. Hellenthal asked unanimous consent for a fifteen-minute recess. There being no objection it was so ordered.

AFTER RECESS

Mrs. Nordale offered an amendment to Mr. Johnson's amendment as follows:

Add to Mr. Johnson's amendment: Strike period, add "except that any bill may be advanced from second to third reading by a three-fourths majority of the house having the bill under consideration."

Mr. McCutcheon seconded; Mr. Johnson objected. Mr. Taylor asked unanimous consent that Mrs. Nordale's amendment to the amendment be adopted.

After the discussion by Mr. Londborg and Mr. Harris, the President put the question "Shall the proposed amendment to the amendment be adopted?" Mr. Londborg requested a roll call. The roll was called with the following result:

Yeas: 39 - Aves, Barr, Boswell, Buckalew, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Taylor, White, Wien, Mr. President

Nays: 13 - Armstrong, Coghill, Cross, Harris, Hurley, Johnson, Laws, Londborg, Poulsen, Reader, Stewart, Sweeney, Walsh

Absent: 3 - Cooper, Riley, VanderLeest

and so the amendment to the amendment was adopted.

Mr. V. Fischer called for the previous question. The question being "Shall the proposed amendment as amended be adopted?", the roll was called with the following result:

Yeas: 35 - Armstrong, Barr, Boswell, Coghill, Collins, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, Walsh, White, Mr. President

Nays: 17 - Awes, Buckalew, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Hinckel, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Sundborg, Wien

Absent: 3 - Cooper, Riley, VanderLeest

and so the amendment as amended was adopted.

Mr. Robertson offered the following amendment:

Section 16, line 16, delete first "a" and insert "an affirmative".

Mr. V. Rivers seconded and asked unanimous consent for the adoption. Mr. Taylor objected. Mr. McCutcheon spoke. Mr. Taylor withdrew his objection and Mr. Robertson's amendment was adopted by unanimous consent.

Mr. White asked permission to return to Section 15. There being no objection Mr. White offered the following amendment:

Section 15, page 5, line 17, after the period insert the following sentence: "The governor may veto appropriation bills by item, by striking or reducing specific appropriations."

Mr. White asked unanimous consent for adoption of the amendment. Mr. Taylor objected. Mr. Nerland seconded. After discussion by Mr. White and Mr. Taylor the question was called. The question being "Shall the amendment as offered by Mr. White be adopted?", the roll was called with the following result:

Yeas: 30 - Armstrong, Awes, Boswell, Buckalew, Doogan, V. Fischer, Harris, Hellenthal, Hinckel, Hurley, Johnson, Kilcher, Laws, Londborg, McLaughlin, Nerland, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Walsh, White, Wien

Nays: 22 - Barr, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, Gray, Hermann, Hilscher, King, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Peratrovich, Sweeney, Taylor, Mr. President

Absent: 3 - Cooper, Riley, VanderLeest

and so the amendment was adopted.

Mr. Hurley asked a question regarding Section 17. Mr. McCutcheon, Mrs. Sweeney, Mr. Taylor and Mr. R. Rivers also spoke on Section 17.

Mr. V. Rivers, Mr. Nerland, Mr. McCutcheon, Mr. Sundborg, and Mr. Hellenthal spoke on Section 18. Mr. Johnson rose to a point of inquiry.

Mr. Taylor asked unanimous consent that the last sentence of Section 18 be stricken. Mr. Lee objected. Mr. Taylor so moved. Mr. Robertson seconded. After discussion by Mr. R. Rivers, Mrs. Sweeney, Mr. McNealy, Mr. McCutcheon, Mr. Rosswog, Mr. Buckalew, Mr. Hinckel and Mr. Hurley, the President asked Mr. Peratrovich to take the chair.

Discussion was continued by Mr. V. Fischer, Mr. Londborg, Mr. Taylor, Mr. Hellenthal, Mr. R. Rivers and Mr. Barr. Mr. Taylor moved the previous question. Mr. Barr seconded. On voice vote the previous question was ordered. The question being "Shall Mr. Taylor's amendment be adopted?", on voice vote the amendment failed.

Before the chair completed announcing the result of the voice vote Mr. Taylor asked for a roll call. Mr. Buckalew rose to a point of order to state Mr. Taylor was out of order and the vote showed that the amendment had failed.

Mr. Taylor appealed the ruling of the chair. Mr. Barr asked if a roll call could be called before the announcement of the result by the chair or during the announcement of the result. The Chairman stated a request for a roll call must be made before the yeas are called.

The ruling of the chair having been appealed, the Chairman asked: "Shall the chair be sustained in its ruling?" The roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Nerland, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, White, Wien

Nays: 5 - Boswell, Laws, Metcalf, Robertson, Taylor

Absent: 6 - Cooper, Marston, Riley, Sundborg, VanderLeest, Mr. President

Abstain: 1 - Mr. Peratrovich

and so the ruling of the chair was sustained.

Mr. R. Rivers moved the adoption of the following amendment to Section 18:

Page 7, line 8, after the word "act" insert the following:
"calling for use of funds to be appropriated by a political subdivision"

Seconded by Mr. Londborg. After discussion by Mr. R. Rivers, Mr. McLaughlin, Mr. Buckalew and Mr. Hellenthal, Mr. Sundborg asked unanimous consent to recess until 1:30 p.m. There being no objection the Convention recess was ordered.

AFTER RECESS

A telegram from Delegate E. L. Bartlett congratulating the Convention for the splendid wire to the President of the United States was read and ordered filed. He said the wire constituted a temperate yet eloquent presentation of the aspirations of Alaska's people for statehood.

An invitation from the Veterans of Foreign Wars of Fairbanks inviting the men delegates to a no-host dinner Saturday evening, January 14, was read.

Mr. Kilcher rose to speak.

Mr. Cooper rose to a point of order to state that he believed Mr. Kilcher should be speaking on personal privilege.

Mr. Harris requested a two-minute recess.

AFTER RECESS

Mr. Kilcher asked to speak on a matter of personal privilege.

Mr. Sundborg moved and asked unanimous consent to permit the tape to run while Mr. Kilcher makes his statement. Mr. Barr objected. Mr. Buckalew seconded. The roll was called with the following result:

Yeas: 34 - Armstrong, Aves, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Emberg, Gray, Harris, Hinckel, Kilcher, King, Knight, Londborg, McLaughlin, McNealy, McNees, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Nays: 17 - Barr, Cooper, Davis, H. Fischer, V. Fischer, Hellenthal, Hermann, Johnson, Laws, Lee, McCutcheon, Marston, Metcalf, Nolan, Poulsen, Reader, Robertson,

Absent: 4 - Hilscher, Hurley, Rosswog, VanderLeest

and so the motion carried and the rules were suspended.

Mr. Fischer rose to a point of order to state that it took a two-thirds vote to suspend the rules.

Mr. Riley, Chairman of the Rules Committee, stated there is no rule regarding shutting off the tape during personal privilege.

The President reported he stood corrected on the suspension of the rules.

After discussion, Mr. Kilcher stated that he wished to ask two or three committee chairman a question.

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

AFTER RECESS

Mr. Kilcher spoke on a matter of personal privilege regarding a news story.

Mr. R. Rivers moved the adoption of the amendment to Section 18 which had been offered during the morning session.

Mr. Riley served notice that he would refrain from voting, not having heard the debate.

On voice vote the amendment failed.

Mr. Nerland moved and asked unanimous consent that Section 19 be stricken and that the same subject matter be taken up in the Finance proposal under Section 7 of that proposal.

Mr. V. Rivers asked that Mr. Nerland read the sections of the Finance proposal dealing with the subject matter of Section 19. Mr. Nerland did so.

Without objection, Section 19 was deleted.

Mr. Nerland moved and asked unanimous consent that Section 20 be stricken and taken up in the Finance proposal under Sections 1 and part of Section 4. Mr. Nerland read the sections of the Finance proposal dealing with the subject matter of Section 20.

Mr. Hinckel objected to the unanimous consent request. Mr. Nerland moved. Mr. Knight seconded. After Mr. Hinckel questioned the Chairman of the Finance Committee regarding the matter contained in Section 20 being incorporated by amendment in the sections of the Finance Proposal, he withdrew his objection. Section 20 was deleted from Proposal No. 5 by unanimous consent.

Mr. V. Fischer questioned Mr. McCutcheon regarding the intent of the Committee as to the first sentence of Section 21, and Mr. McCutcheon stated the matter was covered in the Article on Initiative and Referendum. Mr. Gray then moved to strike Section 21. Mr. Hellenthal seconded. On voice vote the amendment was adopted.

Miss Awes moved to strike Section 22 and asked unanimous consent. Mr. McCutcheon objected. On hearing the section of the Bill of Rights relating to the same subject as Section 22, Mr. McCutcheon withdrew his objection and Section 22 was ordered stricken from Proposal No. 5 by unanimous consent.

Mr. Smith moved that Section 23 be stricken from Committee Proposal No. 5 and be referred to the Committee on Ordinances and Transitional Measures. Mr. Hellenthal seconded.

Mr. Nerland moved to amend the amendment by requesting that the material following the word "alienation;" on line 8, page 9, be taken up under Section 5 of the Finance Committee proposal.

Mr. Gray rose to a point of order to inquire whether deleting the section now would prevent using the same language in another proposal.

The President stated that the deletion of this section would not preclude anyone offering this as an ordinance or as an amendment to some section of the Finance Article.

After discussion by Mr. Smith, Mr. Davis, Mr. Barr, Mr. McCutcheon, Mr. Taylor, Miss Awes, Mrs. Sweeney, Mr. Cross, Mr. Sundborg and Mr. Smith, the question was called. The question being "Shall Mr. Smith's amendment be adopted to strike Section 23?", the roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Barr, Boswell, Buckalew, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, Hurley, King, Knight, Lee, McLaughlin, Nerland, Nolan, Poulsen, Reader, V. Rivers, Rosswog, Smith, Stewart, Sweeney, White, Wien, Mr. President

Nays: 24 - Coghill, Collins, Cooper, Cross, Davis, H. Fischer, Hermann, Johnson, Kilcher, Laws, Londborg, McCutcheon, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, Robertson, Sundborg, Taylor, Walsh

Absent: 2 - Hilscher, VanderLeest

and so the amendment was adopted.

Mr. Riley stated that since the recommendation of the Rules Committee, only one committee chairman had advised the Rules Committee of a conflict in proposals, and he urged the committee chairmen to check the proposals in order to save time-consuming discussion on the floor.

Mr. McNealy asked whether the portion of Section 23 which was requested referred to the Finance Committee had been adopted.

The President stated that the adoption of Mr. Smith's amendment had carried Mr. Nerland's amendment to the amendment with it.

The President called for amendments to Section 24.

Mr. Barr asked whether it would be in order to have that section referred to the Rules Committee for a report as to where the section should be considered.

Mr. Riley reported that this was the section which had been referred to the Rules Committee by the Finance Committee, and he felt that without conferring with the Committee it should be assigned to the Finance Committee and would so recommend.

Mr. Riley moved and asked unanimous consent that Section 24 be deleted from this proposal and assigned to the Finance Committee. There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the amendment to Section 8, page 3, line 14, which had been held over. On voice vote the amendment was adopted.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment: Section 3, page 2, line 1, strike the words "2 years" and insert in lieu thereof the following: "four years, and one-half of the members shall be elected each two years." Mr. Buckalew objected. Mr. Coghill seconded.

After discussion by Mr. V. Rivers, Mr. Buckalew, Mr. Cooper, Mr. Londborg, Mr. Coghill, Mr. Gray, Mrs. Nordale, Mr. Hurley, Mr. McNealy, Mr. McCutcheon, Mr. White, Mr. Metcalf, Mr. Taylor, Miss Awes and Mr. Sundborg, the question was called. Mr. Hellenthal requested a roll call. The question being "Shall the amendment to Section 3, offered by Mr. V. Rivers, be adopted?", the roll was called with the following result:

Yeas: 11 - Coghill, Cross, V. Fischer, Hermann, Hinckel, McNealy, Nolan, R. Rivers, V. Rivers, Taylor, Mr. President

Nays: 42 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien

Absent: 2 - Hilscher, VanderLeest

and so the amendment failed.

Mr. V. Rivers rose to speak on a matter of personal privilege.

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

Mr. V. Rivers presented the following report of the Executive Committee:

"The Committee on the Executive Branch met on January 10 to consider Delegate Proposal No. 44, which would provide for the election of the Commissioner of Labor, and Delegate Proposal No. 46 which would provide for the election of the Attorney General. The Committee members in attendance at the meeting voted as follows on these proposals:

Delegate Proposal 44:

Do Pass: Delegate Barr
Do Not Pass: Delegates Boswell,
Harris, Nordale, and
V. Rivers

Delegate Proposal 46:

Do Pass: Delegate Barr
Do Not Pass: Delegates Boswell,
Harris, and Nordale

No Recommendation: Delegate V. Rivers

The report was ordered filed.

*(This should refer to
Res. 44 and 45)*

Mr. Barr asked what becomes of the proposals referred to in the report.

The President stated that the Committee had rejected the proposals.

Mr. Barr stated he believed that the Convention should have some right to express itself on these proposals.

The President advised that because of the nature of the report he could only order that it be filed.

Mr. Riley stated that Mr. Barr was not foreclosed from offering amendments to Committee Proposals at the proper time, using the proposals rejected by the Committee.

The President agreed with the Chairman of the Rules Committee and advised Mr. Barr that it would be ~~proper~~ to offer amendments at the time the Committee Proposals were considered.

Mr. Sundborg moved the adoption of the following amendment:

Section 3, page 1, line 17, delete "fourth" and insert "first"; line 18, delete "January, unless otherwise provided by law" and insert "December". Mr. V. Fischer seconded. After discussion by Mr. Sundborg, Mr. Peratrovich, Mr. R. Rivers, Mr. Hellenthal, Mr. White, Mr. Davis, Mr. Hinckel, Mr. McCutcheon and Mr. Johnson the question was called. On voice vote the amendment failed.

Mr. Riley requested a two-minute recess. There being no objection, it was so ordered.

Mr. Emberg moved the adoption of the following amendment: Section 5, line 8, delete word "hold" and substitute "be nominated, elected, or appointed to". Mr. White seconded. On voice vote the amendment was ordered adopted.

Mr. Hurley moved the adoption of the following amendment: Section 5, page 2, strike the second sentence. Mr. McCutcheon rose to a point of order that the amendment had already been considered. Mr. Sundborg seconded and stated that this matter had not been considered previously. Mr. Hurley spoke on the amendment. Mr. McNees asked for a ruling of the chair on the point of order.

The President stated that he believed Mr. McCutcheon withdrew his point of order when he discussed it with Mr. Sundborg.

After Mr. Riley and Mr. McCutcheon spoke, Mr. Taylor moved to amend the amendment by striking the last sentence in Section 5. Mr. Sundborg objected. Mr. McNealy seconded. After Mr. Sundborg and Mr. Riley spoke, Mr. Taylor asked unanimous consent to withdraw his amendment to the

amendment. There being no objection, it was so ordered. The question was called. Mr. McNees requested a roll call. The question being "Shall Mr. Hurley's amendment be adopted?", the roll was called with the following result:

Yeas: 26 - Armstrong, Awes, Barr, Boswell, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hurley, Johnson, King, Marston, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, White, Wien

Nays: 26 - Buckalew, Coghill, Collins, Cooper, Davis, H. Fischer, Hellenthal, Hermann, Hinckel, Kilcher, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Peratrovich, Poulsen, Sweeney, Taylor, Walsh, Mr. President

Absent: 3 - Hilscher, Rosswog, VanderLeest

and so the amendment failed.

Mr. Coghill called the attention of the delegates to the presence in the gallery of Mr. Don M. Dafoe, Commissioner of Education, and asked unanimous consent that he be given the privilege of the floor. Mr. Dafoe spoke briefly to the delegates.

Mr. Buckalew moved the adoption of the following amendment: Section 5, line 14, insert "non-regulatory" before "board". Mr. V. Rivers seconded.

Mr. V. Rivers asked for a fifteen-minute recess. Before the recess was called the following committee announcements were made: Administration Committee meeting on recess; Rules Committee on recess; Engrossment and Enrollment at 6:45 p.m.

There being no objection, the Convention recessed for fifteen minutes.

AFTER RECESS

Mr. Barr moved that the Convention rescind its action on Mr. Johnson's amendment to Section 15. Mr. Riley objected. Mr. Knight seconded.

After discussion by Mr. Barr, Mr. Buckalew, Mr. Hurley and Mr. Hinckel, Mr. Kilcher rose to a point of order to state he believed Mr. Hinckel was out of order. The president stated that Mr. Hinckel was in order. After Mr. McCutcheon, Mr. Londborg, Mr. Riley, Mr. Johnson, Mr. Buckalew, Mr. Sundborg, Mrs. Sweeney, Mr. V. Rivers, Mr. Barr and Mr. Marston spoke, Mr. Barr rose to a point of order to state that the reason he brought the question up was that it had been a close vote and several had been absent the night before.

The question being "Shall the Convention rescind its action on Mr. Johnson's amendment to Section 15?", the roll was called with the following result:

Yeas: 27 - Armstrong, Barr, Boswell, Coghill, Collins, Cross, Gray, Harris, Johnson, Kilcher, King, Knight, Laws, Londborg, Nerland, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Stewart, Sweeney, Walsh, White, Wien, Mr. President

Nays: 25 - Awes, Buckalew, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hinckel, Hurley, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, Smith, Sundborg, Taylor.

Absent: 3 - Hilscher, Rosswog, VanderLeest

and so the motion to rescind failed.

Mr. Davis gave notice of reconsideration of his vote on Mr. Hurley's amendment to Section 5.

Mr. Sundborg moved that the rules be suspended and Mr. Davis' reconsideration be taken up immediately. Mr. R. Rivers asked unanimous consent. Mr. Johnson objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hurley, King, Knight, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Nays: 5 - Hinckel, Johnson, Kilcher, Laws, Lee

Absent: 3 - Hilscher, Rosswog, VanderLeest
and so the rules were suspended.

The question being "Shall Mr. Hurley's amendment to Section 5 be adopted?", the roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Boswell, Buckalew, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hurley, King, Knight, McLaughlin, Marston, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Walsh, White, Wien

Nays: 24 - Barr, Coghill, Collins, Cooper, Cross, H. Fischer, Hellenthal, Hinckel, Johnson, Kilcher, Laws, Lee, Londborg, McCutcheon, McNealy, McNees, Metcalf, Nerland, Nolan, Peratrovich, Reader, Sweeney, Taylor, Mr. President

Absent: 2 - Hilscher, VanderLeest

and so the amendment was adopted.

Mr. McLaughlin asked unanimous consent to withdraw his amendment to Section 12 offered earlier. There being no objection, it was so ordered.

Mr. Riley directed a question to Mr. McCutcheon regarding Section 11 and the practicability of having uniform rules of procedure for both houses. Mr. McCutcheon, Mrs. Sweeney and Mr. Cooper, members of the committee, stated it was to avoid confusion.

Mr. McLaughlin moved the adoption of the following amendment to Section 12: line 17, strike the words "and in what court" and in line 18 strike the words "or agencies thereof". Mr. Taylor seconded. Mr. Sundborg asked unanimous consent. Mr. R. Rivers objected.

Mr. R. Rivers withdrew his objection. By unanimous consent, the amendment was adopted.

Mr. Sundborg moved the adoption of the following amendment: Section 15, page 5, line 18, after the word "it" insert "within five days (Sundays excepted) after it is delivered to him". Mr. Buckalew seconded. After discussion by Mr. Sundborg, Mr. Johnson, Mr. Buckalew, Mr. Kilcher, Mr. Taylor, Mr. Doogan, Mr. R. Rivers and Mr. Cooper, the question was called. On voice vote the amendment failed.

Mr. Hellenthal moved and asked unanimous consent to amend Section 15 as follows: page 5, line 23 and page 6, line 3, insert a period after "legislators" and strike the rest of the sentence. Mr. Buckalew objected. Mr. Hellenthal so moved. Mr. Knight seconded. On voice vote the amendment failed.

Mr. V. Rivers moved and asked unanimous consent to amend Section 15 as follows: line 18, strike "representatives" and insert in lieu thereof "origin". There being no objection, it was so ordered.

Mr. Hurley asked what happened to the amendment to Section 18 offered by Mr. R. Rivers. Mr. Hurley was advised it had been defeated on a voice vote.

Mr. Londborg requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. R. Rivers moved that the Convention rescind its action on his amendment to Section 18. Mr. V. Fischer seconded. The roll was called with the following result:

- Yeas: 37 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hurley, King, Knight, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Taylor, Walsh, White, Wien, Mr. President
- Nays: 16 - Davis, H. Fischer, Hellenenthal, Hinckel, Johnson, Kilcher, Laws, Lee, McCutcheon, McNealy, McNees, Peratrovich, Poulsen, Robertson, Smith, Sweeney
- Absent: 2 - Hilscher, VanderLeest

and so the action was rescinded.

After Mr. Johnson and Mr. McLaughlin spoke, the question was called. Mr. Metcalf requested a roll call. The question being "Shall the amendment to Section 18 offered by Mr. R. Rivers be adopted?", the roll was called with the following result:

- Yeas: 39 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenenthal, Hermann, Hurley, King, Knight, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, Walsh, White, Wien, Mr. President
- Nays: 13 - Cooper, Davis, H. Fischer, Hinckel, Johnson, Laws, Lee, McCutcheon, McNealy, McNees, Poulsen, Robertson, Sweeney
- Absent: 3 - Hilscher, Kilcher, VanderLeest

and so the amendment was adopted.

There being no further amendment, Committee Proposal No. 5 was ordered to the Committee on Engrossment and Enrollment.

Committee Proposal No. 14 was read the second time.

Mrs. Sweeney moved that the letter from Mr. Curtis Shattuck which she had presented earlier be read at this time. Mrs. Hermann seconded. After discussion Mrs. Sweeney withdrew her motion.

Mr. Coghill moved that the Convention resolve itself into a Committee of the Whole to discuss C. P. No. 14 without any record. Mr. Knight seconded. After discussion by Mr. Kilcher, Mr. Cooper, Mr. Londborg and Mr. V. Rivers, Mr. Buckalew moved the previous question. Mr. Cooper seconded. On voice vote the previous question was ordered. The question being "Shall the Convention resolve itself into a Committee of the Whole and dispense with the tape and stenotyped record", the roll was called with the following result:

Yeas: 23 - Armstrong, Awes, Barr, Coghill, Cross, Gray, Hinckel, Hurley, Johnson, King, Laws, Lee, McNealy, Nolan, Peratrovich, Poulsen, Reader, Riley, Robertson, Sundborg, Sweeney, Taylor, Walsh

Nays: 30 - Boswell, Buckalew, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Kilcher, Knight, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, White, Wien, Mr. President

Absent: 2 - Hilscher, VanderLeest

and so the motion failed.

Mr. Johnson moved the Convention recess until 7 p.m. Mr. Doogan seconded. Mr. Rosswog announced a meeting of the Committee on Local Government at 6:10 p.m.

There being no objection to the motion to recess, the Convention recessed until 7 p.m.

AFTER RECESS

Mr. White rose to a point of personal privilege to introduce Mrs. William A. Egan, wife of President Egan.

Mr. White moved and asked unanimous consent to resolve into a Committee of the Whole to discuss Committee Proposal No. 14 with a complete record. Mr. Marston objected. Mr. White so moved. Mr. Knight seconded.

After discussion by Mr. Marston, Mr. Hinckel, Mr. Rosswog, Mr. Londborg, Mr. Sundborg and Mr. Cooper, the question was called. On voice vote the amendment failed.

Mr. Hellenthal requested a short recess.

AFTER RECESS

Mr. Hellenthal, as Chairman of the Committee on Suffrage, Apportionment and Elections, gave a report on C. P. No. 14.

Mr. Johnson requested a recess at 8:30 p.m.

AFTER RECESS

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 7, had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled.

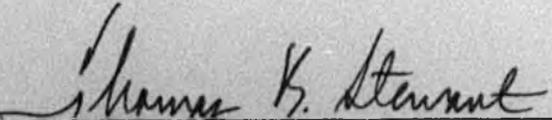
Mrs. Sweeney asked unanimous consent for the adoption of the report. There being no objection, it was ordered adopted.

Committee Proposal No. 7 was referred to the Committee on Style and Drafting.

There followed a complete discussion of Committee Proposal No. 14, questions being put by the delegates to all members of the Committee on Suffrage, Apportionment and Elections.

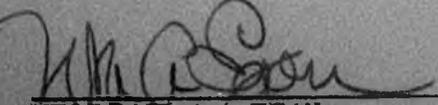
The President announced that the hour for the arrival of the bus was near at hand and that with the consent of the Convention the discussion of Committee Proposal No. 14 would be continued the next day. There being no objection, the President stated that Committee Proposal No. 14 would not be amended until all delegates had ample opportunity to ask questions of the Committee.

Mr. Barr asked unanimous consent that the Convention adjourn until 9 a.m., Thursday. There being no objection, the Convention adjourned at 9:35 p.m. until 9 a.m., Thursday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTY-FIRST CONVENTION DAY, Thursday, January 12, 1956.

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

The Invocation was given by Mr. Armstrong.

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

The President reported that General Dean would make a speech at 1 p.m. at the University gymnasium and that following that speech he will address the convention.

Mr. Smith announced that the Committee on Resources will meet Sunday at 2 p.m. at Apartment 504 in the Polaris Building, and at 12:50 p.m. Friday.

A general discussion by the delegates of Committee Proposal No. 14 continued.

Mr. McCutcheon moved and asked unanimous consent that the Convention proceed to the consideration of Committee Proposal No. 14 for the purposes of amendment. Mrs. Sweeney objected. Mr. Taylor seconded.

Mr. Kilcher moved that the convention recess for fifteen minutes. Mr. Buckalew seconded. On voice vote the Convention recessed.

AFTER RECESS

Mr. Knight asked unanimous consent that the Journal for the 46th Convention day be approved as read. There being no objection it was so ordered.

Mrs. Sweeney withdrew her objection to Mr. McCutcheon's unanimous consent request. Mr. Nolan objected temporarily to ask a few questions.

After further discussion the President called for amendments to Committee Proposal No. 14.

Mr. V. Rivers asked unanimous consent that the supplemental report containing committee changes to Proposal No. 14 be made a part of the Proposal. Mrs. Hermann objected for the purposes of clarification of the number of the Proposal on the mimeographed sheet.

The President declared a short recess.

51st Day, Thursday, Jan. 12, 1956

AFTER RECESS

The President ordered that the number on the mimeographed sheet be changed from 9 to 14.

The President ordered that, without objection, the following changes proposed by the Committee on Suffrage, Elections and Apportionment would be made a part of Committee Proposal No. 14:

Add at the end of Section 2, line 20, page 2 of Committee Proposal 14, the following:

"Provided that the districts from which Senators at large are elected may be modified to take account of changes in election districts, but retaining the total number of Senators assigned herein to each such district, and the approximate perimeter of each such district.

Delete in Section 2, line 8 at page 2 of the Committee Proposal the words "by the creation of two or more new districts from within the larger geographic socio-economic areas of the State, or, "and also delete the first word in line 11 "otherwise".

Change in the Schedule of Election Districts (Section 1) District #20, the name "Noatak" to "Barrow".

Mr. Harris moved that Committee Proposal No. 14 he referred to the Committee on Engrossment and Enrollment. Mr. McCutcheon seconded.

After Mrs. Sweeney and Mr. R. Rivers spoke, Mr. V. Rivers rose to state that the motion was not debatable.

Mr. McCutcheon asked unanimous consent to withdraw his second to the motion. Mr. Harris asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

After questions by Mr. Sundborg, Mr. White, Mr. R. Rivers, and Mr. Hurley of Mr. Hellenthal regarding Section 1, the President declared a short recess.

AFTER RECESS

Mr. Barr stated he had an amendment, but would like to confer with the committee during the ~~noon~~ recess.

Mr. Hellenthal announced a meeting of the Committee on Suffrage,

Elections and Apportionment during the noon recess.

Mr. Riley announced a meeting of the Rules Committee on recess.

Mr. Barr asked unanimous consent that the Convention recess until 1:30 p.m. There being no objection, it was so ordered.

AFTER RECESS

A communication from Colonel Ray J. Will, Commander of Eielson Air Force Base, thanking the delegates for their contribution to the relief of the recent disaster victims was read. The communication was ordered filed.

The second reading of Committee Proposal No. 14 was continued. After Mr. Barr and Mr. V. Rivers spoke, Mr. Hellenthal rose to a point of order and stated that the Committee had made recommendations for three amendments and the process might be expedited if the Committee recommendations were presented first. Mr. V. Rivers stated that the Committee recommendations did not cover the same subject matter as his amendment.

The Chair asked Mr. V. Rivers if he wished to discuss his amendment at this time. Mr. V. Rivers replied in the affirmative. Mr. V. Rivers asked unanimous consent for the adoption of the following as a supplement to the Committee Amendment:

Proposal No. 14, Section 2, page 2, after the first word "districts", insert the following sentence:
"Boundaries of election districts and senatorial districts as herein instituted shall be adjusted insofar as practicable to coincide with boundaries of local government areas as redistricting is accomplished from time to time."

Mr. Hellenthal objected. Mr. Knight seconded. Mr. V. Rivers spoke. Mr. Cooper asked unanimous consent that Mr. V. Rivers' supplemental amendment be amended by changing the word "shall" to "may". Mr. V. Rivers objected. Mr. Gray seconded. After Mr. Hinckel and Mr. Gray spoke, the president declared a short recess.

AFTER RECESS

The question was called, "Shall the proposed Amendment to Mr. V. Rivers' amendment be adopted?" On voice vote the amendment to the amendment was adopted. Mr. V. Rivers asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. Hellenthal gave the following three Committee Amendments to

Committee Proposal No. 14:

- (1) Section 2, page 2, line 16, following the comma after the word "areas" add: "may give consideration to local government boundaries."
- (2) Lines 5 and 6, page 2, strike the words "adjoining it having the least civilian population" and insert "within its senate district"
- (3) Line 3, Page 2, Section 2, after the word "quotient", add "but only then,"

Mr. Taylor rose to a point of information and asked if page 2, line 4, could be changed to read "attached to another, rather than, attached to the." Mr. Hellenthal stated it would accomplish the same purpose and agreed to the change.

Mr. Hellenthal moved for unanimous consent for the adoption of the proposed committee amendments.

Mr. White rose to a point of information. Mr. Cooper, Mr. Coghill, and Mr. Gray spoke. Mr. Hellenthal requested on behalf of the Committee that the committee amendments be considered in turn, and moved for adoption of Committee Amendment No. 3. Mr. Coghill seconded. Mr. Gray objected.

After Mr. Johnson, Mr. Hinckel, Mr. Sundborg, Mr. Gray, Mrs. Nordale, Mr. Taylor, Mr. White and Mr. Coghill spoke, Mr. Gray withdrew his objection. After Mr. Harris spoke, the question was put, "Shall the amendment as offered by Mr. Hellenthal be adopted?" On voice vote the amendment failed.

Mr. Hellenthal asked for a one minute recess. There being no objection, a short recess was declared.

AFTER RECESS

The President called to the attention of the delegates the presence in the gallery of the Eighth Grade of the Parochial School.

Mr. Hellenthal moved the adoption of Committee Amendment No. 2. Seconded by Mr. Coghill. Mr. Sundborg asked for unanimous consent for the adoption of Committee Amendment No. 2. Mr. Hurley objected. Mr. Kilcher rose to a point of information and stated he was confused as to the distinction between Senate District and Senatorial District.

The President called for a short recess.

AFTER RECESS

The President then introduced the convention guest, General William A. Dean. The introductory remarks of President Egan and General Dean's remarks follow:

EGAN: "We are extremely fortunate this afternoon to have as our honored guest a great American, a great soldier. He represents everything that we hold so dear in freedom, in loyalty, in courage and devotion to duty. He has suffered and represents all of those who have suffered so much for each of us. A grateful people in humble recognition have bestowed upon him our nation's highest tribute, the Congressional Medal of Honor. It is a great privilege to present to you Major General William F. Dean." (Applause)

"Thank you, Mr. Egan. Friends, you make me feel very inadequate in this generous tribute. Would that I felt that I merited it. I deem it a great honor to have this opportunity to meet you and to address you here today. I know that you have a full schedule and that time is of the essence, so I won't talk too long.

Since my visit here to the Fairbanks area I have been keenly interested in the work you are doing: in the thoughtful consideration that you are giving this problem of devising a constitution. I had a similar experience as military governor of South Korea. It fell to my lot to advise, I say I did not do the advising, I had experts employed by the United States Government--doctors of philosophy in government and in political science, specialists who had had experience in the building of constitutions of newly freed states--but we were in an advisory capacity. We were trying to devise what we thought best for the Korean people, but we were only advisors. You have an advantage here. What you arrive at you can decide upon and put before your people by referendum to be accepted or to be denied. The way you are going at it I know you are going to come out. I am convinced you will come out with a sound constitution, and I hope you every success in your request for statehood. You are right up here, the closest United States Territory to our most likely enemy. You are the looking glass of the United States. What you do is not only being watched in the United States. It is being watched across this narrow strait up here to the northwest. What you do here is important, and what pleases me is that you yourselves are impressed with its import. That is why I know you are going to do so well. I congratulate you. Thank you."

AFTER RECESS

After Mr. Robertson and Mr. Gray spoke, Mr. Johnson suggested the word "Sub-district" be used to clarify the intent. Mr. Hellenenthal concurred in the temporary use of the word "sub-district". Mr. Hurley withdrew his objection. While the question was being called, Mr. Johnson rose to a point of inquiry to ask if the word "sub-district" was included in the amendment. Mr. Hellenenthal agreed to insert the word "sub-district". Mr. Cooper asked unanimous consent for the adoption of Committee Amendment No. 2 as amended. There being no objection, the amendment was adopted.

After Mr. Kilcher spoke, Mr. Hellenenthal requested a short recess. There being no objection, the recess was ordered.

AFTER RECESS

Mr. Hellenenthal asked unanimous consent for the adoption of Committee Amendment No. 1. There being no objection, it was so ordered.

Mrs. Hermann asked unanimous consent that the introduction given by the President and the speech of General William A. Dean be spread upon the Journal. There being no objection it was so ordered.

Mr. Kilcher asked unanimous consent that the word "temporary" be inserted in line 4, section 2, page 2, after the word "be". Mr. Hinckel seconded. The question was called and on voice vote the amendment failed.

Mr. Hinckel moved the adoption of the following amendment:

Section 2, page 2, line 7, delete the words "new district" and substitute the words "combined district".

Mr. Metcalf seconded. After Mr. Hinckel and Mr. Hurley spoke, Mr. Taylor called for the question. The question being: "Shall the amendment as offered by Mr. Hinckel be adopted?" On voice vote the amendment failed.

Mr. Hurley rose to a point of information and asked what it meant when the delegates called "Question". The President stated it meant they were calling to vote on the question.

Mr. Gray requested personal privilege of the floor. There being no objection, privilege was granted.

Mr. Robertson moved the adoption of the following amendment:

Page 2 delete all of Section 3 and insert: "The Senate shall be composed of sixteen senators, four from each of the present four judicial divisions which are hereby

created into Senatorial Districts. Senators shall be elected by the qualified electors of the respective Senatorial district wherein they reside."

Mr. Knight seconded. Mr. Cooper moved to lay the Robertson amendment on the table. Mrs. H. Fischer seconded. Mr. Hellenthal requested a recess. Mr. White rose for a parliamentary request, asking when a motion could be made to take from the table. The President stated, any time before we adjourn sine die. The President declared a short recess.

AFTER RECESS

Mr. Cooper asked unanimous consent to withdraw his motion to lay on the table. There being no objection it was so ordered. Mr. Armstrong asked that the communication from Mr. Shattuck be read. Mr. Mc Nees objected. Mr. Armstrong moved that the letter be read. Mr. Johnson seconded. On voice vote the motion failed. Mr. Johnson requested personal privilege of the floor. Mrs. Sweeney requested personal privilege of the floor. Mr. Marston spoke on the matter and while Mr. Marston was speaking, Mr. McCutcheon rose to a point of order to state that the rules did not permit debate on the matter of reading a paper. The President upheld the point of order. The question was called and on voice vote the motion was carried. Mr. Sundborg requested personal privilege of the floor. Mrs. Sweeney requested personal privilege of the floor, after which the Shattuck letter was read and ordered filed.

There being no further discussion, the question was called. The question being, "Shall the Robertson amendment be adopted?", the roll was called with the following result:

Yeas: 4 - Barr, Nolan, Robertson, Sweeney

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

Absent: 1 - VanderLeest

and so the amendment failed of adoption.

Mr. Kilcher asked to explain his vote. Mr. Coghill requested personal privilege of the floor and called to the attention of the delegates the presence in the gallery of Senator John Butrovich, Jr., member of the Territorial Legislature from the Fourth Division. The President recognized the presence in the gallery of the Territorial Commissioner of Health, Dr. Earl Albrect and welcomed both gentlemen to the convention.

Mr. Hinckel proposed the following amendment to Section 2:

Page 1, line 15, beginning after the period, strike the balance of line 15, also lines 16, 17 and 18. Page 2, strike all of line 1.

After Mr. Gray and Mr. Hinckel spoke, Mr. Kilcher asked unanimous consent for a fifteen minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney moved and asked unanimous consent for the adoption of the following amendment:

Page 2 of Schedule after the first paragraph delete the schedule and insert the following:

"1 senator from Senate sub-district I
1 senator from Senate sub-district II
1 senator from Senate sub-district III
1 at large from Senatorial District A Total 4

1 senator from Senate sub-district IV
1 senator from Senate sub-district V
1 senator from Senate sub-district VI
1 senator from Senate sub-district VII Total 4

1 senator from Senate sub-district VIII
1 senator from Senate sub-district XI
1 senator from Senate sub-district XII
1 at large from Senatorial District C Total 4

1 senator from Senate sub-district IX
1 senator from Senate sub-district X
2 at large from Senatorial District D Total 4

4 senators from State at large 4

Grand total 20"

Mr. Gray objected. Mr. Knight ^{seconded.} ~~objected.~~

Mr. Gray requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion by Mrs. Sweeney, Mr. McNealy, Mr. Peratrovich, and Mr. Cooper, the question was called. Mr. Robertson requested a roll call. The question being, "Shall Mrs. Sweeney's amendment be adopted?", the roll was called with the following result:

Yeas: 9 - Armstrong, Barr, Hermann, Johnson, Lee, Nolan, Robertson, Sundborg, Sweeney

Nays: 45 - Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, Mc Nealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Taylor, Walsh, White, Wien, Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

Mr. Boswell moved the adoption of the following amendment to the Schedule referred to in Section 3 of Committee Proposal No. 14:

Strike "no. of District" and insert in lieu thereof: "Name of District" Change Roman numerals to names as follows: I - Southeastern, III - South Central, IV Central, II Northwestern. Renumber election districts on page 1 to follow above in numerical order."

Mr. Hellenthal seconded. After discussion by Mr. Boswell, Mr. Kilcher, Mr. Hilscher and Mr. Sundborg, the question was called. On voice vote the amendment was adopted.

Mr. Barr moved the adoption of the following amendment offered by Mr. Barr, Mrs. Wien and Mr. Johnson, to the Schedule in Section 1 - "that the boundaries of Election District 24 be changed to include the Village of Livengood and immediate vicinity, and the Livengood road and adjacent area." Mr. Johnson seconded. Mr. Rosswog requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Barr asked unanimous consent to change "Election District 24" to "The Fairbanks District". There being no objection, it was so ordered.

After discussion by Mr. Barr, Mr. Coghill and Mr. Hurley, Mr. Sundborg suggested that the delegates from the Fourth Division get together and discuss Mr. Barr's amendment.

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

AFTER RECESS

Mr. Sundborg rose to speak on a matter of personal privilege regarding his suggestion made before recess.

Mr. Sundborg asked that he be permitted to abstain from voting on Mr. Barr's amendment.

After discussion on the amendment by Mr. Barr, Mr. Collins, Mr. White, Mr. V. Rivers and Mr. Coghill, Mr. Harris and Mr. Metcalf requested permission to abstain from voting.

After further discussion by Mr. Coghill, Mr. Marston, Mr. Kilcher, Mr. Hellenthal and Mr. Rosswog, Mr. Doogan moved that the Convention recess until 7 p. m. Mr. Laws seconded. On voice vote the motion failed.

After Mr. Taylor and Mr. Barr spoke, the question was called. Mr. Barr requested a roll call.

The question being "Shall the amendment offered by Mr. Barr, Mrs. Wien and Mr. Johnson be adopted?", the roll was called with the following result:

Yeas: 16 - Armstrong, Barr, Collins, Doogan, Johnson, Kilcher, Laws, McNealy, Nerland, Nolan, Reader, R. Rivers, V. Rivers, Robertson, Sweeney, Wien.

Nays: 35 - Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Stewart, Taylor, Walsh, White, Mr. President.

Absent: 1 VanderLeest.

Abstain: 3 Harris, Metcalf, Sundborg

and so the amendment failed.

Mr. Johnson asked unanimous consent that the convention adjourn until 7:05 p.m. Mr. Riley announced a meeting of the Rules Committee on recess. There being no objection, it was so ordered.

Mr. Hellenthal on behalf of Committee VI moved the adoption of the following amendment to Section 5:

Page 4, line 21, following the comma after the word "redistricting" add: "giving explanation for all changes from the Board's plan,"

Mr. Coghill seconded. On voice vote the amendment was ordered adopted.

Mr. Hellenthal on behalf of Committee VI moved the adoption of the following amendment to Section 5, Line 6,

After the words "general public" insert the following:
"with at least one from each of the four Senate Districts"

Mr. Coghill seconded. On voice vote the amendment was adopted.

Mr. Taylor offered the following amendment:

Line 2, page 5, change word "Supreme" to "Superior".
Page 5, Section 5, add new paragraph as follows:
"The Supreme Court, on appeal, shall review the said cause upon the law and the facts."

Mr. Taylor moved the adoption of the first part of the amendment changing the word "Supreme" to "Superior". Mr. Knight seconded.

After discussion by Mr. Taylor, Mr. Hellenthal, Mr. R. Rivers, Mr. Coghill, Mr. McLaughlin and Miss Awes, Mr. Davis asked Mr. Taylor if he would consider withdrawing his amendment and submitting another in its place. The President declared a short recess.

AFTER RECESS

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

Mr. Taylor moved the adoption of the following amendment to Section 5:

Line 2, page 5, change word "Supreme" to Superior".
and add new paragraph to Section 5 as follows: "The Supreme Court, on appeal, shall review the said cause upon the law and the facts."

Mr. R. Rivers seconded. After discussion by Mr. Hurley, Mr. V. Fischer, Mr. Doogan, Mr. McLaughlin, Mr. Kilcher, Mr. Hellenthal, Mr. Taylor and Mr. Londborg, the question was called. The question being, "Shall the amendment to Section 5 offered by Mr. Taylor be adopted?", the roll was called with the following result:

Yeas: 27 - Armstrong, Barr, Boswell, Buckalew, Coghill, Doogan, Emberg, Gray, Hermann, Hinckel, Kilcher, King, Knight, McLaughlin, McNealy, McNees, Metcalf, Nerland, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Taylor, Walsh, Wien.

Nays: 21 - Awes, Cooper, Cross, Davis, V. Fischer, Harris, Hellenthal, Hurley, Johnson, Laws, Lee, Londborg, McCutcheon, Marston, Nolan, Nordale, Peratrovich, V. Rivers, Sundborg, Sweeney, Mr. President.

Absent: 7 - Collins, H. Fischer, Hilscher, Poulsen, Robertson, VanderLeest, White.

And so the amendment was adopted.

Mr. Hurley moved the adoption of the following amendment to Section 5:

Line 6, page 4, strike words "But not public employees or officials"

Mr. Lee seconded. After discussion by Mr. Hurley, Mr. Cooper, Mr. Gray, Mr. Hellenthal and Mr. McNees, the President declared a short recess.

AFTER RECESS

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

Mr. Hurley moved the adoption of the following amendment to Section 5:

Line 6, page 4, strike the words "but not public employees or officials" and substitute therefor "but not state officials"

Mr. McNees seconded.

After Mr. Hellenthal, Mr. Hurley, Mr. McNees and Mr. McCutcheon spoke, the question was called. The roll was called with the following result:

Yeas: 13 - Armstrong, Barr, V. Fischer, Harris, Hermann, Hurley, Kilcher, Lee, McNees, Reader, Rosswog, Smith, Sweeney

Nays: 36 - Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, Gray, Hellenthal, Hilscher, Hinckel, Johnson, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Stewart, Taylor, Walsh, White, Wien, Mr. President.

Absent: 6 - H. Fischer, Collins, Poulsen, Robertson, Sundborg, VanderLeest

and so the amendment failed.

After discussion of Committee Proposal No. 14, Mr. Taylor moved to refer the proposal to the Committee on Engrossment and Enrollment. Mr. McCutcheon seconded.

After discussion Mr. Taylor withdrew his motion.

Mr. McNees offered the following amendment and moved its adoption:

Strike the schedule in Section 2 and substitute the following: Section 2 of schedule:
"Southeastern 5 senators
Southcentral 5 senators
Central 5 senators
Northwestern 5 senators"

To be elected as follows: One Senator to be elected from each of the Senate Districts as established. The balance to be elected at large within each of the established geographical areas." Mr. Barr seconded.

After discussion by Mr. McNees, Mr. Barr, Mr. Coghill, Mr. Londborg, Mr. White, Mr. McCutcheon and Mr. R. Rivers, Mr. Cross asked for a call of the assembly.

Mr. Londborg asked whether it took a majority vote to call the assembly. The president stated that it does not take a majority vote

of the Assembly. After discussion, Mrs. Sweeney moved that the matter be referred to the Rules Committee for consideration. The President declared a short recess so that the Rules Committee could consider the matter.

AFTER RECESS

The President stated that he would like to clarify the call of the assembly rule. He stated he had in mind the rules of a different assembly and that in this convention the call must be made in the form of a motion and has to carry by a majority vote.

Mr. Cross asked unanimous consent to withdraw his request for a call of the assembly.

After Mrs. Sweeney, Mr. Cooper and Mr. McNees spoke on the amendment, the question was called. Mr. Londborg requested a roll call. The roll was called with the following result:

Yeas: 11 - Barr, Johnson, Kilcher, Laws, Londborg,
McNealy, McNees, Nolan, Reader, Sweeney,
Walsh.

Nays: 39 - Armstrong, Awes, Boswell, Buckalew, Coghill,
Cooper, Cross, Davis, Doogan, Emberg, V. Fischer,
Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel,
Hurley, King, Knight, Lee, McCutcheon, McLaughlin,
Marston, Metcalf, Nerland, Nordale, Peratrovich,
Riley, R. Rivers, V. Rivers, Rosswog, Smith,
Stewart, Sundborg, Taylor, White, Wien, Mr. President.

Absent: 5 - Collins, H. Fischer, Poulsen, Robertson, VanderLeest

And so the amendment failed.

Mr. Kilcher moved the adoption of the following amendment to Section 2, page 1, Line 8,

Strike the word "official": strike all of lines 9 and 10 and 11 to the comma, and substitute "first gubernatorial state election" and line 13 strike word "civilian" and on page 2, line 1 strike "population" and insert in lieu thereof "number of ballots cast for governor".

Mr. Knight seconded. By unanimous consent the following was added to the amendment Page 1, line 12, delete "census" and insert "gubernatorial election".

Mr. Kilcher requested a roll call. The roll was called with the following result:

Yeas: 4 - Barr, Hinckel, Kilcher, Reader

Nays: 46 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President.

Absent: 5 - Collins, H. Fischer, Poulsen, Robertson, VanderLeest

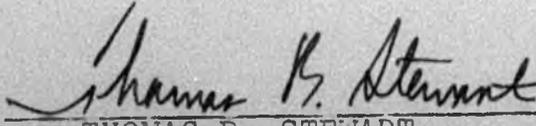
And so the amendment failed.

There being no further amendments, Committee Proposal No. 14 was referred to the Committee on Engrossment and Enrollment.

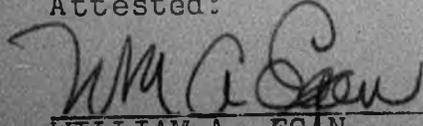
Mr. Riley requested a five minute recess for the purposes of a meeting of the Rules Committee. There being no objection, it was so ordered.

AFTER RECESS

Mr. Johnson moved that the Convention adjourn until 9 a.m. Friday. Mr. Taylor seconded. Mr. Doogan objected. On voice vote the Convention adjourned at 9:35 p.m. until 9 a.m. Friday morning.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/42
Approved Jan. 19, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTY-SECOND CONVENTION DAY, Friday, January 13, 1956

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

The Invocation was given by the Rev. Wilson of the Assembly of God Church.

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

Mrs. Sweeney again reminded the delegates to remain seated until the President had introduced the minister.

Mr. White asked that the approval of the Journal be held over until later in the day.

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

Mr. Coghill asked that action be taken on the weekend meetings. Mrs. Hermann suggested that action be delayed until after the report of the Committee on Rules. Mr. Riley announced a meeting of the Committee on Rules at the first recess.

The Chairman of the Committee on the Executive asked that the Convention recess until the amended proposal was available. The President declared a short recess.

AFTER RECESS

Committee Proposal No. 10 was read the second time.

Mr. Coghill announced the presence of the students from Nenana and introduced Miss Gloria Fredericks, president of the student body, who gave the following talk:

GLORIA FREDERICKS: Mr. President, Delegates to the Alaska Constitutional Convention and friends, I feel that we today are highly favored people, especially those of us fortunate enough to call Alaska our home. Certainly the privileges of living in this great northern fringe of American civilization are as great as those possessed by any of the other forty-eight states.

Alaska is not only the geographical crossroads of the world but is herself at the crossroads of her destiny. She can become a equal state under the great flag of our forefathers or she can be longer subjected to the tyranny of American colonialism so eloquently spoken against by our former Governor, Mr. Gruening.

Everyone today is searching means of conserving resources, both human and physical. Today the youth of our land constitutes a far more serious problem of juvenile delinquency. They constitute the sole means of perpetrating the continuity of our way of life. I feel that today's youth are more alert, more self-conscience, and more capable than the youth of any other nation in the entire world. Were we to doubt our advancement over other generations, we wouldn't admit the failure of our great American principles. We, the youth of 1956, are indeed alert to the changes of our day. We realize the significance of this convention here at our great and growing University. Just as the University symbolizes our determination to enlighten our future generations, so does your work here provide basis for our hopes of the future. We feel highly honored to be able to attend this convention. Perhaps it might convey to our minds something of that great group of men who sat in Philadelphia almost two centuries ago to draw up a constitution for our infant nation to be governed by a revolutionary type of government. Your task, though not as tremendous as theirs, is as important to the destiny of this portion of America. Some of us have never been fully Americans. Some of you have been colonials all your life. We can look forward to a great spiritual and physical growth under the new status of citizenship, full citizenship. Many of us here today will no doubt live to be able to vote for those who decide our economic and cultural as well as our political destiny. We will be citizens of the largest and eventually the greatest of all states, Alaska. I feel that your grandchildren will see your names on streets of the new state. Possibly towns and cities will be named for you. The future will judge your work here, and we are part of that future. Because of the work you are doing here I feel that some of us will help legislate according to this Constitution. I feel we will amend it and flower it into full stature of American citizens.

We, the students of Nenana Public Schools, would like to thank you for the opportunity of appearing here before you and seeing you at work. It will be a day few of us will ever forget. Thank you.

Mr. Johnson moved and asked unanimous consent that the remarks of Miss Fredericks be spread upon today's Journal. There being no objection, it was so ordered.

Mr. V. Rivers, Chairman of the Committee on the Executive Branch, discussed the Committee's position on the proposal.

A general discussion of the Proposal with questions from the delegates followed. Mr. Sundborg moved for a fifteen minute recess. There being no objection, it was so ordered.

AFTER RECESS

A further discussion of Committee Proposal No. 10 followed.

Mr. Sundborg moved and asked unanimous consent that the Convention recess until 1:30 p.m. Before the recess was announced, the following committee announcements were made: Executive Committee meeting at 12:50 p.m. Rules Committee immediately on recess. Resources Committee at 12:50 p.m. Ordinances Committee at 1:00 p.m.

AFTER RECESS

Mr. White asked unanimous consent to continue reading the Journal for the 48th day and recommended it's approval, subject to the following corrections:

CORRECTIONS - JOURNAL FOR THE 48th CONVENTION DAY

- Page 1; Line 1: change 1955 to 1956
- Page 1; bottom line: change 1955 to 1956
- Page 2, 1st paragraph after the roll call, line 2:
insert "Mr." before V. Rivers
- Page 3, 4th paragraph, add at the end of the last sentence:
There being no objection, it was so ordered.
- Page 6, 3rd paragraph, first line, after the word "motion"
insert the words "to reconsider"
- Page 13, 2nd paragraph, 2nd line: change the word "in" to "for"

There being no objections, the Journal was approved subject to the corrections.

The following communications were read: Telegram from the Cordova Fish & Cold Storage Co. recommending Department of Fisheries control Sport and Commercial fisheries: Telegram from the Cordova District Fisheries Union signed by Harold Z. Hansen, Executive Secretary, also recommending Department of Fisheries control Sport and Commercial Fisheries. An Invitation was extended the delegates by the Alaska Crippled Children's Association to attend a Silver Tea to meet Christian von Schneidau and view his paintings. A letter was read from Cheril Drake of Stockton, California, requesting information on Alaska for her his-

tory notebook.

The President announced that the Veterans of Foreign Wars were having a Stag Party tomorrow night and had extended an invitation to all delegates wishing to attend. Those planning to attend were requested to leave their names with the Sgt.-at-Arms.

Mr. V. Fischer asked that the request of Cheril Davis be answered immediately. Mrs. Hermann stated that that was the function and duty of the Alaska Statehood Committee, and they had been filling numerous requests of the same kind. The President asked that the letter from Cheril Davis be turned over to Mrs. Hermann, who is the Secretary of the Alaska Statehood Committee and that the other communications be filed.

The President called for further discussion of Committee Proposal No. 10, and a general discussion by several delegates followed. During the discussion Mr. McCutcheon rose to a point of order to state that this was merely a discussion and the merits or demerits of any section could not be argued at this time. The President upheld his point of order.

After discussion, the President called for a recess.

AFTER RECESS

Further discussion of Committee Proposal No. 10 followed with Chairman V. Rivers answering questions of the delegates.

Mr. Poulsen requested a fifteen minute recess at 3:30 p.m. There being no objection, it was so ordered.

AFTER RECESS

Mr. White stated he had an amendment to Section 2 of Committee Proposal No. 10.

Mr. V. Rivers stated there was a Committee Amendment which he would like to have considered first. Mr. White yielded.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following Committee Amendment to Section 3: Page 1, line 11, place a period after the word "governor" and strike the balance of the section. There being no objection, it was so ordered.

Mr. White moved the adoption of the following amendment to Section 2: Page 1, Lines 4 and 5, strike the words "and shall have been for at least twenty years". Mr. Buckalew seconded. After discussion by Mr. White, Mr. Londborg, Mr. V. Rivers, Mrs. Nordale, Mr. V. Fischer, Mr. Metcalf, Mr. Buckalew, Mr. Barr and Mr. Kilcher, the question was called.

The roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Buckalew, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Lee, McLaughlin, Mc Nealy, Marston, Nordale, Poulsen, Reader, Riley, R. Rivers, Stewart, Sundborg, White, Wien, Mr. President.

Nays: 25 - Barr, Boswell, Coghill, Collins, Cross, H. Fischer, Harris, Johnson, King, Knight, Laws, Londborg, Mc Cutcheon, McNees, Metcalf, Nerland, Nolan, Peratrovich, V. Rivers, Robertson, Rosswog, Smith, Sweeney, Taylor, Walsh.

Absent: 1 - VanderLeest.

and so the Amendment was adopted.

Mr. Robertson asked unanimous consent for the adoption of the following amendment to Section 2, line 3; after the word "be" insert "a citizen of this state". Mr. Buckalew objected. Mr. Robertson so moved. Mr. Knight seconded. After discussion, Mr. Davis asked if Mr. Robertson would not withdraw his amendment and submit a revised amendment. Mr. Robertson asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. Robertson asked unanimous consent for the adoption of the following amendment to Section 2: Line 5, delete the comma and add the words "and of this state". Mr. Taylor seconded and asked unanimous consent. Mr. Lee objected.

After discussion by Mr. Lee, Mr. Robertson, Miss Awes, and Mr. Nolan, Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion by Mr. V. Rivers, Mr. Robertson and Mr. McLaughlin, Mr. Robertson asked unanimous consent to withdraw his amendment. Mr. V. Rivers objected. After discussion, Mr. V. Rivers withdrew his objection. Mr. Hellenthal objected to the withdrawal of the amendment. The question being, "Shall Mr. Robertson's amendment be adopted?", the roll was called with the following result:

Yeas: 35 - Armstrong, Barr, Boswell, Collins, Cross, Davis, Emberg, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McCutcheon, McNealy, McNees, Metcalf, Nolan, Nordale, Peratrovich, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sweeney, Wien.

Nays: 19 - Awes, Buckalew, Coghill, Cooper, Doogan, V. Fischer, Gray, Lee, McLaughlin, Marston, Nerland, Poulsen, Riley, Stewart, Sundborg, Taylor, Walsh, White, Mr. President.

Absent: 1 - VanderLeest

and so the amendment was adopted.

Mr. White moved and asked unanimous consent for the adoption of the following amendment to Section 2: Line 6, page 1, strike the word "seven" and insert in lieu thereof the word "five". Mr. Coghill objected. Mr. Buckalew seconded.

Mr. Taylor stated he had an amendment to Section 2 on the Chief Clerk's desk. The President stated it would be considered after Mr. White's amendment had been disposed of. After discussion of Mr. White's amendment by Mr. White, Mr. V. Rivers, Mr. Londborg, and Mr. Barr, Mr. Kilcher requested that Mr. Taylor's amendment be read. Mr. Cooper objected and moved the previous question. Mr. Kilcher spoke on the amendment. Mr. Coghill moved the previous question. Mr. Buckalew seconded. On voice vote the previous question was ordered.

The question being, "Shall Mr. White's amendment to line 6 be adopted?", on voice vote the amendment failed.

Mr. Taylor moved the adoption of the following amendment to Section 2: Line 4, page 1, after comma insert the following: "and shall have been for at least seven years a citizen of the United States". After discussion by Mr. V. Fischer, Mr. V. Rivers, Mrs. Nordale, Mr. Marston, Mr. Johnson, Mr. Buckalew, and Mr. Taylor, the question was called. On voice vote the amendment was adopted.

Mr. Sundborg moved the adoption of the following amendment to Section 3 and asked unanimous consent: Line 9, strike sentence beginning "The person" and ending on line 11. Mrs. Nordale objected. Miss Awes seconded. After discussion by Mrs. Nordale, the question was called. On voice vote the amendment failed.

Mr. Buckalew rose to speak on a matter of personal privilege regarding the amended Section 2.

Mr. Buckalew moved the adoption of the following amendment to Section 6: Strike Section 6. Mr. Hellenthal seconded.

After discussion by Mr. Buckalew, Mr. V. Rivers, Mr. Barr, Miss Awes, Mr. Hellenthal, Mr. Harris and Mr. Peratrovich, Mr. Londborg rose to speak on a matter of personal privilege. After further discussion of the amendment by Mr. Hurley, Mr. Gray, Mrs. Nordale, Mr. Taylor and Mr. V. Fischer, Mr. Buckalew asked unanimous consent to withdraw the amendment. There being no objection, it was so ordered.

Mrs. Sweeney asked unanimous consent to recess until 7 p.m. Mr. McCutcheon objected. Mrs. Sweeney withdrew her request.

Mr. White moved the adoption of the following amendment to Section 6: page 3, lines 5 and 6, strike the words "as may be prescribed by law and". Mr. Buckalew seconded. After discussion by Mr. Sundborg, Mr. V. Rivers, Mr. Barr, Mrs. Nordale, Mr. Robertson and Mr. White, Mr. Hellenthal asked unanimous consent that subject to committee announcements the convention recess until 7 p.m.

Mr. Smith announced a meeting of the Committee on Resources at 6:15 p.m. Mr. Nerland announced a meeting of the Committee on Finance immediately on recess. Mr. V. Rivers announced a meeting of the Committee on the Executive Branch at 6:40 p.m.

There being no objection to the unanimous consent request, the Convention recessed until 7 p.m.

AFTER RECESS

Mr. R. Rivers gave notice of reconsideration of his vote on the Robertson amendment to Section 2. Mr. McCutcheon asked Mr. R. Rivers if he had any objection to taking the matter up at this time. Mr. R. Rivers stated he would prefer to consider the matter on the next Convention day.

Mr. Buckalew moved to rescind the action on Mr. Robertson's amendment to Section 2.

Mr. Johnson rose to a point of order to state that a motion to rescind would be out of order when a notice of reconsideration has been given.

The President stated he was in doubt on the point of order and declared a short recess.

AFTER RECESS

The President stated that a motion to rescind action was out of order at this time.

Mr. White asked unanimous consent to withdraw his amendment to Section 6 which was before the Convention. There being no objection, it was so ordered.

Mr. Cooper moved the adoption of the following amendment to Section 6: Page 2, line 19 delete second "the"; line 20 change period to a comma, strike "he" and insert "who" before "shall"; Line 21, strike "the" before "election" and insert "under the same"; Line 22, after "law" insert "for Governor", insert period and strike the remainder of the Section

through period after "state" on line 4, page 3. Mr. Hinckel seconded. After discussion by Mr. Cooper, Mr. Boswell, Mrs. Nordale, Mr. Buckalew, Mr. Johnson, Mr. Hurley, Mr. Armstrong, Mr. Barr, Mr. V. Fischer, Mr. Taylor, Mr. Kilcher, Mr. Hinckel, Mr. Nerland and Mr. McNees, the question was called. The question being, "Shall Mr. Cooper's amendment to Section 6 be adopted?" The roll was called with the following result:

Yeas: 19 - Buckalew, Coghill, Cooper, Cross, Hellenthal, Hilscher, Hinckel, Hurley, Metcalf, Nolan, Peratrovich, Poulsen, Riley, Rosswog, Sundborg, Sweeney, White, Wien, Mr. President.

Nays: 33 - Armstrong, Awes, Barr, Boswell, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, Mc Nees, Marston, Nerland, Nordale, Reader, R. Rivers, V. Rivers, Smith, Stewart, Taylor, Walsh

Absent: 3 - McNealy, Robertson, VanderLeest

and so the amendment failed.

Mr. Buckalew moved the adoption of the following amendment to Section 6: Strike all of Section 6. Miss Awes seconded. After Mr. Buckalew spoke on the amendment, Mr. Sundborg moved the previous question. Mr. McNees seconded. The question being, "Shall the previous question be ordered?", the roll was called with the following result:

Yeas: 23 -- Barr, Boswell, Collins, Cross, Emberg, H. Fischer, Gray, Harris, Hilscher, Johnson, King, Knight, Laws, McCutcheon, McNees, Metcalf, Nerland, R. Rivers, Rosswog, Sundborg, Taylor, Wien, Mr. President

Nays: 29 - Armstrong, Awes, Buckalew, Coghill, Cooper, Davis, Doogan, V. Fischer, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, Lee, Londborg, McLaughlin, Marston, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Smith, Stewart, Sweeney, Walsh, White

Absent: 3 - McNealy, Robertson, VanderLeest
and so the previous question was not ordered.

After discussion of the amendment by Mr. McLaughlin, Mr. Nolan, Mr. Davis, Mr. McNees, Mr. Marston and Mr. Buckalew, the question was called. The question being, "Shall Mr. Buckalew's amendment be adopted?", the roll was called with the following result:

Yeas: 26 - Armstrong, Awes, Buckalew, Coghill, Doogan, Emberg, V. Fischer, Hellenthal, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McCutcheon, McLaughlin, Nolan, Nordale, Poulsen, Reader, Riley, Smith, Sweeney, White, Wien, Mr. President

Nays: 25 - Barr, Boswell, Collins, Cooper, Cross, Davis, H. Fischer, Gray, Harris, Hermann, Johnson, King, Laws, Londborg, McNees, Marston, Metcalf, Nerland, Peratrovich, R. Rivers, V. Rivers, Stewart, Sundborg, Taylor, Walsh

Absent: 4 - McNealy, Robertson, Rosswog, VanderLeest

and so the amendment was adopted.

Mr. Buckalew requested a fifteen minute recess to discuss the result of the amendment with the Committee to effect changes in other sections. Mr. V. Rivers objected. Mr. Buckalew so moved. Mr. Knight seconded. The roll was called with the following result:

Yeas: 22 - Armstrong, Awes, Buckalew, Coghill, Emberg, V. Fischer, Hellenenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McLaughlin, Marston, Nolan, Poulson, Riley, Sweeney, White, Wien

Nays: 29 - Barr, Boswell, Collins, Cooper, Davis, Doogan, H. Fischer, Gray, Harris, Johnson, King, Laws, Londborg, McCutcheon, McNees, Metcalf, Nerland, Nordale, Peratrovich, Reader, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, Walsh, Mr. President, Cross

Absent: 4 - McNealy, Robertson, Rosswog, VanderLeest

and so the motion to recess failed.

Mr. R. Rivers moved that the Convention adjourn until 9 a.m. Saturday. Mr. Taylor seconded.

Mr. Riley stated that he would like the Convention to revert to Committee reports.

Mr. R. Rivers withdrew his motion to adjourn.

Mr. Riley asked unanimous consent to revert to committee reports after a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Riley presented the following report of the Committee on Rules:

REPORT OF THE COMMITTEE ON RULES

Improvement of Convention Procedure for Consideration of Proposals

The Committee suggests the following modifications to existing rules:

I

(a) After a standing committee chairman has explained an article and questions have been answered, a recess shall be called, if necessary, during which time Delegates with amendments may consult with the standing committee if they have not previously done so in order to reconcile ideas, (if possible), consolidate similar amendments, and prepare amendments in suitable form. Proposed amendments shall not be in order during the initial section by section review of proposals unless previously presented for the committee's consideration or unless this requirement is waived by the committee chairman. Long or complicated amendments shall not be in order until mimeographed.

(b) After the first section by section review of the proposal, another recess will be called to enable Delegates having further amendments to consult with the committees. In the second section by section review of the proposal, amendments may be submitted directly from the floor without previous consultation with the committee.

II

A delegate may speak only once to any motion or amendment except the mover who may open and close debate thereon. The same

restriction shall apply to amendments to amendments.

III

When a question has been put by the Chair, a roll call shall be in order upon the request of 10 delegates evidenced by a show of hands, provided that the Chair may order a roll call vote at any time.

IV

Notices of reconsideration and of motions to rescind must be given within one hour of the vote sought to be reconsidered or rescinded and the appropriate motion made within three hours of such vote. Neither reconsideration nor rescission shall carry without at least 28 affirmative votes.

The following two exceptions apply to this rule:

- (a) If a recess prevents adherence to such time limits, the notice or motion involved may be announced or made at the next earliest opportunity.
- (b) If a vote is taken too late in the day to afford the full time above allowed, notice and reconsideration or action to rescind shall be accomplished before adjournment that day.

OTHER SUGGESTIONS

- (a) It is suggested that the Rules Committee prepare a tentative schedule for completing work on each proposal, and that the Committee announce the time to be allotted a proposal before the

Convention considers it.

(b) Adhere strictly to the period of time stated for each recess.

Mr. Riley moved the adoption of Rule I. Mr. Armstrong seconded. Mr. Sundborg asked for unanimous consent. Miss Awes objected, stating she believed the words "and questions have been answered" should be deleted. Mr. Riley asked unanimous consent that the suggestion of Miss Awes be adopted as an amendment. Mr. Coghill objected. Mr. Kilcher objected. After discussion by Mr. Riley, Mr. Coghill withdrew his objection. Mr. Riley moved that the words "and questions have been answered" be deleted from line 2 of Rule I. Mr. Knight seconded. On voice vote, the amendment was adopted. The adoption of the amendment to the existing rules requiring a two-thirds vote, the roll was called on the adoption of Rule I, with the following result:

Yeas: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Nays: 0

Absent: 2 - Robertson, VanderLeest

and so Rule 1 was adopted.

Mr. Sundborg asked unanimous consent that the following language be inserted at the end of the line "The Committee suggests", add: "to become effective following consideration of Committee Proposal No. 10a in second reading". Mr. Davis objected, and so the change was not adopted.

Mr. Riley asked unanimous consent that proposed Rule II be adopted. Mr. Londborg objected. After discussion, Mr. Londborg withdrew his objection. Mr. Kilcher objected. Mr. Riley so moved. Mr. Davis seconded. Mr. Kilcher spoke on the suggested rule, and Mr. McCutcheon rose to a point of order that Mr. Kilcher was castigating the Rules Committee. The President stated that Mr. McCutcheon's point of order was well taken and that Mr. Kilcher should confine his remarks to the proposed rule.

After discussion by Mr. McLaughlin, Mr. White, Mr. Londborg, Mr. Davis, and Mr. McNealy, Mr. Coghill rose to state that the original contract for 150 hours of recording was running out, and therefore he was in favor of the rule. Mr. Metcalf, Mr. Hinckel and Mr. V. Rivers spoke on the proposed Rule II. The President stated that since the

matter of convention expenses had come up in the debate, he wished to state that as of this date it appeared there would be twenty-five or thirty thousand dollars unexpended funds to be returned to the treasury.

The roll was called on the adoption of Rule II with the following result:

Yeas: 45 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, Mr. President

Nays: 8 - Buckalew, Cooper, Harris, Kilcher, Londborg, Poulsen, Reader, White

Absent: 2 - Robertson, VanderLeest

and so Rule II was adopted.

Mr. Riley asked unanimous consent for the adoption of Rule III. Mr. Kilcher objected. Mr. Riley so moved. Mr. Knight seconded. After discussion by Mr. V. Fischer, Mr. Londborg, Mr. V. Rivers, Mr. Johnson, Mr. Hurley and Mr. Sundborg, Mr. Kilcher moved to change the figure "10" to "5" and asked unanimous consent. There being no objection it was so ordered. The roll was called on the adoption of Rule III with the following result:

Yeas: 33 - Barr, Boswell, Buckalew, Collins, Cross, Davis, Doogan, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, Nerland, Nolan, Nordale, Riley, R. Rivers, Rosswog, Smith, Sundborg, Sweeney, Taylor, Walsh, Wien, Mr. President

Nays: 20 - Armstrong, Awes, Coghill, Cooper, Emberg, H. Fischer, Harris, Johnson, Kilcher, Laws, Londborg, McNees, Marston, Metcalf, Peratrovich, Poulsen, Reader, V. Rivers, Stewart, White

Absent: 2 - Robertson, VanderLeest

and so Rule III was not adopted.

Mr. Riley moved the adoption of Rule IV. Mr. McCutcheon seconded. After discussion by Mr. V. Fischer, Mr. Londborg and Mr. Stewart, the roll was called on the adoption of Rule IV with the following result:

Yeas: 17 - Barr, Collins, Davis, H. Fischer, Hellenthal, Hermann, McCutcheon, McLaughlin, McNealy, Nordale, Riley, R. Rivers, Rosswog, Sundborg, Taylor, Walsh, Wien

Nays: 36 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, V. Rivers, Smith, Stewart, Sweeney, White, Mr. President

Absent: 2 - Robertson, VanderLeest

and so Rule IV was not adopted.

Mr. Riley called attention to a rule in Roberts Rules of order, to the effect that amendments to rules may be adopted by a majority vote, if prior notice of the changes is made.

The President ruled that sufficient notice had not been given to make this rule apply.

Mr. R. Rivers requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney served notice of her intention to reconsider her vote on Mr. Buckalew's amendment to strike Section 6 of Committee Proposal No. 10a.

Mr. Johnson moved that the Convention adjourn until 9 a.m. Saturday. There being further business to conduct, Mr. Johnson withdrew his motion.

Mr. Riley moved that Rule II become effective immediately and that Rule I become effective following consideration of Committee Proposal No. 10a in second reading. Mr. Riley asked unanimous consent for the adoption of the motion. There being no objection, it was so ordered.

Mr. R. Rivers spoke on suggestion (a) and Mr. Gray spoke on suggestion (b) of the Rules Committee report.

Mr. Coghill moved that the suggestions be adopted into the rules. Mr. Hellenthal rose to a point of order questioning how a rule can be a suggestion that another suggestion be made. Mr. R. Rivers suggested that action be taken after the rules committee submits a detailed report. Miss Awes suggested that the Convention continue with the calendar as it is at the present time and consider the matter of time allotments later. Mr. Coghill withdrew his motion.

Mr. Harris moved that the Convention adjourn until 9:05 a.m. Saturday. Mr. V. Fischer seconded. On voice vote the motion failed.

Consideration of Committee Proposal No. 10a continued.

Miss Awes suggested that Sections 7, 8 and 9 of Committee Proposal No. 10a be considered after the reconsideration of the amendment to strike Section 6, since the sections are all related.

Mr. Taylor moved and asked unanimous consent that consideration of Sections 7, 8 and 9 be delayed. There being no objection, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following Committee Amendment to Section 10: delete "or" and insert a comma and add "or right" after "duty". There being no objection, it was so ordered.

Mr. V. Fischer moved the adoption of the following amendment to Section 10: line 7, after "subdivisions" insert "or by any licensee of the state" Mr. Stewart seconded.

After discussion by Mr. V. Fischer, Mr. Gray, Mr. Davis, Mr. McNees, and Mr. Barr, Mr. V. Fischer requested a three minute recess. There being no objection, it was so ordered.

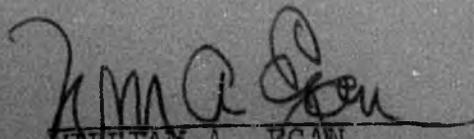
AFTER RECESS

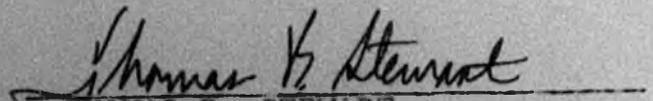
Mr. V. Fischer asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following Committee amendment to Section 10: Page 5, line 14, strike "the Senate alone" and insert "either house alone" and asked unanimous consent. There being no objection, it was so ordered.

Mr. Barr moved the adoption of the following amendment to Section 10: line 17 after the word "prepare" insert "and submit to the governor elect". Mr. Knight seconded.

Mr. Barr stated that consideration of his amendment could be taken at the next day's session and asked unanimous consent that the Convention adjourn until 9:05 Saturday morning. Mr. Rosswog announced a meeting of the Committee on Local Government in the gallery on recess. There being no objection to the unanimous consent request, the convention adjourned at 9:38 p.m. until 9:05 a.m. Saturday.


WILLIAM A. EGAN
President


THOMAS B. STEWART
Secretary

Jan. 21, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTY-THIRD CONVENTION DAY, Saturday, January 14, 1956

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

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

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

The report of the Committee to read the Journal was deferred.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at the 10:30 recess.

Mr. Sundborg moved that it be the policy to adjourn at 5:40 p.m. today until 9 a.m. Monday morning. Mr. Riley asked whether Mr. Sundborg would amend that to state 3:45. Mr. Sundborg accepted the change. Mr. Smith stated that the Resources Committee would like to have Sunday for a committee meeting; Mr. Sundborg stated that the Committee on Style and Drafting also needed Sunday to work.

Mrs. Hermann stated that Mr. Sundborg's motion was out of order. Mr. Sundborg stated that it was only a declaration of policy.

Consideration of Committee Proposal No. 10a was continued.

Mr. Barr's amendment being before the Convention, discussion was continued on it by Mr. Barr, Mr. Johnson and Mr. Londborg. The question being "Shall Mr. Barr's amendment to Section 10 be adopted?", the roll was called with the following result:

Yeas: 27 - Barr, Collins, Cross, Emberg, H. Fischer, Harris, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McCutcheon, Nerland, Nolan, Peratrovich, Poulsen, V. Rivers, Robertson, Smith, Taylor, VanderLeest, Walsh, Wien, Mr. President

Nays: 26 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Lee, McLaughlin, McNealy, Marston, Metcalf, Nordale, Reader, Riley, R. Rivers, Rosswog, Stewart, Sundborg, Sweeney, White

Absent: 2 - Doogan, McNees

and so the amendment was adopted.

Mrs. Sweeney moved that the reconsideration of her vote on the Buckalew amendment to strike Section 6 be taken up at this time. Mr. Doogan seconded.

After discussion by Mrs. Sweeney, Mr. Boswell, Mr. Hellenthal, Mr. Davis and Mr. Londborg, Mr. Riley requested that all proposed amendments to Section 6 be read at this time.

The President stated that in fairness to all, the request of Mr. Riley would be granted.

Mr. V. Rivers read a proposed committee amendment to Section 6, inserting the word "general" before "election". After discussion by Mr. V. Rivers, Mr. V. Fischer and Mr. McLaughlin on Section 6, the President asked Mr. Armstrong to take the Chair. The President then spoke from the floor on Section 6.

Mr. Hellenthal requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The President took the Chair.

After discussion by Mrs. Nordale, Mr. Barr, Mr. White, Mr. Hurley, Mr. Gray, Mr. R. Rivers, Mr. Rosswog, Mr. Taylor, Mr. Buckalew and Mrs. Sweeney, the question was called. The question being "Shall Mr. Buckalew's amendment to strike Section 6 be adopted?", the roll was called with the following result:

Yeas: 9 - Buckalew, Coghill, Emberg, V. Fischer, Kilcher, Lee, Poulson, Sundborg, White

Nays: 46 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, Walsh, Wien, Mr. President

and so the amendment failed.

Mr. Sundborg asked unanimous consent that the convention recess for fifteen minutes.

Mr. Coghill introduced the Commander of the Veterans of Foreign Wars, Department of Alaska, and the Department Service Officer, James Burnette, who were visiting the Convention.

There being no objection to the unanimous consent request, the Convention recessed until 10:45 a.m.

AFTER RECESS

Mr. Hilscher introduced Sir Hubert Wilkins, noted Artic Explorer, who holds his first honorary doctor's degree from the University of Alaska, and asked unanimous consent that he be given the privilege of the floor to address the Convention. Permission was granted and Sir Hubert Wilkins gave a few remarks.

Consideration of Committee Proposal No. 10/a continued. Mr. V. Rivers moved the adoption of the following amendment to Section 6: Line 20, after period following word "governor" insert the following sentence: "He shall be nominated in the manner provided by law for nominating candidates for other elective offices."; delete the word "election" on line 21; line 22, after the word "law", insert "for general elections." Mr. V. Rivers asked unanimous consent for the adoption of the proposed amendment. Mr. Hellenthal objected. Mr. R. Rivers seconded. On voice vote the amendment was adopted.

Miss Awes moved the adoption of the following amendment to Section 6: line 8, page 2, strike words "secretary of state" and substitute "lieutenant governor"; line 21 strike part from "and" through word "governor" ending on line 2, page 3; line 2, page 3, strike "secretary of state" and substitute "lieutenant governor"; line 4, and 5 page 3, strike words "secretary of State" on both lines and in each case substitute "lieutenant governor". Mr. Buckalew seconded.

After Miss Awes spoke, Mr. Riley questioned Miss Awes as to amending her amendment to delete more language on page 3. Miss Awes asked unanimous consent to amend her amendment by striking through word "state" on line 4, page 3, and thereby eliminating the part of her amendment on line 2, of page 3. There being no objection, it was so ordered.

After questions by Mr. White and Mr. Taylor, Miss Awes requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After further discussion by Mr. Buckalew, Mr. Barr, Mr. Taylor and Miss Awes, the question was called. On voice vote Miss Awes' amendment failed.

Mr. R. Rivers moved to reconsider his vote on Mr. Robertson's amendment to Section 2 at this time. Mr. Buckalew seconded.

After discussion by Mr. R. Rivers, Mr. McNealy, Mr. Hellenthal, Miss Awes, Mr. Coghill, Mr. Sundborg, Mr. McCutcheon, Mr. Robertson and Mr. McLaughlin, the question was called. On voice vote Mr. Robertson's amendment to Section 2 to insert the words "and of this state" at the end of line 5 failed of adoption.

Mr. Hellenthal moved the adoption of the following amendment to Section 6: Line 20, strike everything after "nor" through "state" on line 4, page 3 and substitute the following: "He shall be appointed by the governor."; on line 5 insert "administrative" before "duties". Section 7, line 12, page 3 delete the words "person elected". Mr. Marston seconded.

Mr. McCutcheon rose to a point of order to state the amendment should be divided into two parts since it is concerned with two sections.

After the President stated he believed they were related, Mr. McCutcheon yielded on his point of order.

On voice vote Mr. Hellenthal's amendment failed.

Mr. Kilcher spoke on Section 6. Mr. Gray rose to a point of order to ask what was before the Convention. The President stated there was nothing before the Convention. Mr. Kilcher asked a question of the President regarding Section 6. Mr. Hellenthal rose to a point of information.

Mr. Cooper spoke on a matter of personal privilege.

Mr. V. Rivers moved the adoption of the following committee amendment to Section 7: page 3, lines 20 and 21, after the first word "the" strike the words "powers and duties shall devolve upon the Secretary of State" and insert in lieu thereof "Secretary of State shall become the acting governor". Mr. Kilcher seconded.

Mr. R. Rivers moved to amend Section 7 line 17 by deleting the rest of the sentence after the word "removal" and substituting the following "the secretary of state shall become the governor."

The President declared Mr. R. Rivers amendment out of order.

The roll was called on the adoption of Mr. V. Rivers committee amendment with the following result:

Yeas: 29 - Armstrong, Awes, Buckalew, Coghill, Collins, Cross, Davis, V. Fischer, Gray, Hellenthal, Hermann, Kilcher, Knight, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf, Peratrovich, Reader, Riley, R. Rivers, Rosswog, Stewart, Sundborg, VanderLeest, Walsh, Mr. President

Nays: 24 - Barr, Boswell, Cooper, Doogan, Emberg, H. Fischer, Harris, Hinckel, Hurley, Johnson, King, Laws, McCutcheon, Marston, Nerland, Nolan, Nordale, Poulsen, V. Rivers, Robertson, Smith, Sweeney, Taylor, Wien

Absent: 2 - Hilscher, White

and so the amendment was adopted.

Mrs. Nordale spoke on a matter of personal privilege.

Mr. R. Rivers moved the adoption of the following amendment to Section 7: line 17, after "removal" delete rest of sentence and substitute "the Secretary of State shall become the governor." Mr. Taylor seconded and asked unanimous consent. Mr. Poulsen objected. After discussion by Mr. R. Rivers, Mr. McLaughlin, Mr. Kilcher, Mr. McCutcheon, Mr. Smith and Mr. Taylor, the question was called. The president being in doubt on the voice vote, requested a roll call with the following result:

Yeas: 16 - Armstrong, Collins, Cooper, Davis, Kilcher, Laws, McNealy, Metcalf, Nerland, Nordale, Peratrovich, R. Rivers, Sundborg, Taylor, Walsh, Mr. President

Nays: 37 - Awes, Barr, Boswell, Buckalew, Coghill, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nolan, Poulsen, Reader, Riley, V. Rivers, R. Robertson, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Wien

Absent: 2 - V. Fischer, White

and so the amendment failed.

Mr. Davis asked that the delegates be careful about offering amendments which are not necessary since the Committee on Style and Drafting is governed by the action of the body.

Mr. Johnson moved that the Convention recess until 1:30 and asked unanimous consent.

The following committee meeting announcements were made: Ordinances on recess; Executive Branch at 12:45 p.m.; Resources in the lobby of the Northward Building, rather than the Polaris, on Sunday at 2 p.m.; Style and Drafting Sunday at 1 p.m. at Apt. 1013 Polaris. Engrossment and Enrollment at 1 p.m. today; Rules on recess; Administration at 1 p.m.; Finance at 12:30 Sunday in the Northward Building lobby.

There being no objection, the Convention recessed for lunch until 1:30 p.m.

AFTER RECESS

Mrs. Sweeney asked unanimous consent to revert to Committee reports. There being no objection, it was so ordered.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment to whom was referred Committee Proposal No. 5 had compared it with the original and found it correctly engrossed and the enrolled copies correctly enrolled except that on line 14, page 4, "house" should be "houses". Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment be adopted. There being no objection, it was so ordered.

Committee Proposal No. 5 was referred to the Committee on Style and Drafting.

Consideration of Committee Proposal No. 10a continued.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment to Section 5: page 2, line 14, strike the word "term" and insert in lieu thereof the word "tenure". There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following Committee amendment to Section 7: page 3, line 17, strike the word "impeachment", after the word "his" insert the word "title". After discussion, Mr. V. Rivers asked unanimous consent to amend his amendment by inserting "title," between "the" and "powers" on line 11. There being no objection it was so ordered. There being no objection to the adoption of the amended amendment, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment to Section 8: Page 4, line 4, after the word "acting" strike through the word "term" on line 15 and substitute the following "A vacancy in the office of governor shall be prescribed by law." There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following amendment to Section 16: Page 7, line 18, place a period after the word "governor"; strike down to "successors" on line 20. The President declared a short recess.

AFTER RECESS

Mr. V. Rivers asked unanimous consent to withdraw his amendment to Section 16. There being no objection, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment to Section 16: page 7, line 18, strike from word "governor" through "successors" on line 20. ~~delete~~ "Senate" and insert "legislature in joint session". Mr. R. Rivers seconded. Mr. Johnson objected. On voice vote the amendment was adopted.

Mr. Sundborg presented the following amendment: Section 10, page 5, strike lines 16 through 20. Mr. Buckalew moved its adoption. Mr. Sundborg seconded. After discussion by Mr. Sundborg, Miss Awes, Mr. Barr, and Mr. Riley, the question was called. On voice vote the amendment was adopted.

Mr. Cooper asked a question regarding Section 11. Discussion was held on the question of confirming appointments by the legislature.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers stated he believed the body should take action to adopt a policy regarding confirmation of appointments throughout the Constitution.

The President stated he believed the Convention should make a definite decision and settle the matter as concerns this problem in all the articles.

Mr. V. Rivers moved and asked unanimous consent that the group express as a policy the intent that confirmation of appointments shall be made by the legislature in joint session, and Committee Proposal No. 10a would be corrected to conform with the policy. Mr. Riley seconded. Mr. Johnson objected. After a discussion by Mr. Hellenthal,

Mr. Johnson, Mr. Barr, Mr. Londborg, Mr. Harris, Mr. Riley, Mr. McNealy, Mr. Nolan, Mrs. Fischer, Mr. McNees, Mr. Cooper, Mr. V. Fischer, and Mrs. Nordale, Mr. Cooper rose to speak on a matter of personal privilege.

After Mr. Barr and Mr. Hellenthal spoke on the motion, Mr. V. Rivers asked unanimous consent to withdraw the motion. Mr. R. Rivers objected.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers moved to withdraw his motion. Mr. Doogan seconded. On voice vote the motion was ordered withdrawn.

Mr. Hellenthal moved that where, in Committee Proposal No. 10a, confirmation of a gubernatorial appointment is required of either or both houses of the legislature or both houses jointly, then in those cases it shall be the policy of this body that such confirmation be made by both houses of the legislature in joint assembly. Mr. Taylor seconded. On voice vote the motion was adopted.

Mr. Kilcher moved and asked unanimous consent for the adoption of the following amendment to Section 16: page 6, line 6, strike "or invasion or imminent danger thereof" and substitute "and actual or imminent invasion". Mr. Taylor objected. Mr. Knight seconded. Miss Awes asked for a recess to check the language with the similar provision of the Bill of Rights. There being no objection, it was so ordered.

AFTER RECESS

After discussion by Miss Awes, Mr. Marston, Mrs. Sweeney, Mr. R. Rivers and Mr. Hellenthal, Mr. Kilcher asked unanimous consent to amend his amendment by changing the word "and" to "or". There being no objection, it was so ordered. On voice vote the amended amendment was adopted.

Mr. Sundborg inquired whether the Convention had read the boundaries of the election districts in Committee Proposal No. 14. Mr. Hellenthal stated that this language was not ready as yet.

Mr. Sundborg asked unanimous consent that the record show that Committee Proposal No. 14 was ordered to the Committee on Engrossment and Enrollment, subject to a later addition describing the election districts. There being no objection, it was so ordered.

Mr. Cross moved the adoption of the following amendment to Section 13 of Committee Proposal No. 10a: line 10, after the word "governor" add the words "subject to procedure prescribed by law". Mr. Marston seconded. After discussion by Mr. Cross, Mr. Johnson, Mr. Gray, Mr. R. Rivers, and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. V. Fischer moved the adoption of the following amendment to Section 13: strike the third sentence. Mr. Hurley seconded. On voice vote the amendment was adopted.

Mr. Barr moved the adoption of the following amendment: Page 6, line 16, after Section 13 insert a new Section 14, and renumber the following Sections accordingly --

"An Attorney General shall be elected at the same time and in the same manner as the Governor, and his term of office shall be four years. He shall be the chief law officer of the State, shall represent the State in all courts of law, and shall see that all laws are uniformly and adequately enforced throughout the State.

He shall be legal advisor to the Legislature and all State officers, and shall perform such other duties as may be prescribed by law. He shall be responsible to the Governor and the Legislature for the faithful performance of his duties.

The Attorney General shall receive for his services a compensation fixed by the Legislature which shall not be increased or diminished during his term of office. He shall devote his full time to his office and shall not receive any salary, fees or other compensation from any other source.

In case of vacancy in the office of Attorney General for any cause, the Governor shall appoint his successor to complete the term of office with the consent of a majority of both Houses of the Legislature in joint session assembled, or, when not in session, a poll of the members may be taken by mail by the President of the Senate and Speaker of the House."

Mr. Knight seconded. After discussion by Mr. Barr, Mr. Marston, Mr. Hellenthal, Mr. Nolan, Mr. McLaughlin, Mr. Stewart, Mr. R. Rivers, and Mr. Robertson, Mr. Barr closed the argument. Mr. Hellenthal requested a roll call. The roll was called with the following result:

Yeas: 12 - Barr, Collins, H. Fischer, Laws, McNealy, Metcalf, Nolan, Robertson, Smith, Sweeney, Taylor, Walsh

Nays: 40 - Armstrong, Awes, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, White, Mr. President.

Absent: 3 - Coghill, VanderLeest, Wien

and so the amendment failed.

Mr. Hurley spoke on a matter of personal privilege.

Mr. Sundborg spoke on a matter of personal privilege regarding the problem of Style and Drafting as concerns the office of attorney general.

Mr. Sundborg moved that the rules be suspended and that the Committee on Style and Drafting be empowered to make a substantive amendment to provide that wherever the words "attorney general" appear that they be changed to "secretary of state".

Mr. V. Rivers spoke under personal privilege.

Mr. Sundborg stated he would withhold making the motion until the second reading of Committee Proposal No. 10a had been completed.

Mr. Buckalew moved the adoption of the following amendment to Section 14: line 23, strike "and quasi", line 24 strike "judicial". After discussion by Mr. Buckalew, Mr. V. Fischer, Mr. Hellenthal, Mr. McLaughlin, Mr. Gray, Mr. V. Rivers, Mr. Hurley, Mr. Davis, Mr. Emberg, Mr. McNealy, Mr. Peratrovich, Mr. R. Rivers and Miss Awes, the question was called. The roll was called with the following result:

Yeas: 17 - Armstrong, Barr, Buckalew, Coghill, Davis, Doogan, Emberg, Hurley, Johnson, Lee, McNealy, Nolan, Peratrovich, Riley, Robertson, White, Mr. President

Nays: 36 - Awes, Boswell, Collins, Cooper, Cross, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh

Absent: 2 - VanderLeest, Wien

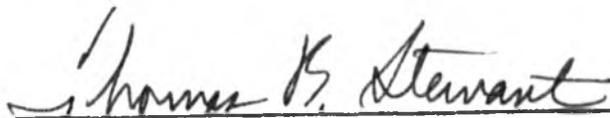
and so the amendment failed.

Mr. Kilcher served notice of his intention to reconsider his vote on Mr. Buckalew's amendment to Section 14.

Mr. Sundborg asked unanimous consent that the Convention adjourn until 9 a.m. Monday.

Mr. Rosswog announced a meeting of the Committee on Local Government at 1 p.m. Sunday at Apt. 19, Alaskan Inn.

There being no objection to the unanimous consent request, the Convention adjourned at 3:50 p.m. until Monday at 9 a.m.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTY-FIFTH CONVENTION DAY, Monday, January 16, 1956.

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. The President declared a quorum to be present.

A telegram from Senator Marcus F. Jensen of Douglas requesting the separation of the resources of game and fish as worded in the proposal made by the Territorial Sportsmen, Inc., was read and referred to the Committee on Resources.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at the first recess. Mr. Sundborg introduced Mr. Kimbrough Owen, consultant from Baton Rouge, Louisiana, who spoke briefly to the Convention.

Mr. Rosswog announced that the Committee on Local Government would like to have the services of Mr. Owen also.

Mr. Hilscher spoke on the matter of publicity of the Constitutional Convention outside of Alaska.

Mrs. Hermann spoke on a matter of privilege regarding the Mental Health Bill in Congress.

Committee Proposal No. 10a was considered again.

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

After Section 14, page 7 of Committee Proposal No. 10a, insert a new section as follows:

Section 15. "The Attorney General shall be appointed by the Governor from two or more qualified persons nominated in the same manner as judges by the judicial council. He shall have been admitted to practice law in the State and shall have the other qualifications prescribed herein for heads of principal departments and shall be subject to approval by the Legislature in a similar manner.

The Attorney General may be removed by the Governor with the consent and approval of both houses of the Legislature meeting jointly."

Mr. Harris seconded. After discussion by Mr. V. Rivers, Mr. Buckalew, Mr. Harris, Mr. McLaughlin, Mr. Taylor, Mr. Davis, Mr. R. Rivers, Mr. Londborg and Mrs. Nordale, Mr. V. Rivers closed the debate. Mr. Harris

55th Day, Monday, Jan. 16, 1956

requested a roll call on the adoption of the amendment. The roll was called with the following result:

Yeas: 18 - Barr, Collins, Cross, H. Fischer, Harris, Hinckel, Kilcher, Metcalf, Nerland, Nolan, Peratrovich, Reader, V. Rivers, Robertson, Rosswog, Smith, Taylor, VanderLeest.

Nays: 36 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nordale, Poulsen, Riley, R. Rivers, Stewart, Sundborg, Sweeney, Walsh, White, Wien, Mr. President.

Absent: 1 - McNealy

And so the amendment failed.

Mr. R. Rivers requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg asked a question regarding Section 14 which was answered by Mr. V. Rivers and Mr. Davis. Mr. Hellenthal asked a question regarding the same section. Mrs. Nordale spoke for the Committee on the section.

Mr. Buckalew moved the adoption of the following amendment to Section 14: Line 23, strike the sentence beginning with "Regulatory". Mr. Knight seconded.

Mr. Riley rose to a point of order that he believed the amendment out of order at this time because of the reconsideration of a vote on an amendment to that sentence. The President declared a short recess to discuss the point of order.

AFTER RECESS

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

Mr. Kilcher moved to reconsider his vote on Mr. Buckalew's amendment to Section 14 striking the words "and quasi-judicial". Mr. Knight seconded.

After Mrs. Nordale asked a question of Mr. Buckalew regarding the amendment, the question was called. On voice vote the amendment failed.

Mr. Riley moved the adoption of the following amendment to Section 16: page 7, line 21, strike the last sentence. Mr. Gray seconded.

Mr. Sundborg asked Mr. Riley if he would consider changing his amendment by putting the period after the word "states" on line 23. Discussion regarding a previous amendment having been adopted, changing "state" to "states", ensued. The President declared a fifteen-minute recess so that matter could be straightened out.

AFTER RECESS

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

Mr. Riley asked unanimous consent that the following amendment to Section 16 be adopted: line 23, strike "this" before "State" and insert in lieu thereof the words "the United" and add "s" to word "State". There being no objection, it was so ordered.

Mr. Riley moved the adoption of the following amendment to Section 16: Line 23 insert a period after "States" and strike the remainder of the sentence. Mr. Doogan seconded. After discussion by Mr. Riley, Mr. V. Rivers, Mr. Metcalf, Mr. Hilscher, Mr. Taylor, Mr. Londborg, Mr. Hellenthal, Mr. Barr, Mr. Doogan, Mr. Boswell, Mr. White, Mrs. Sweeney, Mr. Smith, Mr. McNees, Mr. Marston, Mrs. Wien, Mrs. Nordale, and Mr. Stewart, Mr. Riley closed the debate. Mr. White requested a roll call. The roll was called with the following result:

Yeas: 38 - Armstrong, Awes, Boswell, Buckalew, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Nerland, Nordale, Poulsen, Reader, Riley, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Nays: 16 - Barr, Coghill, Collins, Cross, H. Fischer, Harris, Johnson, Laws, Londborg, McCutcheon, Metcalf, Nolan, Peratrovich, R. Rivers, V. Rivers, Robertson.

Absent: 1 - McNealy

And so the amendment was adopted.

Mr. Coghill moved the adoption of the following amendment to Section 17: page 8, lines 8 and 9, delete "but the appointment shall be subject to the approval of the governor". Mr. Kilcher seconded. After discussion by Mr. Coghill, Mr. Walsh, Mr. Riley, Mr. Cooper, Mr. V. Fischer, Mr. Hellenthal and Mr. Boswell, Mr. Londborg requested a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Further discussion on the Coghill amendment by Mr. Sundborg, Mr. McCutcheon, Mr. Boswell, who spoke under personal privilege, and Mr. Londborg followed. Mr. Coghill closed the argument and after answering questions from Mr. Barr and Mr. Taylor, called for a roll call. The question being, "Shall Mr. Coghill's amendment be adopted?", the roll was called with the following result:

Yeas: 4 - Coghill, Cooper, Kilcher, Londborg

Nays: 50 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Absent: 1 - McNealy

And so the amendment failed.

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

AFTER RECESS

Mr. R. Rivers moved the adoption of the following amendment to Section 17: Page 8, line 9, at the end of the section add "except that such appointments by the Board of Education or the Regents of the University of Alaska need not be so approved by the governor." Mr. Walsh seconded.

After discussion by Mr. R. Rivers, Mr. V. Fischer, Mr. Boswell, and Mr. V. Rivers, Mr. Hellenthal moved to amend the amendment by striking the words "the board of education or". Mr. Riley seconded. On voice vote the amendment to the amendment was ordered adopted.

After Mrs. Nordale spoke on the amendment, Mr. Hilscher spoke on behalf of the Ordinance Committee to state that the establishment of the University of Alaska as a state university was under consideration by the Committee on Ordinances and Transitional Measures.

After further discussion by Mr. Hellenthal and Mr. Kilcher, the question was called. The question being, "Shall the amendment as amended be adopted?", on voice vote the amendment failed.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting during the noon luncheon period in the small luncheon room in the cafeteria.

Mr. Sundborg moved and asked unanimous consent that subject to Committee announcements the Convention recess until 1:30 p.m.

Mr. Coghill announced a meeting of the Committee on Administration at 1:00 p.m. Mr. Smith announced a meeting of the Committee on Resources at 12:50 p.m. Mrs. Sweeney announced a meeting of the Committee on Engrossment and Enrollment immediately on recess.

There being no objection, to the unanimous consent request, the Convention recessed until 1:30 p.m.

The Convention was called to order and the following communications were read: a telegram from A. J. Boddy, President of the Alaska Sportsmen Council of Juneau urging that certain language be inserted in the Resources article; a letter from the Alaska Native Brotherhood signed by Mr. Herbert Bradley, Grand Vice President, endorsing the Alaska Sportsmen Council's recommendation regarding the Resources article; a letter from Delegate E. L. Bartlett enclosing a copy of a letter from Congressman Walter Rogers of Texas, acknowledging receipt of the copy of the telegram sent by the Constitutional Convention to President Eisenhower .

At this time the Convention returned to consideration of Committee Proposal No. 10a. Mr. Robertson asked unanimous consent for the adoption of the following amendment: Section 17, Line 4, after the word "be" insert "citizens of the United States and". There being no objection to the unanimous consent request, the amendment was ordered adopted.

Mrs. Hermann moved for the adoption of the following amendment to Section 18: On page 8, line 16, after the word "unless" insert "the appointee is confirmed by the legislature or". Mr. Knight seconded. Mrs. Hermann spoke. Mr. Sundborg asked unanimous consent for adoption of the amendment. There being no objection, it was so ordered.

be included

Mr. V. Rivers asked unanimous consent for the adoption of the following amendment to Section 18: Strike the words "of the Senate or of" and insert in lieu thereof "of either house of the legislature or". Mr. Johnson objected. Mr. V. Rivers so moved. Mr. Knight seconded. After discussion by Mr. Sundborg, Mr. V. Rivers and Mr. Davis, Mr. Riley suggested that the following be included in the amendment: Strike the period after the word "meeting" in line 14 and insert "as prescribed by law". Mr. V. Rivers agreed and ordered unanimous consent that the suggestion of Mr. Riley in his amendment. Without objection it was so ordered. The President declared a short recess.

AFTER RECESS

The President announced that a group photo of the entire convention would be taken Wednesday Morning at 10:30 a.m.

The convention again considered Mr. V. Rivers' amendment and Mr. V. Rivers stated that the Style and Drafting Committee would have to work on the amendment. The President called the question, the question being, "Shall the amendment as offered by Mr. V. Rivers be adopted?" Before the responses could be called Mr. Taylor stated he had an amendment he would like to offer. After discussion by Mrs. Sweeney and Mr. Marston, the President called a short recess.

AFTER RECESS

Mr. Johnson withdrew his objection. Mr. V. Rivers asked unanimous

consent to withdraw his proposed amendment. There being no objection, the amendment was withdrawn.

Mr. V. Fischer offered the following amendment: "Strike Section 18". Seconded by Mrs. Hermann. After Mr. V. Fischer, Mrs. Nordale, Mr. V. Rivers and Mrs. Hermann spoke, the President called the question. The question being, "Shall the amendment to Strike Section 18, offered by Mr. V. Fischer be adopted?", on voice vote the amendment was adopted.

After discussion by Mrs. Nordale, Mr. Sundborg, Mrs. Sweeney and Mr. V. Rivers, Mr. Hurley requested personal privilege of the floor. There being no objection it was granted.

After discussion by Mr. Buckalew, Mr. V. Rivers and Mr. Taylor, Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment: Insert a new Section starting on line 10 of page 8, as follows: "Section 18. The Governor may fill any vacancy occurring in any office during a recess of the Legislature, as may be prescribed by law." Mr. Buckalew seconded. After Mr. V. Rivers and Mr. Sundborg spoke, Mr. Taylor called for the question. On voice vote Mr. Sundborg's amendment was adopted.

Mr. Doogan offered the following amendment to Section 2, lines 4 and 5, strike the words "and shall have been for at least seven years" and line 6, put a period after the word "State" and strike the balance of the sentence. Mrs. Sweeney rose to a point of order to state that Mr. Doogan's amendment used the same language as that voted on in a prior amendment. The President stated Mrs. Sweeney's point of order was well taken and declared a short recess.

AFTER RECESS

The President stated that inasmuch as the words relating to the number of years had been deleted, it would take a motion to rescind previous action in order to introduce Mr. Doogan's amendment.

Mr. Doogan offered to withdraw his amendment and stated he was not sure of the proper procedure. The President stated that it would take 28 votes to rescind any previous action. Mr. Doogan then made a motion that the convention rescind its action on the amendment to Section 2 lines 4 and 5 inserting "and shall have been for at least seven years". Mr. Knight seconded the motion.

After Mr. Londborg, Mr. Sundborg and Mr. Doogan spoke, Mrs. Sweeney stated that Mr. Doogan should withdraw his amendment. The President stated that it was not necessary to make a motion to withdraw his amendment because it lacked a second.

While Mr. V. Rivers was speaking, Mr. Sundborg rose to a point of order that Mr. V. Rivers was not speaking on the amendment. The President upheld Mr. Sundborg's point of order.

unanimous consent for the adoption of the following amendment: Section 9, Line 19, strike the balance of the sentence after the word "law". Seconded by Mr. Knight. After Mr. V. Rivers spoke, Mr. Hellenthal asked for a one minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Marston asked unanimous consent to withdraw his original amendment. There being no objection it was so ordered. Mr. Marston moved the adoption of the following amendment: Section 9, line 20 delete the period and add "unless by general law applying to all salaried officers of the state." Mr. Knight seconded. After Mrs. Nordale and Mr. R. Rivers spoke, the President put the question, "Shall the amendment as offered by Mr. Marston be adopted?" On voice vote the amendment was adopted.

Mr. Hellenthal moved for the adoption of the following amendment to Section 11: Strike Lines 25 and 26, page 5 and strike lines 1, 2, and 3 Page 6, and substitute "The governor, as provided by law, shall nominate, appoint and commission all officers of the Armed Forces," Seconded by Mr. Knight. After Mr. Hellenthal and Mr. Johnson spoke, Mr. Boswell asked unanimous consent to add the words "of Alaska". There being no objection the amendment to the amendment was adopted.

After Mr. V. Rivers, Mr. Barr, and Mr. McLaughlin spoke, the question was called on the Hellenthal amendment as amended and on voice vote the amended amendment failed.

Mr. Metcalf asked unanimous consent for the adoption of the following amendment, seconded by Mr. Knight: Section 16, page 7, line 14, immediately following the word "Department", insert the phrase "including the Attorney General."

Mr. Doogan rose to a point of order to state that this was not the first time this matter had come up in this amendment. The President stated that Mr. Doogan was out of order. Mr. R. Rivers stated it had not been considered before. Mr. Taylor agreed with Mr. Doogan's point of order. The Chair stated the amendment was in order.

After Mr. Metcalf and Mr. Taylor spoke, the question was put and on voice vote the amendment failed.

Mr. Sundborg moved for the adoption of the following amendment, seconded by Mr. R. Rivers: Strike Section 18 and substitute the following: "Section 18. The Governor may make ad interim appointments to fill vacancies occurring during a recess of the legislature in offices requiring confirmation of either or both Houses of the legislature. The duration of such appointments shall be prescribed by law."

After discussion by Mr. Sundborg and Mr. Hellenthal the President

put the question, "Shall the amendment as offered by Mr. Sundborg be adopted?" The roll was called with the following result:

Yeas: 35 Armstrong, Awes, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Lee, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nordale, Peratrovich, R. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Walsh, Wien, Mr. President

Nays: 13 Barr, Boswell, Collins, Knight, Laws, Londborg, McCutcheon, McNees, Nolan, Poulsen, Reader, V. Rivers, Taylor.

Absent: 6 V. Fischer, Riley, Stewart, VanderLeest, White, Hilscher

Abstaining: Kilcher.

and so the amendment was adopted.

Mr. Sundborg asked if the Committee on Engrossment and Enrollment would make the changes regarding the motion adopted earlier to make the sections conform as regards confirmation of gubernatorial appointments by the legislature. Mrs. Sweeney stated the Chief Clerk should make the changes in the engrossed copy according to the motion adopted.

There being no further amendments, Committee Proposal No. 10a was referred to the Committee on Engrossment and Enrollment.

Mr. Sundborg moved that the rules be suspended and that the Committee on Style and Drafting be instructed to insert Secretary of State at points in the article on Initiative and Referendum where the words Attorney General appear. Mr. Gray seconded. The roll was called with the following result:

Yeas: 46 Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Walsh, Wien, Mr. President.

Nays: 4 Cooper, Robertson, Sweeney, Taylor

Absent: 5 Hilscher, Riley, Stewart, VanderLeest, White

and so the rules were suspended.

Committee Proposal No. 12 was read the second time. Mr. V. Rivers explained the proposal and discussion followed.

Mr. V. Rivers announced a meeting of the Committee on the Executive Branch on recess.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting during the recess. Mr. Sundborg also called attention to the new rule regarding the discussing of amendments to proposals with the committee during a recess.

The President declared the Convention at recess for the usual fifteen-minute break.

AFTER RECESS

Mr. V. Rivers suggested that Committee Proposal No. 12 be held in abeyance until after the basic articles had been acted on, and called attention to a proposed amendment regarding the University of Alaska.

The President asked that all those in favor of deferring action on Committee Proposal No. 12 until such time as all the substantive proposals have been considered do so by a show of hands. A majority of the delegates favored this action, and the President ordered Committee Proposal No. 12 referred back to the Committee on the Executive Branch until such time as the Committee deemed it proper to bring it out.

Mr. Nerland asked permission for the members of the Committee on Finance to sit together. Permission was granted.

Committee Proposal No. 9 was read the second time.

Mr. Nerland asked unanimous consent that the following committee amendments be accepted and incorporated as part of the committee proposal:

1. Page 2, Section 5: Strike Section 5 and renumber subsequent Sections.
2. Page 2, Section 8, line 25: After the word "all", insert the word "public."
3. Page 3, Section 9, line 15: Strike the word "national" and insert in lieu thereof the word "natural."
4. Page 3, Section 10, line 21: Strike "within one year" and insert in lieu thereof "prior to the end of the next fiscal year."
5. Page 4, Section 13, line 24: Strike the last sentence and insert in lieu thereof, "All appropriations outstanding at the end of a period of time specified by law shall be void."

Mr. R. Rivers objected and asked to discuss the amendments. Mr. V. Fischer rose to a point of order that since the amendments had been approved by the Committee they should be accepted now as part of the report and amendments by delegates could be presented later. The President stated the point of order was well taken.

Mr. V. Rivers asked a question regarding the amendment. Miss Awes rose to a point of order that questions were not in order at this time. The President stated Miss Awes' point of order was well taken.

Mr. Nerland moved that the amendments offered by the committee become a part of the original committee report relative to Committee Proposal No. 9. Mr. Johnson seconded. On voice vote, the amendments were adopted.

Mr. Nerland discussed the Committee's thinking on the Proposal. A question and answer period followed.

Miss Awes moved and asked unanimous consent that the Convention recess until 7 p.m. to give the Committee an opportunity to meet with delegates and discuss proposed amendments.

The following committee announcements were made: Style and Drafting on recess; Ordinances on recess; Finance on recess.

There being no objection to the unanimous consent request, the Convention recessed until 7 p.m.

AFTER RECESS

Further discussion of Committee Proposal No. 9 continued.

Mr. Nerland moved and asked unanimous consent for the adoption of the following Committee amendment to Section 3: line 10, strike "assessment" and insert "appraisal". There being no objection, it was so ordered.

Mr. Johnson moved the adoption of the following amendment to Section 3: line 9, page 1, strike the word "the" at the end of the line and insert in lieu thereof the word "uniform". Mr. Knight seconded. After discussion by Mr. Hurley, Mr. Johnson, Miss Awes, Mr. R. Rivers, Mr. White, Mr. Hinckel and Mr. Metcalf the question was called. On voice vote the amendment failed.

Mr. V. Fischer moved the adoption of the following amendment to Section 3 and asked unanimous consent: Line 9, strike "establish the" and substitute "provide for the establishment of". Mr. McCutcheon objected. Mr. R. Rivers seconded. After discussion by Mr. Fischer, Mr. White and Mr. McCutcheon, the question was called. On voice vote the amendment failed.

Mr. Hellenthal moved the adoption of the following amendment to

Section 4: page 2, line 1, strike "cemetery". Mr. Knight seconded. After discussion by Mr. Hellenenthal, Mr. Marston, Mr. Harris, Mr. White, Mr. V. Rivers, Mr. McLaughlin, Mr. Barr and Mr. Armstrong, Mr. Hellenenthal closed the argument and the question was called. On voice vote the amendment failed.

Mr. Nerland asked unanimous consent for the adoption of the following committee amendment to Section 5: line 19, after word "States" insert a comma and add "the State and its political subdivisions". There being no objection, the amendment was ordered adopted.

Mr. Barr moved to strike "U. S." in the title to Section 5 and insert in lieu thereof the word "government". Mr. V. Rivers suggested that the word "public" be used in place of "government".

The President declared a short recess.

AFTER RECESS

Mr. Hurley rose to a point of order to state that he didn't believe the titles in the articles should be amended by delegates but that Style and Drafting should make appropriate changes.

The President stated that the point of order was well taken.

Mr. Barr withdrew his amendment to the title of Section 5.

Mr. Nerland asked that action on Section 7 be postponed until the Committee has its amendments ready. There being no objection, it was so ordered.

Mr. V. Fischer moved the adoption of the following amendment to Section 8: page 3, lines 7 and 8, strike "or any political subdivision thereof" and line 11, strike "or of the respective political subdivision". Mr. Rosswog seconded. After discussion by Mr. V. Fischer, Mr. McNeese, Mr. Nerland, Mr. Hinckel, Miss Awes, Mr. Rosswog, Mr. Barr, Mr. Coghill, Mr. Hellenenthal, Mr. V. Rivers, Mr. McNeely, Mr. Riley, Mr. White, Mr. Lee, Mr. Davis, and Mr. Buckalew, Mr. V. Fischer closed the argument. The question was called. Mr. V. Rivers requested a roll call. The roll was called with the following result:

Yeas	17	Awes, Buckalew, Cross, Emberg, V. Fischer, Harris, Hinckel, Hurly, Kilcher, Lee, McNeely, Nordale, Riley, R. Rivers, Rosswog, Smith, Mr. President
Noes	33	Armstrong, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, H. Fischer, Gray, Hellenenthal, Hermann, Hilscher, Johnson, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNeese, Marston, Metcalf, Nerland, Nolan, Peratovich, Poulsen, Reader, V. Rivers, Sweeney, Walsh, White, Wien.
Absent	5	Robertson, Stewart, Sundborg, Taylor, VanderLeest.

and so the amendment failed.

Mr. Johnson moved the adoption of the following amendment to Section 8: Page 3, line 10, after the word "voters" add the following "whose names appear on the current tax rolls." Mr. McNealy seconded. After discussion by Mr. Johnson, Mr. Gray and Mr. Nerland, Mr. Davis read his proposed amendment for information purposes.

After further discussion by Mrs. Nordale and Mr. R. Rivers, Mr. Johnson asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. R. Rivers asked that Section 8 be held back by the Committee until it could be clarified.

Mr. Kilcher moved the adoption of the following amendment to Section 8: line 10 after word "majority" insert: "set by law" and strike "voters" and substitute "votes cast".

After discussion, Mr. Kilcher asked unanimous consent to withdraw his amendment and that it be referred to the Committee.

Mr. V. Rivers served notice of reconsideration of his vote on Mr. V. Fischer's amendment to Section 8.

Further action on Section 8 was deferred until the Committee gave it further consideration.

Mr. Nerland asked unanimous consent for the adoption of the following amendment to Section 9: line 18 after "state" add "and its political subdivisions". There being no objection, it was so ordered.

Mr. McLaughlin moved that the words "by law" on line 18, page 3 be stricken. Mr. Metcalf objected. Mr. McLaughlin withdrew his amendment.

Mr. Buckalew stated he had an amendment to Section 9, but would hold it until the next Convention day.

Mr. Nerland asked unanimous consent for the adoption of the following committee amendment to Section 10: page 4, line 4, after the " " following "corporation" strike the rest of the section and substitute "or to special assessments". There being no objection, it was so ordered.

Mr. Doogan moved the adoption of the following amendment to Section 13: line 7 strike "governor and the". Mr. McCutcheon seconded. After discussion by Mr. Doogan, Mr. Nolan, Mr. McCutcheon, Mr. R. Rivers and Mr. Barr, the question was called. On voice vote, the amendment failed.

The President declared a short recess.

AFTER RECESS

The President welcomed the Fairbanks Chapter of the American Association of University Women who were present in the gallery.

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

Committee Proposal No. 8a by the Committee on Resources, entitled STATE LANDS AND NATURAL RESOURCES, was introduced, read the first time and referred to the Rules Committee for assignment to the calendar.

Mr. R. Rivers moved the adoption of the following amendment to Section 12: page 4, line 25, insert "unobligated" before the word "appropriations". Mrs. Nordale seconded. After discussion by Mr. R. Rivers, Mr. Barr, Mr. McNealy, Mr. Hellenthal and Mr. McCutcheon, the question was called. Mr. McNees requested a roll call before the voice vote was announced. After discussion Mr. McNees withdrew his request and the President announced that on voice vote the amendment had been adopted.

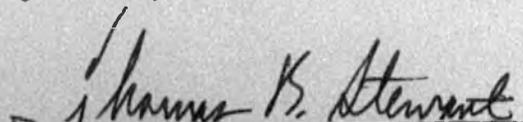
Mr. Kilcher moved and asked unanimous consent that the words "governor and legislature" on lines 7 and 8 of Section 13, page 5, be transposed. There being no objection, it was so ordered.

Mr. McNealy rose to a point of inquiry regarding Section 14, and stated he believed it should be in the miscellaneous provisions of the constitution.

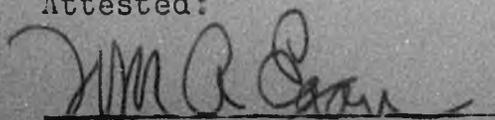
Mr. Nerland stated he had no objection to where it appeared in the constitution.

There being no further amendments to Committee Proposal No. 9 at this time, the President entertained a motion for adjournment.

Mr. Johnson asked unanimous consent that the Convention adjourn until 9 a.m. Tuesday. There being no objection, the Convention adjourned at 9:25 p.m. until 9 a.m. Tuesday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTY-SIXTH CONVENTION DAY, Tuesday, January 17, 1956

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

The Invocation was given by the Rev. Orland R. Cary of the First Baptist Church.

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

Mr. Nerland moved and asked unanimous consent that the Convention recess for one hour to allow the Committee on Finance to meet regarding amendments to Committee Proposal No. 9. Mr. Hellenthal objected. Mr. Coghill stated the Committee on Administration could use the time for a meeting.

Mr. Sundborg announced that the Committee on Style and Drafting would meet if the Convention recessed.

Mr. Smith stated the Committee on Resources would meet.

Mr. Rosswog stated the Committee on Local Government would meet.

Mr. McNealy announced that the Committee on Ordinances would meet.

There being no objection, the Convention recessed until 10:10 a.m.

AFTER RECESS

Mr. Doogan asked unanimous consent for the approval of the Journal of the 49th day with the following correction: Page 11, fourth paragraph from the bottom, second line after "Section 6", insert "presented the previous day". There being no objection, it was so ordered.

Committee Proposal No. 9 was considered again. Mr. Nerland moved and asked unanimous consent for the adoption of the following Committee amendment to Section 7: Page 2, strike lines 25 and 26, and insert in lieu thereof the following "section 7. The proceeds of any state tax or license or part thereof shall not be allocated to any special purpose," Mr. McNealy objected. Mr. Knight seconded. After discussion by Mr. McNealy and Mr. White, Mr. McNealy withdrew his objection.

56th Day, Tuesday, January 17, 1956

After discussion of the amendment by Mr. Hurley, Mr. White, Mr. Smith, Mr. Armstrong, Mr. Davis, Mr. Emberg, Mr. Barr, Mr. V. Rivers, Mr. King, Mr. Gray, Miss Awes, Mrs. Hermann, Mr. Peratrovich and Mr. Marston, Mr. McNealy moved the adoption of the following amendment to the amendment: Strike the words "or licenses" in the first line of the amendment. Mr. Johnson seconded. After discussion by Mr. McNealy, Mr. Johnson, Mr. Barr, Mr. Cooper, Miss Awes, Mr. R. Rivers, Mr. White, Mr. Nolan, Mr. Riley, Mr. V. Rivers, Mr. Hellenthal and Mr. Robertson the question was called. The question being, "Shall Mr. McNealy's amendment to the amendment be adopted?", the roll was called with the following result:

Yeas: 10 - Emberg, H. Fischer, Johnson, King, Laws, McNealy, R. Rivers, V. Rivers, Rosswog, Smith

Nays: 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, Robertson, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 1 - Sundborg

And so the amendment to the amendment failed.

Mr. Armstrong requested a short recess before the main question was put to a vote. There being no objection, it was so ordered.

AFTER RECESS

The question being, "Shall the Committee amendment to Section 7 be adopted?", the roll was call with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 7 - Cooper, Davis, Emberg, King, Laws, McNealy, Sweeney

Absent: 1 - Sundborg

And so the amendment was adopted.

Mr. Johnson moved the adoption of the following amendment to Section 7: Page 3, lines 2 and 3, strike the words "prohibit the continuance of" and insert the words "apply to". Mr. Taylor seconded.

After discussion by Mr. R. Rivers, Mr. Taylor, Mr. Nolan, Mr. White, Mr. Johnson, Mrs. Nordale, Mr. V. Fischer, Mr. Davis, Mr. Boswell, Mr. Stewart and Mr. V. Rivers, Mr. Riley requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Johnson requested a roll call vote on his amendment. Before the roll was called Mr. Cooper, Mr. Marston, Mrs. Hermann and Mr. Nerland spoke on the amendment. The roll was called with the following result:

Yeas: 13 - Emberg, H. Fischer, Hinckel, Johnson, King, Laws, McNealy, Marston, Peratovich, V. Rivers, Smith, Taylor, Mr. President

Nays: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hurley, Kilcher, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, Robertson, Rosswog, Stewart, Sweeney, VanderLeest, Walsh, White, Wien

Absent: 2 - Hilscher, Sundborg

And so the amendment failed.

Mr. Kilcher moved the adoption of the following amendment to Section 7: Page 3, line 5, change period to comma and add: "but discontinuance shall be approved by a two-thirds majority in both houses." Mr. Hellenthal seconded.

After discussion by Mr. V. Fischer and Mr. Kilcher, the question was called. Mr. Kilcher requested a roll call. The roll was called with the following result:

Yeas: 16 - Coghill, Emberg, H. Fischer, Johnson, Kilcher, King, Laws, Londborg, McNealy, Marston, Peratovich, Robertson, Rosswog, Smith, Taylor, Mr. President

Nays: 37 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Knight, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Stewart, Sweeney, VanderLeest, Walsh, White, Wien

Absent: 2 - Hilscher, Sundborg

And so the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment to Section 7: Page 3, line 3, delete the words "the continuance of". Mr. Coghill seconded.

After discussion by Mr. R. Rivers, Mr. Coghill and Mr. Gray, Mr. Riley asked unanimous consent that the Convention recess until 1:30 p.m.

The following committee announcements were made: Resources at 1 p.m.; Local Government at 12:40; Finance at 1 p.m.; Special Committee of subcommittees of Style and Drafting, Judiciary and Direct Legislation at 1 p.m.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. Hurley asked unanimous consent that a communication he had received from Mr. Ben Hitchcock of Caribou Creek, Palmer, be filed with the Secretary for perusal by Committee Chairmen. There being no objection, it was so ordered.

An invitation from the YMCA Board of Directors inviting the delegates to attend the open house of the new Young Men's Christian Association on January 22 between 1 and 5 p.m. was read.

A telegram from William L. Paul, Grand President, of the Alaska Native Brotherhood, endorsing the proposal that fisheries, game and fur be controlled by separate commissions, was read and referred to the Committee on Resources.

In the absence of Mr. R. Rivers his amendment to Section 7 was held in abeyance.

Mr. Nerland asked unanimous consent for the adoption of the following committee amendment to Section 8: Page 3, line 10, before the word "a" insert the words "not less than"; line 12, after the word "question" delete the comma and insert a period. Add a new sentence which will read as follows: "Additional requirements and qualifications may be provided by law." line 12, strike the words "Provided that" and start a new sentence with the word "The"

Mr. Johnson rose to a point of order that a notice of reconsideration had been given on an amendment to Section 8 which would make this amendment out of order.

Mr. V. Rivers stated that he was holding in abeyance his reconsid-

eration until action was taken on an amendment to be proposed.

Mr. Riley spoke on a matter of personal privilege so that he could read a proposed amendment to Section 8.

Mr. Nerland moved the adoption of the Committee amendment. Mr. Metcalf seconded.

After discussion by Mr. Nerland, Mr. Coghill, Mr. V. Rivers, Mr. Davis, Mr. Hinckel, Mr. White, Mr. Gray, Mr. Londborg and Mr. Hellenthal, Mr. Nerland requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The question being, "Shall the Committee amendment to Section 8 be adopted?", the roll was called with the following result:

Yeas: 30 - Awes, Barr, Boswell, Collins, Cross, Davis, Gray, Hellenthal, Hinckel, Johnson, Kilcher, Knight, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, Smith, Stewart, Taylor, Walsh, White, Wien, Robertson

Nays: 19 - Buckalew, Coghill, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Hermann, Hurley, King, Laws, Lee, Londborg, Nordale, Riley, V. Rivers, Rosswog, Sweeney, Mr. President

Absent: 6 - Armstrong, Harris, Hilscher, R. Rivers, Sundborg, VanderLeest

And so the amendment was adopted.

Mr. Cooper moved the adoption of the following amendment to Section 8 as amended: delete the words "not less than"; delete the words "qualified voters of the State or of the respective political subdivision voting" and insert in lieu thereof the following "votes cast by voters qualified to vote". Mr. Hinckel seconded.

After discussion by Mr. Cooper and Mr. Hellenthal, Mr. V. Rivers spoke under personal privilege. After Mrs. Hermann spoke on the amendment, Mr. Hellenthal requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

The question being, "Shall Mr. Cooper's amendment to Section 8 as amended be adopted?" The roll was called with the following result:

Yeas: 30 - Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Lee, McNealy, Metcalf, Nerland, Nolan, Reader, V. Rivers, Rosswog, Stewart, Sweeney, Walsh, White, Wien, Mr. President

Nays: 19 - Awes, Collins, Davis, Gray, Hellenthal, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nordale, Peratrovich, Poulsen, Riley, Robertson, Smith, Taylor

Absent: 6 - Armstrong, Harris, Hilscher, R. Rivers, Sundborg, VanderLeest

And so the amendment was adopted.

Mr. Emberg offered the following amendment to Section 7: Strike Section 7.

Mr. R. Rivers amendment to Section 7 having been held in abeyance, the President stated action would have to be taken on it before Mr. Emberg's amendment could be considered.

Mr. R. Rivers having returned, discussion on his amendment continued by Mr. Barr, Mr. Hurley, Mr. White, Mr. Taylor, Mr. McCutcheon, and Mr. R. Rivers. On voice vote the amendment failed of adoption.

Mr. Emberg moved the adoption of his amendment to strike Section 7. Mr. Knight seconded. After discussion by Mr. Emberg, Mr. Rosswog, Mrs. Nordale, Mr. Cooper, Mr. Coghill, Mr. Barr, Mr. Poulsen, Mr. McCutcheon, and Mrs. Hermann, the question was called. The question being, "Shall Mr. Emberg's motion to strike Section 7 be adopted?", the roll was called with the following result:

Yeas: 8 - Cooper, Emberg, H. Fischer, Kilcher, King, Rosswog, Sweeney, Taylor

Nays: 41 - Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Walsh, White, Wien, Mr. President.

Absent: 6 - Armstrong, Doogan, Harris, Hilscher, Sundborg, VanderLeest

And so the amendment failed.

Mr. Kilcher offered the following amendment to Section 7: add to Section 7, after changing period to a comma, "but discontinuance shall not preclude reinstatement."

Mr. McLaughlin rose to a point of order that this matter had already been acted on.

Mr. Kilcher moved the adoption of the amendment.

The President declared a short recess.

AFTER RECESS

Mr. McLaughlin withdrew his point of order. Mr. V. Rivers seconded Mr. Kilcher's motion to adopt the amendment.

After discussion by Mr. Kilcher, Mr. White, Mr. R. Rivers, Mr. Barr and Mr. Marston, Mr. Kilcher requested a roll call vote on the adoption of his amendment. The roll was called with the following result:

Yeas: 20 - Coghill, Cooper, Cross, Emberg, H. Fischer, Hinckel, Johnson, Kilcher, King, Londborg, Marston, Metcalf, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Taylor, Mr. President.

Nays: 29 - Awes, Barr, Boswell, Buckalew, Collins, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hurley, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, Robertson, Walsh, White, Wien

Absent: 6 - Armstrong, Doogan, Harris, Hilscher, Sundborg, Vander-Leest

And so the amendment failed.

Mr. Buckalew moved the adoption of the following amendment to Section 7: page 3, line 2, delete the last sentence. Mr. White seconded. After discussion by Mr. Buckalew, Mr. Coghill, Mr. Peratrovich, Mr. Smith, Mr. Hinckel, Mr. Nerland and Mr. McNealy, the question was called. On voice vote the amendment failed.

Mr. Coghill moved and asked unanimous consent for the adoption of the following amendment to Section 8 as amended: After the word "question" on line 12, strike period and insert a comma, delete "Additional" and "may" and insert "to" in sentence inserted by Committee amendment. Mr. Buckalew objected. Mr. Knight seconded.

After discussion by Mr. Coghill and Mrs. Hermann, the question was called. The question being, "Shall Mr. Coghill's amendment to Section 8 as amended be adopted?", the roll was called with the following result:

Yeas: 23 - Boswell, Coghill, Cooper, Cross, Emberg, H. Fischer, Hurley, Johnson, Kilcher, King, Laws, Londborg, Mc Nealy, Marston, Metcalf, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney

Nays: 26 - Awes, Barr, Buckalew, Collins, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, Knight, Lee, McCutcheon, McLaughlin, McNees, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, Taylor, Walsh, White, Wien, Mr. President

Absent: 6 - Armstrong, Doogan, Harris, Hilscher, Sundborg, VanderLeest

And so the amendment failed.

Mr. Riley requested a five minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Robertson moved the adoption of the following amendment to Section 8 as amended: after "qualifications" insert the words "of voters". Mr. Taylor asked unanimous consent. There being no objection, it was so ordered.

Mr. Cooper moved the adoption of the following amendment to Section 8 as amended: insert the words "not less than" before the words "a majority". Mr. Hellenthal seconded. Mr. Cooper asked unanimous consent. There being no objection, it was so ordered.

The President declared the Convention at recess for twenty minutes.

AFTER RECESS

Mr. Riley stated he had an amendment, but would like to wait until more members were present.

Mr. Buckalew requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Riley moved the adoption of the following amendment to Section 8: Strike Section 8 and substitute the following two sections and re-number the remaining sections:

"Section 8. No debt shall be contracted by or in behalf of the State unless the debt shall be authorized either by a two-thirds vote in each house of the legislature, or by a majority vote in each house with ratification by a majority

of the qualified voters of the state voting on the question, provided that the State may by law contract debt for the purpose of repelling invasion, suppressing insurrection, defending the State in war, meeting natural catastrophes, or redeeming outstanding indebtedness of the State at the time this Constitution becomes effective.

"Section 9. No debt shall be contracted by or in behalf of any political subdivision of the State, except for capital improvements, and then only upon approval of at least a majority of those voting on the question and qualified to vote as prescribed by law."

Mr. Buckalew seconded. After discussion by Mr. Riley, Mr. Hellenenthal, Mr. Robertson and Mr. Buckalew, Mr. Londborg moved the adoption of the following amendment to the amendment: on the last line of the new Section 9 after word "vote" insert "on the particular issue" and strike the words "at least" on next to last line of new Section 9 and insert "not less than". Mr. Knight seconded. After discussion by Mr. White, Mr. Londborg and Mr. Hellenenthal, the question was called. The question being, "Shall Mr. Londborg's amendment to the amendment be adopted?", the roll was called with the following result:

Yeas: 36 - Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hermann, Hinckel, Hurley, Kilcher, King, Lee, Londborg, McNealy, McNees, Marston, Nordale, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, Mr. President

Nays: 14 - Collins, Hellenenthal, Johnson, Knight, Laws, McCutcheon, McLaughlin, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Robertson, White

Absent: 5 - Armstrong, Doogan, Gray, Hilscher, VanderLeest

And so the amendment to the amendment was adopted.

Mr. Riley asked unanimous consent for the adoption of the following amendment to the amendment: In new Section 9 strike the comma after "State". There being no objection, it was so ordered.

Mr. V. Fischer asked unanimous consent for the adoption of the following amendment to the amendment: on line two of Section 8 insert "for capital improvements" after "authorized". There being no objection, it was so ordered.

Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Riley asked unanimous consent for the adoption of the following amendment to the amendment: add to new section 9 the following sentence: "Additional requirements and qualifications of voters may be provided by law." There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the adoption of the following amendment to the amendment: in new section 9 insert the following after the word "question": "within the respective political subdivision". There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the adoption of the following amendment to the amendment: at the beginning of new section 9 before the word "no" insert the following phrase "Unless authorized by law" and change capital "N" to small "n". There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. Riley asked unanimous consent for the adoption of the following amendment to the amendment: in new section 9 strike "except" in line 2 and rearrange language so that the phrase "for capital improvements" is inserted after the word "law" in the first sentence. There being no objection, it was so ordered.

Mr. White moved the adoption of the following amendment to the amendment: strike "either by a two-thirds vote in each house of the legislature,". Mr. McNees seconded. After discussion by Mr. White, Mr. Nerland, Mr. V. Fischer, and Mr. Riley, Mr. Poulsen requested a roll call vote. The question being, "Shall Mr. White's amendment to the amendment be adopted?", the roll was called with the following result:

Yeas: 29 - Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, Gray, Hellenthal, Hinckel, Hurley, Johnson, Kilcher, Knight, Laws, McLaughlin, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, Robertson, Rosswog, Smith, Stewart, Sweeney, White, Wien

Nays: 19 - Awes, Barr, Buckalew, V. Fischer, Harris, Hermann, King, Lee, McCutcheon, McNealy, Marston, Nordale, Riley, R. Rivers, V. Rivers, Sundborg, Taylor, Walsh, Mr. President

Absent: 7 - Armstrong, Doogan, H. Fischer, Hilscher, Londborg, McNees, VanderLeest

And so the amendment to the amendment was adopted.

Mr. Metcalf moved and asked unanimous consent for the adoption of

the following amendment to the amendment: delete "a majority of the qualified voters of the state voting on the question" and insert in lieu thereof the following: "not less than the majority of the votes cast by the voters qualified by law to vote on the question". Mr. V. Fischer objected. Mr. Knight seconded. After discussion by Mr. Metcalf, Mrs. Nordale and Mr. Hellenthal, the question was called. The question being, "Shall Mr. Metcalf's amendment to the amendment be adopted?", the roll was called with the following result:

Yeas: 8 - Coghill, Kilcher, McNealy, Metcalf, Nerland, Nolan, Robertson, Wien

Nays: 41 - Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, Marston, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Mr. President

Absent: 5 - Armstrong, Doogan, H. Fischer, Hilscher, VanderLeest

Abstaining: McNees

And so the amendment to the amendment failed.

Mr. McCutcheon called for the question on the main issue. The question being, "Shall Mr. Riley's amendment to Section 8 as amended be adopted?", the roll was called with the following result:

Yeas: 28 - Awes, Boswell, Buckalew, Coghill, Collins, Cross, Emberg, V. Fischer, Harris, Hermann, Hinckel, Hurley, King, Lee, Londborg, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Mr. President

Nays: 22 - Barr, Cooper, Davis, Gray, Hellenthal, Johnson, Kilcher, Knight, Laws, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Poulsen, Reader, Robertson, Taylor, Wien.

Absent: 5 - Armstrong, Doogan, H. Fischer, Hilscher, VanderLeest

And so the amendment as amended was adopted.

Mrs. Hermann brought up the question of having a break in the night sessions. Mr. Coghill called for a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After discussion it was agreed that there would be no night session Thursday evening.

Mr. V. Fischer asked the Chairman of the Finance Committee whether the Committee had considered the drafting of a transitional measure to continue certain acts until such time as they may be revised by the legislature. Mr. Nerland replied that the Committee would be agreeable to that.

Mr. Metcalf served notice of reconsideration on Mr. White's amendment to the amendment to Section 8.

Mr. Harris moved that the rules be suspended and the matter of Mr. Metcalf's reconsideration be considered at this time. Mr. Nolan seconded. The question being, "Shall the rules be suspended?", the roll was called with the following result:

- Yeas: 39 - Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, Johnson, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, Smith, Stewart, Sundborg, Taylor, Walsh, White, Wien, Mr. President
- Nays: 10 - Barr, Coghill, Hermann, Hurley, Laws, Londborg, V. Rivers, Robertson, Rosswog, Sweeney
- Absent: 6 - Armstrong, Doogan, H. Fischer, Hilscher, Riley, VanderLeest

And so the rules were suspended.

After discussion of the amendment to the amendment by Mr. Metcalf and questions from Mr. Sundborg and Mrs. Nordale directed to Mr. Metcalf, Mr. Davis rose to the point of order that since the main amendment had been adopted, reconsideration of the amendment to the amendment could not be accomplished.

The President stated he was in error in allowing a reconsideration on the amendment to the amendment.

Mrs. Hermann moved that all action relating to the motion to reconsider be expunged from the record.

Mr. Hellenthal rose to a point of order that there was nothing in the rules which permitted expunging.

The President declared a short recess.

AFTER RECESS

The President stated he was in error in allowing the reconsideration and apologized to Mr. Metcalf. In regard to the motion to expunge he stated that a majority of the members could expunge anything from the record. He further stated that Mr. Metcalf could ask that the Convention rescind its action on adopting the amended amendment to Section 8.

Mr. Metcalf moved that the Convention rescind its action in adopting Mr. Riley's amended amendment to Section 8. Mr. Sundborg seconded. The roll was called with the following result:

Yeas: 14 - Barr, Cooper, Hellenthal, Johnson, Kilcher, Knight, Laws, McCutcheon, McNealy, McNees, Metcalf, Robertson, Wien, Mr. President

Nays: 37 - Awes, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hinckel, Hurley, King, Lee, Londborg, McLaughlin, Marston, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White

Absent: 4 - Armstrong, H. Fischer, Hilscher, VanderLeest

And so the motion failed.

Mr. Johnson asked unanimous consent that the Convention recess until 7 p.m.

Mr. Sundborg moved that Committee Proposal No. 9 be referred to the Committee on Engrossment and Enrollment. Mr. Hellenthal seconded.

The President stated that the motion was not necessary and referred Committee Proposal No. 9 to the Committee on Engrossment and Enrollment.

Mr. Sundborg withdrew his motion.

The following committee announcements were made: Local Government immediately on recess; Style and Drafting at 6:30 p.m.

There being no objection to the unanimous consent request, the Convention recessed until 7 p.m.

AFTER RECESS

Committee Proposal No. 8a was read the second time.

Mr. Smith asked Mr. Riley to give an explanation of the article.

Mr. Riley asked unanimous consent that the following committee amendments be accepted as a part of the original article submitted:

"Line 8 page 1 Correct transposition in spelling of "Alaska"
Line 21 page 3 Strike comma after "use" and insert "and"
Line 22 page 3 Place period after "conditions" and strike rest of sentence.
Line 26 page 3 Substitute colon for semi-colon
Line 16 page 4 After last word on line add "force during"
Line 18 page 4 Change first word on line to "in"
Line 21 page 4 After "permits", insert "and transferable"
Line 8 page 5 "sulfur" instead of "sulphur"
Line 5 page 5 Change "and" to "or"

Mr. Taylor objected. Mr. Riley so moved. Mr. Stewart seconded. Mr. Taylor questioned the spelling of "sulfur". Mr. McCutcheon rose to a point of order that the matter of spelling would be taken care of by Style and Drafting.

Mr. Taylor withdrew his objection, There being no further objection, the amendments were ordered adopted as a part of Committee Proposal No. 8a.

Mr. Riley gave an explanation of the article followed by a period of questions from the delegates. At 8:35 p.m. the Convention recessed for five minutes.

AFTER RECESS

After further discussion of the article, the President suggested that the Committee might want to meet with any delegates having amendments so the amendments could be discussed in committee meeting.

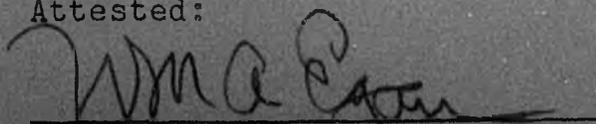
Mr. Boswell moved and asked unanimous consent that the Convention adjourn until 10 a.m. Wednesday morning.

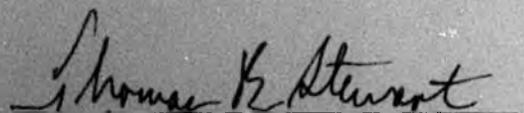
The following Committee announcements were made for Wednesday: Resources Committee at 9 a.m.; Style and Drafting at 9 a.m.; Engrossment and Enrollment at 9 a.m.

In the absence of the Chairman of the Committee on Local Government, Mr. V. Fischer announced a meeting of the Local Government Committee on adjournment at Apt. #19, Alaskan Inn.

There being no objection to the unanimous consent request, the Convention adjourned at 9:25 p.m. until 10 a.m. Wednesday.

Attested:


WILLIAM A. EGAN
President


THOMAS B. STEWART
Secretary

Constitutional Convention
Journal/46
Approved

Jan. 25, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTY-SEVENTH CONVENTION DAY, Wednesday, January 18, 1956

The Convention was called to order at 10:40 a.m. by President Egan.

The Invocation was given by the Rev. John O. Jeffcoet of the Native Baptist Church.

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

The President declared a short recess for the purpose of having a group photograph taken.

AFTER RECESS

Mr. Knight asked unanimous consent that the Journal for the 50th day be approved subject to the following changes:

Page 10 - fourth paragraph from the top of the page, strike the letter "s" from "Mrs."

Page 13 - sixth paragraph from the top of the page, delete "proposed" and insert "proper".

Page 15 - after the last roll call vote, 8th line from the bottom of the page, change "ans" to "and".

There being no objection, the Journal for the 50th day was approved as corrected.

Mr. Sundborg reported that the Committee on Style and Drafting had the following report and recommendations to make:

(1) That the Rules Committee develop a procedure for scheduling the consideration of the reports from the Style and Drafting Committee which will include the revised language of proposals which have been referred to it. Specifically, that the Rules Committee prepare a calendar for consideration of the reports of the Committee on Style and Drafting.

(2) That the Rules Committee prepare an amendment to the rules which would separate articles which have come up on the floor and have been considered jointly with other articles in a single proposal,

57th Day, Wednesday, Jan. 18, 1956

as in the example of the article on Preamble and Bill of Rights being considered along with the article on Health, Education and Welfare.

(3) That the Style and Drafting Committee had referred directly to the Committee on the Judiciary and to the Committee on Initiative, Referendum and Revision an apparent inconsistency in some of the articles in that some matters are referred to as being done "by the Legislature" and others as being done "by law". The Committees have been asked to resolve such inconsistencies and make recommendations to the Committee on Style and Drafting.

The President asked the Rules Committee to take the suggestions under consideration.

Committee Proposal No. 8a was considered again.

Mr. Smith reported that the committee had met with various delegates and had several committee amendments to present at this time.

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

Page 1, line 4, place a period after word "interest" and strike the rest of the paragraph.

There being no objection, the amendment was ordered adopted.

Mr. Riley asked unanimous consent for the adoption of the following committee amendment to Section 4:

Page 2, line 7, strike comma after "waters" and insert "as defined by the Legislature,".

There being no objection, the amendment was ordered adopted.

Mr. Riley asked unanimous consent for the adoption of the following committee amendment to Section 11:

Page 4, line 3, strike "mineral or water", and strike on lines 5 and 6, "and to all other resources reserved to the people", retaining the semicolon.

There being no objection, the amendment was ordered adopted.

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

Section 11, page 4, line 7, strike "beneficial".

There being no objection, the amendment was ordered adopted.

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

Section 13, page 4, lines 16 and 17, strike the words "during the year 1955" and insert "upon the date of ratification of this Constitution by the people of Alaska".

There being no objection, the amendment was ordered adopted.

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

Section 13, page 5, line 10, strike "prospecting".

Mr. Taylor objected. Mr. Riley so moved. Mr. Knight seconded. After discussion by Mr. Taylor, Mr. Riley and Mr. Hilscher, Mr. Hellenthal rose to a point of order that amendments to the committee reports are not debatable. The President stated that the point of order was not well taken. After Mr. Barr spoke, the question was called. On voice vote the amendment was adopted.

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

Section 14, page 5, line 25, insert a period after the word "legislature" and strike the balance of the section.

There being no objection, the amendment was adopted.

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

Section 2, the words "belonging to the State" on line 15 be placed after the word "resources" on line 14.

There being no objection, the amendment was adopted.

Mr. Johnson moved the adoption of the following amendment:

Section 5, lines 12 and 13, strike the words "to a commission, or".

Mr. Knight seconded. After discussion by Mr. Johnson, Mr. Rosswog, and Mr. Smith, Mr. Stewart moved to strike Section 5. Mr. White seconded.

There being a question as to which amendment takes precedence, the President declared a short recess.

AFTER RECESS

Mr. Johnson asked unanimous consent to withdraw his amendment to Section 5. There being no objection, it was so ordered.

Mr. Stewart asked unanimous consent to withdraw his proposed amendment at this time. There being no objection, it was so ordered.

Mr. Taylor moved the adoption of the following amendment:

Strike Section 5.

Mr. White seconded.

Mr. Taylor, Mr. Sundborg, Mr. Lee, Mr. White, Mr. King, Mr. V. Rivers and Mr. McNealy spoke on the amendment.

Mr. Riley was recognized.

Mr. Sundborg asked unanimous consent that the Convention recess until 1:30 p.m.

Prior to adjournment the following committee announcements were made:

Resources at 1 p.m.; Ordinances at 1 p.m.; Style and Drafting on recess; Local Government at 1 p.m.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. McNees introduced Miss Sally Carrighar, writer, who was present in the gallery.

Mr. Sundborg rose to a point of order to inquire whether Mr. Taylor's amendment to Committee Proposal No. 8a had been cleared with the committee in accordance with the new rule adopted by the Convention. Mr. Taylor stated it had been cleared with the committee, which did not want to take any action, and the committee advised him to bring it up on the floor.

After discussion by Mrs. Hermann, Mr. White, Mr. Coghill, Mr. Barr, Mr. Smith, Mr. Boswell, Mr. R. Rivers, Mr. Gray, Mr. McCutcheon, Mr. Rosswog, Mrs. Nordale and Mr. V. Rivers, Mr. Armstrong rose to state he had an amendment to offer to Section 5. The President declared a short recess.

AFTER RECESS

After further discussion by Mr. White, Mr. V. Rivers, Mr. Armstrong, and Mr. Coghill, Mr. Taylor closed the argument. Mr. McLaughlin rose to a point of order during Mr. Taylor's argument to state he believed Mr. Taylor was casting reflections on some of the delegates by his remarks. The President stated that such remarks were not in order.

Mr. Johnson requested a roll call vote on the question of striking Section 5. The roll was called with the following result:

Yeas: 34 - Awes, Buckalew, Coghill, Davis, Doogan, Emberg, V. Fischer, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Poulsen, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, VanderLeest, White, Wien and Mr. President

Nays: 21 - Armstrong, Barr, Boswell, Collins, Cooper, Cross, H. Fischer, Gray, Hellenthal, Johnson, King, Laws, Lee, McNealy, Nolan, Peratrovich, Reader, Riley, Sundborg, Sweeney, and Walsh

and so the amendment was adopted.

Mr. Armstrong stated he had an amendment to Section 5. The President declared a short recess.

AFTER RECESS

Mr. Kilcher rose to a point of order to state that since Section 5 had been stricken, an amendment to insert a new Section 5 was out of order. The President stated that a motion to strike having been adopted does not make the subject dead.

Mr. Armstrong moved the adoption of the following amendment:

"Section 5. Regulation of commercial fisheries and of the wildlife, including game fish, may be delegated to a principle department of the state or to a commission or to separate commissions under such terms as the legislature may prescribe."

Mr. McNealy seconded.

Mr. Sundborg rose to a point of order to inquire whether the amendment had been submitted to the Committee on Resources.

Mr. Smith stated it had been submitted, but that the Committee took no action.

After discussion by Mr. Gray, Mr. Barr and Mr. Londborg, the question was called. The question being "Shall the amendment offered by Mr. Armstrong be adopted?", on voice vote the amendment failed.

The President advised the Chief Clerk to renumber the sections in accordance with Section 5 having been stricken.

There followed questions of Mr. Riley by Mr. Robertson, Mr. R. Rivers, Mr. Davis and Mr. Barr.

Mr. Marston offered the following amendment:

Insert the following as Section 12 and renumber the succeeding sections in sequence:

"The Legislature shall provide for translating the traditional rights of Alaskans of Indian, Aleut or Eskimo ancestry to the use of land, fishing, hunting and trapping areas into approximately equivalent homestead or other property rights. Provision shall also be made for just compensation for the impairment or extinction of such rights resulting from grants of land or timber or mining rights in the State public domain. Nothing in this section shall be construed to be in lieu of or prejudicial to any aboriginal rights or claims now pending or later to be filed."

The President asked Mr. Marston to defer consideration of his amendment until Sections 10 and 11 had been covered by questions.

Mr. Metcalf and Mr. Barr had further questions on other sections which were answered by Mr. Riley.

Mr. Marston moved the adoption of his amendment. Mrs. Sweeney asked whether Mr. Marston had cleared his amendment with the Committee. Mr. Marston stated that he had and that they were in sympathy with the idea but had not taken any action due to the provisions of H.R. 2535. Mr. Londborg seconded Mr. Marston's motion.

After discussion by Mr. Marston, Mr. McNees, Mr. Londborg and Mr. Smith, the President asked Second Vice-president R. Rivers to take the chair.

After further discussion of the amendment by Mr. Riley, Mr. Hellenthal, Mr. Londborg, Mr. Davis and Mr. McNealy, Mr. V. Rivers asked unanimous consent for a fifteen-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The President took the chair.

Mr. Boswell questioned Mr. Hellenthal regarding the amendment. Mr. Barr rose to a point of order to state that no one was addressing the chair.

After Mr. Peratrovich, Mr. McLaughlin, Mr. R. Rivers, Miss Awes and Mr. Coghill spoke on the amendment, Mr. Hellenthal asked unanimous consent that the amendment be deferred until after the dinner recess so that a few delegates could meet and redraft the amendment. Mr. Cooper objected. Mr. Taylor seconded. Mr. Cooper withdrew his objection and asked that the record show that Mr. Hellenthal was in error in stating only a few delegates were interested in working out a solution to the problem presented by the amendment and that the correct statement would be that all the delegates were vitally interested. There being no further objection, action on the amendment was ordered deferred until 7 p.m.

Mr. Coghill rose to a point of inquiry to ask whether Mr. Marston would call a meeting. Mr. Marston stated a meeting would be held immediately on recess.

After discussion the President announced that those interested in Mr. Marston's amendment would meet and draft an amendment and then consider the amendment with the Committee on Resources.

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

Section 12, Page 5, line 15, insert period after "law" and insert "Like permits and leases may also be authorized by law"; strike word "and".

Mr. Taylor objected. Mr. Riley so moved. After discussion by Mr. Taylor, Mr. Sundborg and Mr. Riley, the question was called. On voice vote, the amendment was adopted.

Mr. Robertson had a question regarding the use of the word "non-metallic". Mr. Riley stated the matter would be taken up at the next recess.

Mr. Kilcher had a question regarding Section 12 and after discussion moved the adoption of the following amendment to Section 12:

Line 11, insert "specific" between words "of exploration".

Mr. Sundborg asked whether the amendment had been cleared with the Committee. Mr. Smith stated the committee waived the need for prior presentation. Mr. Knight seconded Mr. Kilcher's motion for adoption. The President declared a short recess.

AFTER RECESS

After Mr. Kilcher spoke on the amendment, the question was called. On voice vote the amendment failed.

After further questioning by the delegates, Mr. Riley asked unanimous consent for the adoption of the following committee amendment:

Section 13, page 5, line 18, after the word "all" insert "surface and subsurface".

There being no objection, the amendment was ordered adopted.

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

Section 12, page 4, line 17, strike "now" and substitute "thereafter".

There being no objection the amendment was ordered adopted.

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

Section 17, page 6, line 17, change period to a comma and add "and just compensation for such taking, as well as for the taking of or damage to inferior property rights, shall be made."

Mr. R. Rivers suggested the use of the word "subordinate" instead of "inferior" and asked that the matter be referred to Style and Drafting. There being no objection to the amendment, it was ordered adopted.

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

Section 16, page 6, line 13, delete period after word "law" and add: "with just compensation."

Mr. Knight seconded. After Mr. R. Rivers spoke on the amendment, Mr. Riley suggested that it would be better to insert "with just compensation and" after the word "only" on line 12. Mr. R. Rivers asked unanimous consent to withdraw his proposed amendment in favor of Mr. Riley's amendment. There being no objection, it was so ordered.

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

Section 16, line 12 after word "only" insert the following: "with just compensation and".

Mr. Gray objected. After explanation by Mr. Riley, Mr. Gray withdrew his objection. There being no objection to the amendment, it was ordered adopted.

Mr. Hellenthal moved the adoption of the following amendment:

Section 2, line 2, page 2, delete period and insert a comma and add "subject to the principle that certain uses of resources shall be subordinate to superior and higher beneficial public uses as determined by the Legislature."

Mr. Knight seconded. After discussion by Mr. Hurley, Mr. Hellenthal, Mr. Davis and Mr. Riley, Mr. Hellenthal asked unanimous consent that action be deferred until after the dinner recess.

Mr. Sundborg moved and asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made prior to recess: Resources at 6:15 p.m.; Style and Drafting at 6:15 p.m.; Mr. Marston's special committee on recess; Ordinances on recess; Local Government on recess.

There being no objection the Convention recessed at 5:30 p.m. until 7 p.m.

AFTER RECESS

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

Mr. Marston moved the adoption of the following amendment:

Add new Section 12. "Deeds to lots and small tracts occupied or used by Indians, Aleuts, or Eskimos within the State public domain may be given to the appropriate persons in recognition of their individual use as prior occupants, under terms and conditions prescribed by law."

Mr. McNees seconded.

Mr. Smith stated that the amendment had been presented to the Committee on Resources, but the Committee decided to take no action on the proposed amendment.

After discussion by Mr. Marston, Mr. Hurley, Mr. Barr and Mr. Londborg, Mr. Sundborg asked unanimous consent to present an amendment to the amendment. Mr. Smith waived any prior consideration by the Committee.

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

Strike "Indians, Aleuts, or Eskimos" and insert "Alaskans".

Mrs. Hermann seconded. After Mr. Sundborg spoke on the amendment, the question was called. On voice vote the amendment was adopted.

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

After "tracts" insert the words "and homesteads".

Mr. Knight seconded. After discussion by Mr. McCutcheon and Mr. Buckalew, Mr. Kilcher moved to rescind the action taken on Mr. Sundborg's amendment to the amendment.

Mr. McCutcheon rose to a point of order to state that there was a motion on the floor.

The President stated that a motion to rescind can be made at any time. In order to decide the issue, the President declared a short recess.

AFTER RECESS

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

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

Mr. Kilcher moved that the Convention rescind its action taken on Mr. Sundborg's amendment to the amendment. Mr. Emberg seconded.

Mr. Johnson rose to a point of order that there was still a motion on the floor, the main amendment.

The President declared a short recess to discuss the rules.

AFTER RECESS

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

Mr. Kilcher asked unanimous consent that the Convention postpone the main question until the next Convention day and make it a first order of business. Mr. Hurley objected. Mr. Knight seconded.

Mr. Hellenthal asked unanimous consent to withdraw his amendment to Section 2, presented before the dinner recess. There being no objection, it was so ordered.

The question being "Shall action on Mr. Marston's amendment as amended be postponed until Thursday morning?", the roll was called with the following result:

Yeas: 12 - Armstrong, Awes, Emberg, H. Fischer, Kilcher, Laws, Londborg, Nolan, Nordale, Rosswog, Sweeney, and Walsh

Nays: 38 - Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Smith, Stewart, Sundborg, Taylor, Wien, and Mr. President

Absent: 5 - Collins, R. Rivers, Robertson, VanderLeest, and White

and so the motion failed.

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

After the word "Alaskans", insert the following words: "of Indian, Aleut or Eskimo descent".

Mr. Marston seconded.

Mrs. Hermann rose to a point of order to state that the amendment was out of order because it replaced matter which had been deleted.

The President stated Mrs. Hermann's point of order was well taken.

Mr. Barr and Mr. Coghill did not agree. The President ruled that the particular amendment was not in order because it meant the same as what had been deleted.

Mr. Coghill appealed the ruling of the chair.

The question being "Shall the chair be sustained in its ruling?", the roll was called with the following result:

Yeas: 37 - Armstrong, Awes, Boswell, Buckalew, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, and Wien

Nays: 12 - Barr, Coghill, Cooper, V. Fischer, Harris, Hurley, Kilcher, Knight, Laws, Londborg, McNealy, and Marston

Absent: 5 - Collins, R. Rivers, Robertson, VanderLeest, and White

Abstaining: 1 - Mr. President

and so the Chair was sustained.

Mr. Sundborg moved to amend the amendment as follows:

Before "Alaskan" insert "native-born".

Mr. McNealy objected. After discussion by Mrs. Hermann and Mr. Hellenthal, Mr. McCutcheon rose to a point of order to state that Mr. Hellenthal was not speaking on the amendment to the amendment. The President stated that only Mr. Hellenthal would be able to judge that and Mr. Hellenthal continued. After Mr. Johnson, Mr. Hilscher and Mr. McCutcheon spoke on the amendment to the amendment, the question was called. On voice vote the amendment failed.

Mrs. Sweeney requested a short recess. There being no objection, it was so ordered.

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

Insert "continuously" after "tracts" and "or their ancestors before the year 1900" after "Alaskans".

Mr. Barr seconded. After Mr. McCutcheon spoke against the amendment, Mr. Kilcher asked unanimous consent to withdraw his amendment to the amendment. There being no objection, it was so ordered.

Miss Awes moved that the rules be suspended so that the action on Mr. Sundborg's motion could be rescinded. Mr. Buckalew seconded.

After questions from the floor regarding the motion, the President asked whether there was opposition to including the motion to rescind in the motion. There being no objection, the question was called. The roll was called with the following result:

Yeas: 26 - Armstrong, Awes, Barr, Coghill, Cooper, Cross, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, Lomborg, McLaughlin, McNealy, McNees, Marston, Peratrovich, Rosswog, Smith, and Stewart

Nays: 24 - Boswell, Buckalew, Davis, Doogan, Gray, Hermann, Johnson, King, Laws, McCutcheon, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, V. Rivers, Sundborg, Sweeney, Taylor, Walsh, Wien and Mr. President

Absent: 5 - Collins, R. Rivers, Robertson, VanderLeest, and White and so the rules were not suspended.

Mr. Coghill asked unanimous consent for a short recess. There being no objection, it was so ordered.

AFTER RECESS

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

Mr. Rosswog presented the report of the Local Government Committee which included its revised Proposal 6.

INTRODUCTION AND FIRST READING OF PROPOSALS

Committee Proposal No. 6a, 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.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 10a, had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled. Mrs. Sweeney asked unanimous consent for the adoption of the Committee Report. There being no objection, it was so ordered.

Committee Proposal No. 10a was referred to the Committee on Style and Drafting.

After further discussion on the Marston amendment by Mr. Sundborg, Mr. Hellenthal, Mr. V. Fischer, Mr. Metcalf, Mr. Davis, Mr. McNees, and Mr. Marston, the question was called. Mr. White asked that he be allowed to abstain from voting since he had been absent during the debate. Permission was granted by the President.

The question being "Shall Mr. Marston's amendment as amended be adopted by the Convention?", the roll was called with the following result:

Yeas: 16 - Barr, Coghill, Cross, Emberg, H. Fischer, Hellenthal, Hilscher, Hinckel, Kilcher, Knight, McLaughlin, McNealy, Marston, Nolan, Sundborg, and Taylor

Nays: 34 - Armstrong, Awes, Boswell, Buckalew, Cooper, Davis, Doogan, V. Fischer, Gray, Harris, Hermann, Hurley, Johnson, King, Laws, Lee, Londborg, McCutcheon, McNees, Metcalf, Nerland, Nordale, Peratrovich, Poulsen,

Reader, Riley, V. Rivers, Rosswog, Smith, Stewart,
Sweeney, Walsh, Wien, and Mr. President

Absent: 4 - Collins, R. Rivers, Robertson and VanderLeest

Abstaining: 1 - White

and so the amendment as amended failed.

Mr. White, Mr. Armstrong, Mrs. Hermann and Mr. Londborg spoke under personal privilege regarding Mr. Marston's amendment.

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

Section 2, page 1, strike marginal title and substitute therefor:
"General Authority".

There being no objection to the amendment, it was ordered adopted.

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

Section 12, page 5, line 4, insert "either" before "the".

There being no objection to the amendment, it was ordered adopted.

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

Section 12, page 5, line 14, strike "non-metallic".

There being no objection to the amendment, it was ordered adopted.

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

Section 8, page 3, line 13, strike lines 13 and 14 and insert in lieu thereof "selection of lands granted to the State by the United States, and for the administration of the State public domain."

There being no objection to the amendment, it was ordered adopted.

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

Section 13, page 5, line 20, after word "use", insert comma and add "except mineral and medicinal waters".

Mr. Cooper objected. Mr. Riley so moved. Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Smith requested a short recess so that the Committee on Resources could meet with delegates to discuss proposed amendments. There being no objection, it was so ordered.

AFTER RECESS

Mr. Barr moved the adoption of the following amendment:

Section 2, lines 15 and 16, strike "provision of applicable acts of Congress, including".

Mr. Boswell objected. Mr. Knight seconded. After discussion by Mr. Barr, Mr. Riley, Mr. Taylor and Mr. Boswell, the question was called. On voice vote the amendment failed.

Mr. Hurley moved the adoption of the following amendment:

Section 2, page 1, line 15, strike the words "in accordance with provisions"; strike lines 16, 17 and on line 1, page 2 strike to and including the comma after the word "state".

Mr. Marston seconded.

Mr. Boswell rose to a point of order that this was similar to Mr. Barr's amendment which had just been defeated. The President ruled that the amendment was in order because it deleted more than Mr. Barr's amendment.

After discussion by Mr. Hurley, Mr. Riley and Mr. Barr, the question was called. The President, being in doubt on the voice vote, directed a roll call. The roll was called with the following result:

Yeas: 12 - Barr, Hurley, Kilcher, Knight, Laws, Londborg, McNees, Marston, Nolan, Peratrovich, Sweeney and White

Nays: 39 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Lee, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, Walsh, Wien and Mr. President

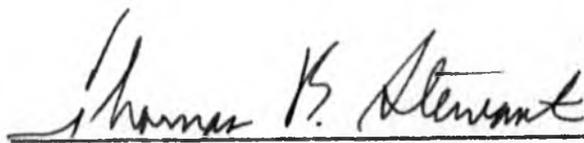
Absent: 4 - Collins, R. Rivers, Robertson and VanderLeest

and so the amendment failed.

Mr. Londborg served notice of his intention to reconsider his vote on the Marston amendment as amended.

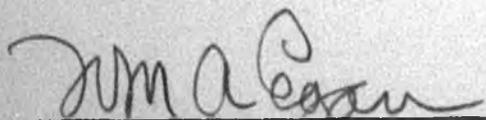
Mr. McCutcheon asked whether Mr. Londborg would object to having the matter taken up at this time. Mr. Londborg stated that the reason for giving notice was to give the members a chance to think it over during the night.

Mr. Johnson asked unanimous consent that the Convention adjourn until 9 a.m., Thursday morning. There being no objection, the Convention adjourned at 9:35 p.m., until 9 a.m., Thursday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention

Journal/47

Approved

Jan 25, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTY-EIGHTH CONVENTION DAY, Thursday, January 19, 1956

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

The Invocation was given by the Rev. A. L. Moore of the Seventh Day Adventist Church.

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

Mrs. Hermann asked that Mr. Peratrovich and Mr. Nolan, who were absent when reports were made after the recess, report on the hearings held in their communities during the recess in order to make the record complete.

Mr. Peratrovich reported that well-attended hearings were held in Klawock and Craig and stated the people were tremendously interested in the Convention.

Mr. Nolan reported he spoke at one public hearing sponsored by the Chamber of Commerce in Wrangell, and answered questions regarding the Constitution nearly every day he was home during the recess.

Committee Proposal No. 8a was considered again.

Mr. Hinckel moved the adoption of the following amendment:

Section 12, page 5, lines 15, 16 and 17, place a period after the word "law" and strike the balance of the section.

Mr. Cooper seconded. After discussion by Mr. Hinckel, Mr. Hellenthal, Mr. White and Mr. Riley, Mr. Smith requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

A communication from the Arctic Circle Chamber of Commerce, Kotzebue, regarding the legislative article, was read and ordered filed.

58th Day, Thursday, Jan. 19, 1956

Telegrams from the Anchorage Sportsmen's Association; Ed M. Howell, Anchorage; Vice-President, Alaska Sportsmen's Council, Anchorage; and Alton B. Cross, President, Alaska Range Association, urging the adoption of the recommendation of the Alaska Sportsmen's Council in the Constitution, were read and ordered filed.

Mr. Hinckel asked unanimous consent to withdraw his amendment, since the Committee on Resources would be submitting one in its place. There being no objection, it was so ordered.

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

Section 9, page 3, line 16, after third word "of" add the words "and the issuance of exploration permits on"; Section 12, page 5, line 11, after the word "areas" insert a comma and add "subject to reasonable concurrent exploration as to different classes of minerals,".

There being no objection to the amendment, it was ordered adopted.

The President recognized in the gallery the sixth grade class from Denali School, Fairbanks, and expressed pleasure at having them present at the plenary session.

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

AFTER RECESS

Committee Proposal No. 6a was read the second time.

Chairman Rosswog gave a short explanation of the article. Mr. V. Rivers and Mr. V. Fischer supplemented Mr. Rosswog's explanation.

Mr. Barr moved that the Convention recess for fifteen minutes so that the Committee on Local Government could meet with delegates. There being no objection, it was so ordered. Mr. Sundborg announced that the Committee on Style and Drafting would meet during the recess.

AFTER RECESS

Questions by the delegates addressed to members of the Committee on Local Government regarding the proposal followed.

At noon Mr. Barr moved and asked unanimous consent that the Convention recess until 1:30 p.m. The following committee meetings were announced prior to recess: Style and Drafting at 12:45 p.m.; Local Government at 1 p.m.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

AFTER RECESS

The Convention was called to order and the following communications were read:

Letter from the Stikine Sportsmen's Association of Wrangell signed by Maurice S. Bunes, Secretary-Treasurer, stating their recommendations concerning commercial fisheries and wildlife in the Constitution.

A communication from Senator Estes Kefauver congratulating the delegates on their work in drawing a Constitution for the future State of Alaska and pledging his support.

A letter from Harry S. Truman wishing success to the delegates in framing a Constitution.

A letter from the Nenana Hi-Lites, Nenana Public School paper, signed by Judith Leise, Secretary; Gloria Fredericks, Editor-in-Chief; and William C. Williams, Production Editor, expressing their gratitude for being permitted to attend the Convention and also requesting a thumb-nail biography of each delegate for their special Constitutional Edition to be published February 22nd.

An invitation from the Business and Professional Women of Fairbanks to attend the March of Dimes Benefit Ball to be held at the Elks Club on January 28, 1956.

The President stated he would refer the letter from Nenana to the Committee on Administration, but that he would also make a reply. The other communications were ordered filed.

Mr. Doogan asked unanimous consent to revert to the report of the special committee for reading the Journals. There being no objection, Mr. Doogan asked unanimous consent for approval of the Journal for the 51st day, subject to the following corrections:

Page 2, paragraph 7, insert "R" after "Mr."

Page 9, first sentence, after "Mr. Knight", change the word "objected" to "seconded."

There being no objection to the unanimous consent request, it was so ordered.

Mr. Knight asked unanimous consent for the approval of the Journal for the 52nd day. There being no objection, it was so ordered.

Discussion of Committee Proposal No. 6a continued.

The President declared a recess until 3:30 p.m. for the purpose of permitting delegates who had amendments to offer to check them with the Committee on Local Government.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting during the recess.

Mr. Johnson rose to a point of inquiry regarding the rule which requires amendments to be cleared with the Committee before presentation. Mr. R. Rivers stated that it was not the intention of the Rules Committee to prevent delegates from submitting any amendment of which the substantive committee did not approve.

Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment was holding Committee Proposal No. 14, awaiting the schedule showing the boundaries of the election districts, and asked whether this was the wish of the Convention. Mr. Hellenthal reported the schedule should be ready within a day or two. The President stated he believed the Committee on Engrossment and Enrollment should keep the proposal in its possession until the schedule was received.

There being no objection, the Convention recessed until 3:30 p.m.

AFTER RECESS

The Convention was called to order at 3:50 p.m.

Mr. Rosswog asked unanimous consent for the adoption of the following amendment offered by the Committee and Mr. Hellenthal:

Section 1, page 1, line 7, after "tax-levying" add "jurisdictions and otherwise minimize the number of".

Mr. Johnson objected. After discussion by Mr. R. Rivers, Mr. White and Mr. Londborg, the question was called. On voice vote the amendment was adopted.

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

Section 2, page 1, line 13, strike "only"; line 14, insert "only" after "cities".

There being no objection to the amendment it was ordered adopted.

Mr. Hilcher offered the following amendment:

Section 2, line 12, change "borough" to "province" and throughout the article.

Mr. Hellenthal moved and asked unanimous consent that in order to expedite matters that all amendments relating to changing the word "borough" be held until all other amendments to the article have been considered. Mr. Sundborg seconded. There being no objection, the motion was adopted by unanimous consent.

Mr. Rosswog asked unanimous consent that Section 5 be held over until the Committee could reword it.

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

Section 6, page 3, line 1, after the word "law" insert "or charter".

There being no objection to the amendment, it was ordered adopted.

Mr. Robertson asked whether in Section 8, line 11, it would not be better to use the word "provisions" instead of "standards". Mr. Rosswog stated the Committee would have no objection, but thought it could be taken care of in Style and Drafting.

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

Section 12, page 4, line 22, after "proposed" insert "local government".

There being no objection to the amendment, it was ordered adopted.

Mr. Rosswog asked unanimous consent for the adoption of the following amendment to Section 13, page 5, line 11:

Strike "for a" and substitute ", including".

There being no objection to the amendment, it was ordered adopted.

Mr. Kilcher and Mr. Hinckel asked questions regarding Section 12, answered by Mr. V. Fischer. Mr. Johnson asked a question regarding Section 13, which Mr. V. Fischer answered.

Mr. Hellenthal moved the adoption of the following amendment:

Section 14, line 18, page 5, delete "shall" and insert "may".

Mr. McLaughlin rose to a point of information to ask whether Mr. Hellenthal had checked with the Committee. Mr. Rosswog stated the Committee was consulted on the matter but decided to leave the section as it was. Mr. Knight seconded Mr. Hellenthal's motion. After discussion by Mr. Hellenthal, Mr. Rosswog, Mr. Hurley, and Mr. Gray, the question was called. On voice vote, the amendment failed.

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

Section 14, line 21, page 5, insert "their" before "charter".

Mr. R. Rivers objected. Mr. Robertson so moved. Mr. Hellenthal seconded. After discussion by Mr. Robertson, Mr. R. Rivers and Mr. V. Fischer, Mr. R. Rivers withdrew his objection. Mr. Robertson renewed his unanimous consent request. There being no objection, the amendment was ordered adopted.

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

Section 14, line 20, delete "which shall" and insert the word "to"; line 22. insert "to" before the word "collect".

There being no objection to the amendment, it was ordered adopted.

Further questions were put to the Committee.

There being no further amendments at this time, Chairman Rosswog requested a fifteen-minute recess for the purpose of a Committee meeting. Mr. Coghill announced a meeting of the Committee on Administration during the recess. Mr. Riley announced a meeting of the Committee on Rules during the recess.

There being no objection, the Convention recessed for fifteen minutes.

AFTER RECESS

Mr. Coghill moved and asked unanimous consent that the Convention adjourn until 9 a.m., Friday.

Mr. Rosswog stated the Committee on Local Government had a long amendment which needed to be mimeographed and that it approved of adjournment at this time.

Mr. Riley asked unanimous consent for the adoption of the following temporary rule:

"Before any amendment as to the name of the local government unit designated as "borough" in Committee Proposal No. 6a shall

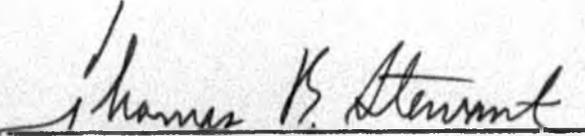
be in order, all names which are to be considered will be submitted to the Chief Clerk and read, that the proponent of each name be allowed not more than three minutes to speak in favor of his suggestion, that the Local Government Committee be given five minutes to defend use of the term "borough", that the roll of Delegates be called with each member to answer with his choice of all the names proposed including "borough", that successive run-off roll calls be taken, dropping one name each time, until the Convention's first choice is determined."

There being no objection, the temporary rule was ordered adopted.

Mr. Sundborg announced that the Committee on Style and Drafting would meet this evening in Fairbanks.

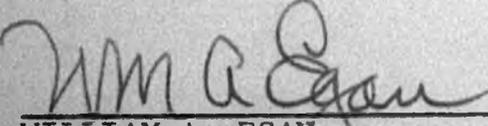
Mr. Rosswog announced a meeting of the Committee on Local Government on arrival at Convention Hall, Friday morning.

There being no objection to Mr. Coghill's unanimous consent request for adjournment, the Convention adjourned at 5:30 p.m. until 9 a.m. Friday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

OK

Constitutional Convention
Journal/48
Approved Jan. 28, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FIFTY-NINTH CONVENTION DAY, Friday, January 20, 1956

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

Invocation was given by the Rev. John Stokes of the University Community Presbyterian Church.

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

Mr. Davis introduced the report of the Committee on Style and Drafting which included Committee Proposal No. 15.

Committee Proposal No. 15, by the Committee on Style and Drafting, entitled GENERAL AND MISCELLANEOUS PROVISIONS, was read the first time and referred to the Rules Committee for assignment to the calendar.

Committee Proposal No. 6~~8~~ was considered again.

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

Strike Section 5 and substitute the following:

"Section 5. The governing body of the organized borough shall be the assembly. The composition of the assembly shall be established in accordance with law or charter, provided that each city of the first class and each city of any other class designated by law shall be represented by one or more persons who shall be members of the city council and that the additional members of the assembly shall be elected from and by the qualified voters living outside such cities."

Mr. Knight seconded. After discussion by Mr. Hurley, Mr. McLaughlin, Mr. Gray, Mr. Davis and Mr. Johnson, the question was called. On voice vote the amendment was ordered adopted.

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

Section 7, page 3, line 13, change "a maximum" to read "the greatest possible measure".

There being no objection to the amendment, it was ordered adopted.

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

Section 8, page 3, line 16, change "standards" to "provisions".

There being no objection to the amendment, it was ordered adopted.

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

AFTER RECESS

Telegrams from Vernon Haik, President, Izaak Walton League of America, Anchorage; Luther Dillon, Anchorage; Tom Moore, President, Alaska Guides Association, Anchorage; A. W. Boddy, President, Alaska Sportsmen Council; and Wm. L. Paul, Grand Master, Alaska Native Brotherhood, asking the Convention to reconsider the action taken on the Resources article in not providing for separate commission plan for management of Wildlife and Commercial fisheries, were read and ordered filed.

At the request of George Sundborg, and with the unanimous consent of the Convention, the following telegram from Delegate E. L. Bartlett was ordered spread on the Journal:

"William A. Egan, President
Constitutional Convention
College, Alaska

Following message from me is based upon many and repeated requests I make public my position regarding Tennessee Plan and I transmit it to you because it is my understanding Constitution Convention is giving consideration to Plan:

"Many times during the last several months I have been asked to give my opinion as to whether Alaska should adopt the so-called Tennessee Plan in an effort to promote the cause of statehood,

"My reluctance to state that opinion until this time has been based upon a number of reasons. Chiefly, perhaps, I desired to make at least a preliminary estimate of statehood attitudes in the second session of the 84th Congress in conjunction with the president's 1956 State of the Union message.

"Further, I wanted additional time to make a reasonable evaluation of the Tennessee plan's chances of success in the mid-20th century, remembering that many, many years have gone by since it was last used. Whether or not it can be translated to these times with equal effectiveness is, of course, that which only the future will definitively disclose.

"A more positive statement can be made as to the probabilities of attaining statehood now by the traditional approaches. Those prospects are bleak. No hopeful sign has presented itself from any source since this session of Congress began earlier in the month and he would be an optimist indeed who would predict favorable action soon.

"So the cause of statehood is not advancing now. Indeed, there are those who suggest that interest is tending to decrease rather than increase and that unless a stimulating factor is added Alaskans may have to wait long before coming into the day when statehood is attained.

"The Tennessee plan could provide that stimulating factor; its impact could jar the nation and the Congress from lethargy. The election and sending to Washington of two United States senators and a representative in the house might provide the fulcrum needed to jar statehood from dead center, or to use another metaphor, might be the instrument to remove the key long creating the jam.

"After talking with many members of Congress, after making a very careful analysis of the situation in general, I am convinced that if Alaska were to adopt the Tennessee Plan practically all statehood supporters in Washington would welcome this active demonstration of Alaska's determination to win a rightful place in the union of states; and whatever resentment at this bold, but certainly not unique, approach which might be felt, or expressed, would be far more than outweighed by the benefits.

"In summation, I am bound in candor to state that without the Tennessee Plan a combination of circumstances, not at this time to be readily foreseen, will be needed to bring statehood soon.

"If the Tennessee Plan is adopted it might well shorten the long road to statehood. I can see distinct possibility of gain; I see only remote possibilities of loss.

"The Tennessee Plan has elements of the daring and the imaginative attractive to the people of a frontier land as has been made apparent to me by the many expressions of support from Alaskans for the proposal.

"It is my understanding that the Tennessee Plan is before the Constitutional Convention now in session at the University of Alaska. If adopted there, it will be presented to Alaska voters for final determination in April. As one who through the years

has had an abiding conviction that statehood more than any other one thing is essential for Alaska for its own sake and for the sake of the nation, I am bound to support any just and reasonable way to hasten statehood's coming. The Tennessee Plan is such a way.

"With the above statement of my own position, I desire to add that if the Constitutional Convention and the voters in April decide to try the Tennessee Plan, it will have my continuing support."

signed/ E. L. Bartlett

Committee Proposal No. 6a was considered again.

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

Section 1, transfer the last sentence to Miscellaneous provisions under Committee Proposal No. 15.

Mr. Metcalf objected. Mrs. Fischer seconded. After discussion by Mr. Hurley, Mr. Hellenthal, Mr. Londborg, Mr. Johnson and Mr. R. Rivers, Miss Awes asked if Mr. Hellenthal would amend his amendment to read that the last sentence be stricken.

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

Mr. Hellenthal moved the adoption of the following amendment:

Section 1, delete the last sentence.

Miss Awes seconded. Mr. Rosswog requested a roll call vote. The roll was called with the following result:

Yeas: 25 - Awes, Barr, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Knight, McNealy, Marston, Nerland, Poulsen, Riley, R. Rivers, Stewart, Sundborg, Taylor, VanderLeest, Wien and Mr. President

Nays: 26 - Armstrong, Boswell, Collins, Cooper, V. Fischer, Harris, Hurley, Johnson, Kilcher, King, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nolan, Nordale, Peratrovich, Reader, V. Rivers, Rosswog, Smith, Sweeney, and Walsh

Absent: 4 - Buckalew, Coghill, Robertson, and White

and so the amendment failed.

Mr. Johnson moved the adoption of the following amendment:

Section 2, page 1, line 12, after word "in" add words "School Districts,"; line 14, after word "organized" add words "school districts,".

Mr. Knight seconded. After discussion by Mr. Johnson, Mr. Emberg and Mr. Kilcher, Mr. Taylor moved the adoption of the following amendment to the amendment:

Line 12, page 1, after "boroughs" add "Public Utility Districts, Public Improvement District, Health Districts".

Mr. McNealy seconded. Mr. Johnson rose to a point of order that the amendment was not an amendment to his amendment. Mr. Londborg rose to a point of order to state that if the amendment to the amendment carried, the original amendment would be divisible.

The President declared a short recess to discuss the point of order.

AFTER RECESS

The President held that Mr. Taylor's amendment was not germane to the amendment and was out of order.

After discussion on the amendment by Mr. Taylor, Mr. Davis, Mr. Hinckel, Mr. Hilscher, Mr. V. Rivers, Mrs. Nordale, Mr. McCutcheon, and Mr. Londborg, Mr. Cooper moved that the Convention recess for twenty minutes. Mr. Rosswog stated that the Committee on Local Government would meet during the recess. There being no objection to the recess, the President declared the Convention at recess for twenty minutes.

AFTER RECESS

After further discussion on the amendment by Mr. Smith, Mr. V. Fischer, Mr. Hinckel and Mr. Sundborg, the question was called. Mr. Johnson requested a roll call. The question being "Shall the amendment offered by Mr. Johnson be adopted?", the roll was called with the following result:

Yeas: 9 - Cooper, Davis, Johnson, ~~Laws~~, Londborg, Nerland, Nolan, Peratrovich, and Walsh

Nays: 43 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Wien, and Mr. President

Absent: 3 - Coghill, Robertson, and White

and so the amendment failed.

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

Section 1, page 1, lines 8 and 9, strike "provisions of this article" and substitute "powers of local governments".

After discussion, Mr. V. Rivers requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Rosswog spoke on a matter of personal privilege.

Mr. Rosswog asked unanimous consent to withdraw the committee amendment to Section 1. There being no objection, it was so ordered.

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

Section 1, line 8, strike remainder of sentence after word "the" and substitute "powers of local governments".

There being no objection to the amendment, it was ordered adopted.

Mr. Taylor asked unanimous consent to withdraw his amendment to Section 2, which had been declared out of order earlier.

Mr. Laws asked unanimous consent to change the comma at the end of Section 4 to a period. There being no objection, it was so ordered.

Mr. Taylor moved the adoption of the following amendment:

Section 5 as amended, line 7, strike words "from and".

Mr. V. Rivers asked that the amendment be submitted to the committee before action was taken. Mr. V. Rivers asked unanimous consent that the amendment be held over until after a recess at which the committee could consider it. There being no objection, it was so ordered.

Mr. Hurley moved the adoption of the following amendment:

Section 6, page 3, line 9, delete comma, insert a period and strike balance of the section.

Mr. McNealy seconded.

After discussion by Mr. Hurley, Mr. McNealy, Mr. Marston, Mr. Rosswog, Mr. V. Rivers, Mr. Kilcher and Mr. Taylor, Mr. Hurley closed the argument. On voice vote the amendment failed.

Mr. V. Fischer moved the adoption of the following committee amendment:

Section 6, page 2, line 24, after "within" insert "the whole or".

Mr. Hinckel objected. Mr. V. Rivers seconded. After questioning Mr. V. Fischer, Mr. Hinckel withdrew his objection.

After discussion by Mr. R. Rivers, Mr. McCutcheon, and Mr. Hellenthal on the rule requiring amendment to be submitted to the Committee, Mr. Rosswog asked unanimous consent that the Convention recess until 1:30 p.m. Prior to recess the following committee meetings were announced: Administration at noon; Engrossment and Enrollment at 1 p.m.; Ordinance on recess; Rules on recess; Local Government at 12:45 p.m.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. Riley asked unanimous consent for the adoption of the following proposed additions to the rules:

"Rule 16c. Insert after second sentence:

Proposals containing more than one Article or which in the Committee's judgment contain subject matter properly divided into more than one Article, shall, by the Committee, be separated into appropriate Articles and may be reported back to the Convention Article by Article.

Rule 44.

8a. The reading of a Proposal incident to Style and Drafting's report, if said report be accepted by the Convention, shall be deemed to be the Proposal's third reading before the Convention, whereupon the Proposal shall be before the Convention for final passage."

Mr. Hellenthal objected. Mr. Riley so moved. Mr. Davis seconded.

After discussion by Mr. Hellenthal, Mr. Davis and Mr. Sundborg, the President stated he believed it would be best to have a recess so that delegates having questions could discuss them with the Rules

Committee. After further discussion by Mr. Riley, Mrs. Hermann, Mr. McNees, Mr. Sundborg and Mr. Londborg, the President declared a recess so that the Rules Committee could meet.

AFTER RECESS

Mr. Riley asked unanimous consent to withdraw the committee's proposed Rule 44 - 8a. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent that the proposed addition to Rule 16c be adopted. There being no objection, it was so ordered.

Mr. V. Fischer asked unanimous consent to withdraw the Committee amendment to Section 6. There being no objection, it was so ordered.

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

Section 6, page 2, line 24, strike "portions of".

There being no objection to the amendment, it was ordered adopted.

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

Section 7, page 3, line 12, strike "necessary functions" and substitute "services it deems necessary or advisable".

Mr. Gray objected for information purposes. After hearing an explanation, Mr. Gray withdrew his objection. After further discussion by Mr. Cooper and Mr. Hurley, Mr. R. Rivers moved the adoption of the amendment. Mr. White seconded. On voice vote the amendment was adopted.

Mr. Cooper moved the adoption of the following amendment:

Section 9, line 2, strike second sentence of section.

Mr. Taylor seconded. After discussion by Mr. Cooper, Mr. V. Fischer, Mr. Coghill and Mr. Johnson, Mr. Cooper closed the argument. Mr. Coghill requested a roll call vote. The roll was called with the following result:

Yeas: 12 - Armstrong, Coghill, Collins, Cooper, H. Fischer, Hurley, King, Laws, Peratrovich, R. Rivers, Stewart, and Taylor

Nays: 39 - Awes, Barr, Boswell, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinkel, Johnson, Kilcher, Lee, Londborg, McCutcheon,

McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien and Mr. President

Absent: 4 - Buckalew, Hilscher, Knight and McNealy

and so the amendment failed.

Mr. Kilcher moved the adoption of the following amendment:

Section 9, line 24, page 3, strike "of the first class" and insert "organized" before "borough".

Mr. Hinckel seconded. After discussion by Mr. Kilcher, Mr. Gray, Mr. Rosswog, Mr. Londborg, Mr. V. Fischer and Mr. White, the question was called. Mr. Riley asked to abstain from voting since he had been absent during the debate. Mr. Kilcher requested a roll call vote. The roll was called with the following result:

Yeas: 12 - Coghill, Cooper, H. Fischer, Hurley, Kilcher, Londborg, Marston, Peratrovich, Smith, Stewart, Taylor, and White

Nays: 37 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Johnson, King, Laws, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 5 - Buckalew, Hilscher, Knight, McNealy, and VanderLeest

Abstaining: 1 - Riley

and so the amendment failed.

After questions from Mr. Robertson, Mr. R. Rivers and Mr. Hinckel, Mr. Hellenthal rose to a point of order to state there was no motion on the floor. The President stated that he was allowing questions.

Mr. Kilcher moved the adoption of the following amendment:

Section 9, line 24, strike "of the first class" and after "city" strike "of the" and on line 25 strike "first class".

Mr. Taylor seconded. On voice vote the amendment failed.

Mr. Coghill moved the adoption of the following amendment:

Section 10, page 4, line 13, change "may" to "shall".

Mr. Cooper seconded. After discussion by Mr. Coghill and Mr. Rosswog, the question was called. The President being in doubt on the voice vote ordered a roll call. The roll was called with the following result:

Yeas: 12 - Coghill, Collins, Cooper, H. Fischer, Harris, Hurley, Johnson, Laws, Peratrovich, Reader, Taylor, and White

Nays: 35 - Armstrong, Awes, Boswell, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, Kilcher, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Walsh, Wien, and Mr. President

Absent: 8 - Barr, Buckalew, Hilscher, Knight, Londborg, McNealy, Sundborg, and VanderLeest

and so the amendment failed.

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

Section 12, page 4, line 20, after "commission" insert: "in the executive branch".

Mr. Kilcher objected. Mr. R. Rivers seconded. Mr. Kilcher withdrew his objection and on voice vote the amendment was adopted.

Mr. Cooper asked for a recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Cooper spoke on a matter of personal privilege.

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

Section 12, page 4, lines 20 and 21, insert the words "or board" after "commission".

Mr. Taylor objected. Mr. White so moved. Mr. Cooper seconded. Mr. Coghill asked if the amendment could be extended to include the insert on page 5, line 3. Without objection, the suggestion was included in the amendment. On voice vote the amendment was adopted.

Mr. Hurley moved the adoption of the following amendment:

Section 12, line 25, page 4, strike "at the end of" and line 1, page 5, strike "the session unless disapproved," and insert therefor the words "when approved".

Mr. Riley seconded. After discussion by Mr. Hurley, Mr. Doogan, Mr. Gray, Mr. Taylor, Mr. Sundborg and Mr. Kilcher, the roll was called with the following result:

Yeas: 17 - Armstrong, Boswell, Coghill, H. Fischer, Hermann, Hurley, Johnson, Kilcher, Laws, Londborg, Nolan, Peratrovich, Reader, Riley, Taylor, Walsh, and Mr. President

Nays: 32 - Awes, Collins, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Poulsen, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, White, and Wien

Absent: 6 - Barr, Buckalew, Hilscher, Knight, McNealy, and VanderLeest

and so the amendment failed.

Mr. Gray asked unanimous consent for a twenty-minute recess. The President announced there would be a luncheon meeting of Committee Chairmen Saturday at 1:30 p.m. Mr. Coghill announced there would a dinner meeting of the Committee on Administration this date. There being no objection to the unanimous consent request, the Convention recessed until 3:55 p.m.

AFTER RECESS

Mr. White moved the adoption of the following amendment:

Section 10, page 4, line 14: strike the words "classes of".

Mr. Cooper seconded. After discussion by Mr. Cooper, Mr. White and Mr. V. Rivers, the question was called. On voice vote the amendment failed.

Mr. Taylor moved the adoption of his amendment to Section 5 as amended, presented earlier, to strike "from and" on line 7. Mr. R. Rivers seconded.

After discussion by Mr. Taylor, Mr. Hellenthal, Mr. Rosswog, Mr. Hurley, Mr. Davis, Mr. Londborg, Mr. Metcalf, Mr. Doogan, Mr. R. Rivers, and Mr. Coghill, Mr. Taylor closed the argument. Mr. Londborg requested a roll call vote. The roll was called with the following result:

Yeas: 8 - Davis, Hellenenthal, Hermann, Marston, Nerland, Riley, V. Rivers, and Taylor

Nays: 39 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hinckel, Hurley, Johnson, Kilcher, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nordale, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Absent: 8 - Buckalew, Hilscher, King, Knight, McNealy, Nolan, Peratrovich, and VanderLeest

and so the amendment failed.

Mr. Riley requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

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

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 9, had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled. Mrs. Sweeney asked unanimous consent for the adoption of the report. There being no objection, it was so ordered.

Committee Proposal No. 9 was ordered referred to the Committee on Style and Drafting.

Mr. Sundborg submitted a report of the Committee on Style and Drafting consisting of the redraft of the Article on the Judiciary. The report was referred to the Rules Committee for assignment to the calendar.

Mr. Hurley moved that the Convention rescind its action on the amendment by Mr. White to Section 10, to strike the word "classes". Mr. Taylor seconded. Mr. Gray asked to abstain from voting since he had been absent during the debate. After discussion by Mr. Doogan, Mr. R. Rivers, Mr. V. Fischer and Mr. Sundborg, the roll was called with the following result:

Yeas: 34 - Armstrong, Barr, Boswell, Coghill, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hermann, Hinckel, Hurley, Johnson, Kilcher, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf,

Nordale, Reader, Riley, R. Rivers, Smith, Sundborg, Sweeney, Taylor, Walsh, White, Wien and Mr. President

Nays: 13 - Awes, Collins, Cross, Doogan, Hellenthal, Knight, McCutcheon, Marston, Nerland, Poulsen, V. Rivers, Robertson, and Rosswog

Absent: 7 - Buckalew, Hilscher, King, Nolan, Peratrovich, Stewart, and VanderLeest

Abstaining: 1 - Gray

Before the result of the roll call was announced, Mr. Gray asked to be allowed to vote. Mr. McCutcheon rose to a point of order that once notice has been given to abstain, a person cannot decide to vote later. The President stated that Mr. McCutcheon's point of order was well taken.

The President announced that the action had been rescinded. Mr. Gray announced that this was the amendment on which he wished to abstain from voting. Permission was granted.

The question being "Shall Mr. White's amendment to Section 10 be adopted?", the roll was called with the following result:

Yeas: 33 - Armstrong, Barr, Boswell, Coghill, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf, Nordale, Riley, R. Rivers, Smith, Sundborg, Taylor, Walsh, White, and Wien

Nays: 14 - Awes, Cross, Doogan, Knight, McCutcheon, Marston, Nerland, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Sweeney, and Mr. President

Absent: 7 - Buckalew, Hilscher, King, Nolan, Peratrovich, Stewart and VanderLeest.

Abstaining: 1 - Gray

and so the amendment was adopted.

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

Section 15, page 6, line 2, after the word "integration" insert the following", consistent with the provisions of this article,".

Mr. Doogan seconded. After discussion by Mr. R. Rivers, Mr. Barr and Mrs. Nordale, the question was called. The roll was called with the following result:

Yeas: 25 - Armstrong, Cooper Cross, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hinckel, Hurley, Kilcher, Londborg, Metcalf, Nerland, Nordale, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Taylor, Walsh, White and Wien

Nays: 24 - Awes, Barr, Boswell, Coghill, Collins, Davis, Gray, Hermann, Hilscher, Johnson, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Poulsen, Reader, Riley, Robertson, Sweeney, and Mr. President

Absent: 6 - Buckalew, King, Nolan, Peratrovich, Stewart, and VanderLeest

and so the amendment was adopted.

Mrs. Sweeney moved that when the Convention adjourn it be until 9 a.m. Saturday. Mr. McCutcheon rose to a point of order to state that adjournment is always until 9 a.m.

Mrs. Sweeney moved that the Convention adjourn at this time until 9 a.m. Mr. Knight seconded. On voice vote the motion failed.

Mr. Johnson moved that the Convention recess until 7 p.m. Mrs. Hermann seconded. On voice vote the motion failed.

There being no further amendment to Committee Proposal No. 6a, the question of adopting the name of the local government unit "borough", as suggested by the committee or another name, was up for consideration. The following suggestions were made: "county" by Mr. McNealy, Mr. Barr and Mr. Laws; "canton" by Mr. Kilcher and Mr. Hellenthal; "province" by Mr. Hilscher, Mr. Marston and Mr. McNees; "division" by Mr. Boswell; "district" by Mr. Poulsen. After discussion on the proposed changes in accordance with the special rule adopted the previous day, the roll was called with each delegate naming his choice. The result was as follows:

Borough: 27 - Armstrong, Awes, Cross, Doogan, Emberg, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Lee, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nordale, V. Rivers, Robertson, Rosswog, Sundborg, Sweeney, Taylor, Walsh, White, and Mr. President

County: 16 - Barr, Coghill, Collins, Cooper, Davis, H. Fischer, Gray, Harris, Johnson, Knight, Laws, Londborg, McNealy, Reader, Smith, and Wien

Canton: 1 - Kilcher

District: 2 - Poulsen and Riley

Division: 2 - Boswell and R. Rivers

Province: 2 - Buckalew and McNees

Absent: 5 - King, Nolan, Peratrovich, Stewart, and VanderLeest

and so the name of "borough" was adopted.

Mr. McNees moved that the name "borough" be adopted unanimously. Mr. Buckalew and Mr. Barr objected. The motion died for lack of a second.

Mrs. Hermann moved that the Convention recess until 7:30 p.m. Mr. McCutcheon seconded.

Committee Proposal No. 6a was referred to the Committee on Engrossment and Enrollment.

The question being, "Shall the Convention recess until 7:30 p.m.?" The roll was called with the following result:

Yeas: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Hurley, Johnson, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Smith, Sundborg, Taylor, Walsh, Wien, Mr. President.

Nays: 13 - Coghill, Collins, Cross, H. Fischer, Harris, Hinckel, Kilcher, Knight, McNealy, Reader, Rosswog, Sweeney, White.

Absent: 6 - Hellenthal, King, Nolan, Peratrovich, Stewart and VanderLeest.

and so the Convention recessed until 7:30 p.m.

AFTER RECESS

Mr. R. Rivers, Second Vice-President, presided in the necessary absence of the President and the First Vice-President.

Committee Proposal No. 11 was read the second time.

Mr. V. Rivers explained the article.

Mr. Boswell asked unanimous consent for the adoption of the proposal.

The Chairman declared a short recess.

AFTER RECESS

The Chairman stated that Mr. Boswell's motion was not necessary and that Committee Proposal No. 11 would be referred to the Committee on Engrossment and Enrollment.

Committee Proposal No. 12 was read the second time.

Mr. V. Rivers, Chairman of the Committee on the Executive Branch gave a brief explanation of the article.

Mr. V. Rivers asked unanimous consent that the following committee amendment to Committee Proposal No. 12 be considered a part of the report:

"Section 6. The University of Alaska. The University of Alaska is hereby established as the state university and constituted as a body corporate. It shall have title to all the real and personal property now or hereafter set aside for or conveyed to it, which shall be held in public trust for its purposes, to be administered and disposed of according to law. There shall be a board of regents of the University of Alaska, the members of which shall be nominated and appointed by the Governor, by and with the advice and consent of a majority of the members of both houses of the Legislature in joint session. The Board shall have power, in accordance with law, to formulate policy, and to appoint the President of the University, who shall be its executive officer."

There being no objection, it was so ordered.

After a question period, without objection, the Convention recessed for the purpose of a committee meeting to discuss proposed amendments.

AFTER RECESS

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment: Section 1, line 1, delete the word "shall" insert the word "may". Mr. Smith objected. Mr. Knight seconded.

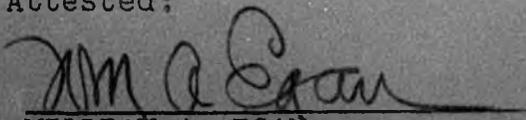
After discussion by Mr. V. Rivers, Mr. Johnson, Mr. Smith, Mr. Nolan, Mr. Taylor, Mr. Metcalf and Mr. Gray, the President declared a short recess.

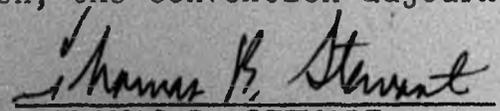
AFTER RECESS

After further discussion by Mr. Johnson, Mrs. Nordale and Mr. Harris, Mr. Cooper spoke on a matter of personal privilege, regarding the number of delegates who were absent.

Mr. Cooper asked unanimous consent that the Convention adjourn until 9 a.m. Saturday. There being no objection, the Convention adjourned at 8:30 p.m. until 9 a.m. Saturday.

Attested:


WILLIAM A. EGAN
President


THOMAS B. STEWART
Secretary

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTIETH CONVENTION DAY, SATURDAY, January 21, 1956

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

Capt. Gerald A. Hill, of the Salvation Army, gave the Invocation.

Roll call showed all members present except Mr. Hellenthal and Mr. VanderLeest. It was reported that Mr. VanderLeest was ill. The President declared a quorum to be present.

Mr. White asked unanimous consent for the approval of the Journal of the 53rd day with the following corrections:

Page 3, paragraph 2, insert a comma after "Burnette"

Page 3, paragraph 5, insert quotation marks after "election" on line 6

Page 7, paragraph 4, on third line insert "On line 17" before "delete".

There being no objection, the Journal for the 53rd day was ordered approved as corrected.

Mr. White asked unanimous consent for the approval of the Journal of the 55th day with the following corrections:

Page 1, third paragraph from the bottom insert "Section 15" before the paragraph starting "The Attorney General"

Page 5, paragraph 4, insert "be included" after "Mr. Riley" on line 9

Page 8, first paragraph after recess insert quotation marks after "state" on line 6

Page 12, first paragraph, insert "s" after "subdivision" on line 3

There being no objection, the Journal of the 55th day was approved as corrected.

Mr. Hurley inquired into the source of the anonymous material entitled "Juneau as the State Capital". Mr. Gray stated he had distributed the material on behalf of the Juneau Chamber of Commerce. Mr. Hurley asked whether it was the policy of the Convention that any material could be distributed by individual delegates. The President declared a short recess.

AFTER RECESS

The President stated he would refer the question raised by Mr. Hurley to the Rules Committee for a report.

Committee Proposal No. 12 was considered again.

Committee amendment to Section 1 having been held over from the previous day the question was called. The roll was called with the following result:

Yeas: 25 - Armstrong, Boswell, Coghill, Cooper, Davis, H. Fischer, Gray, Harris, Hinckel, Johnson, King, Laws, Londborg, McCutcheon, Metcalf, Nordale, Peratrovich, Poulsen, R. Rivers, V. Rivers, Robertson, Sweeney, Walsh, White and Mr. President.

Nays: 22 -- Awes, Barr, Collins, Cross, Emberg, V. Fischer, Hermann, Hilscher, Hurley, Kilcher, Knight, Lee, McLaughlin, McNees, Marston, Nerland, Nolan, Riley, Smith, Stewart, Sundborg, and Wien.

Absent: 8 - Buckalew, Doogan, Hellenthal, McNealy, Reader, Rosswog, Taylor and VanderLeest.

and so the amendment was adopted.

Mr. V. Rivers asked unanimous consent for the adoption of the following committee amendment:

Section 3, line 14, delete the words "or employment" and insert "of trust or profit under this Constitution."

There being no objection to the amendment, it was ordered adopted.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment:

Section 5, line 11, insert a period after the word "interest", delete the remainder of the sentence.

Mr. Kilcher objected. Mr. Johnson seconded. After discussion by Mr. V. Rivers and Mr. McNees, Mr. Kilcher withdrew his objection. There being no further objection, the amendment was ordered adopted.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment:

Section 6, line 5, delete remainder of line 5 after comma up to and including the word "purposes" on line 6.

There being no objection, it was so ordered.

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

Section 3, line 11, strike the comma.

There being no objection, it was so ordered.

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

Insert "GENERAL AND MISCELLANEOUS PROVISIONS" after the resolve clause.

There being no objection, it was so ordered.

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

Strike Section 1.

Mrs. Nordale objected. Mr. Emberg seconded. The roll was called with the following result:

Yeas: 20 - Awes, Barr, Emberg, V. Fischer, Hilscher, Hinckel, Hurley, Kilcher, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nolan, Peratrovich, Poulsen, Stewart, Wien and Mr. President

Nays: 27 - Armstrong, Boswell, Coghill, Collins, Cooper, Cross, Davis, H. Fischer, Gray, Harris, Hermann, Johnson, King, Knight, Laws, Metcalf, Nerland, Nordale, Riley, R. Rivers, V. Rivers, Robertson, Smith, Sundborg, Sweeney, Walsh, and White

Absent: 8 - Buckalew, Doogan, Hellenthal, McNealy, Reader, Rosswog, Taylor, and VanderLeest

and so the amendment failed.

Mr. Sundborg served notice that he would move to rescind the action of the Convention on the Committee amendment which changed "shall" to "may" in Section 1 of Committee Proposal No. 12 at a future time.

Mr. Sundborg served notice that he would move to rescind the action of the Convention in striking Section 5 from Committee Proposal No. 8a at some future time.

Mr. V. Rivers rose to a point of order to ask for a ruling of the Chair as to what point rescinding action can be terminated after a proposal leaves second reading.

The President stated that neither proposal involved had been referred to the Committee on Engrossment and Enrollment, so rescinding action would be in order.

Mr. McCutcheon stated that such notice to rescind as Mr. Sundborg had given would freeze the articles in their present status.

The President stated that the notice to rescind was perfectly proper.

Mr. Sundborg stated that he served notice to comply with the rule which states that if prior notice is given a motion to rescind, only a majority vote is required, rather than a two-thirds. He stated further that he would bring the matter up as soon as all delegates were present.

Mr. Johnson rose to a point of information to inquire whether Robert's Rules of Order does not provide that a notice to rescind in order to obviate the necessity of more than a majority vote must be given on the same day as action was taken.

The President stated that he did not believe Robert's Rules provided as Mr. Johnson had stated.

The President declared a short recess.

AFTER RECESS

The President referred Committee Proposal No. 12 to Engrossment and Enrollment.

Mr. Robertson asked for a ruling of the Chair on the points of order.

The President stated that the rescinding action cannot hold anything beyond the next Convention day.

Committee Proposal No. 15 was read the ^{first} ~~second~~ time.

Mr. Sundborg explained the proposal.

Mr. Sundborg moved and asked unanimous consent that the sections in this proposal be added to Committee Proposal No. 12 and that the section numbers be changed to 7, 8, 9 and 10. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent that Committee Proposal No. 15 be referred directly to the Committee on Style and Drafting and that Committee Proposal No. 11 also be assigned to Style and Drafting.

Committee Proposal No. 11 was referred to the Committee on Style and Drafting, but since Committee Proposal No. 15 had been made a part of Committee Proposal No. 12, it was referred to the Committee on Engrossment and Enrollment.

The President stated that Engrossment and Enrollment should not report the article on Miscellaneous Provisions until it is certain there are no more miscellaneous provisions to be included.

The President stated that the next order of business would be consideration of the Style and Drafting Committee's report on the Judiciary article.

Miss Awes asked whether the report of the Committee on Resolutions containing Mr. Marston's resolution "Friendly Relations with Canada" could not be considered at this time.

Mr. Marston asked that it be held until nearer the end of the Convention. There being no objection, action was delayed.

Mr. V. Fischer raised the question of the effect of resolutions and ordinances on the legislature and on the State.

Mr. Riley explained the matter of resolutions.

Mr. Hurley spoke for the Committee on Ordinances and explained the effect of an ordinance and the plan for ratification of ordinances along with the constitution.

Mr. Sundborg asked a question regarding the effective date of an ordinance. Mr. Hurley answered on behalf of the Ordinance Committee.

Mr. McLaughlin requested a ten-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The report of the Committee on Style and Drafting was read.

Mr. Sundborg asked Mr. Davis to give a brief explanation of what the committee had done and why, in changing the proposal.

After the explanation by Mr. Davis, Mr. McLaughlin stated that the Committee on Style and Drafting had made no substantive changes unless the body considered that using the phrase "provided by law" instead of "provided by the legislature" in some instances would be so construed.

Discussion regarding the above change followed.

Mr. Johnson moved that in Section 1, wherever the words "by law" are used they be changed to read "by the legislature" and asked for a suspension of the rules to effect the change. Mr. Robertson seconded and asked whether Mr. Johnson would not include in his motion mention of Sections 2, 3, 4, 9, 11 and 13. Mr. Johnson asked that they be included in his motion. There being no objection, it was so ordered. Discussion followed by Mr. Davis, Mr. Johnson, Mr. McNees, Mr. Collins and Mr. Davis.

Mr. White asked Mr. Johnson whether he would be willing to hold his motion in abeyance so that the basic matter could be decided. After discussion, Mr. Johnson asked unanimous consent that his motion be held in abeyance until a later time. There being no objection, it was so ordered.

Mr. White moved that it be the policy of the Convention to adopt a miscellaneous provision which would say that when the constitution says "the legislature" it means the legislature only, and that when it says "by law" it means by initiative or by the legislature. Mr. McNees seconded.

After discussion by Mr. Davis, Mr. Sundborg, Mr. Hurley and Mr. McLaughlin, the President stated that since the article on miscellaneous provisions was not before the Convention that Mr. White would have to move to suspend the rules in order to present his motion.

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

Mr. White asked unanimous consent that the Rules be suspended so that he could make the motion which had just been withdrawn.

After question by Mr. Johnson as to whether Mr. White's motion to suspend the rules would carry with it the motion he had previously made, the President stated that it would merely open the way for Mr. White to make the motion.

There being no objection to Mr. White's unanimous consent request, the rules were suspended.

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

AFTER RECESS

Mr. Coghill rose to a point of information regarding a call of the Convention. After discussion Mr. Sundborg suggested that the Rules Committee draft a rule covering a call of the Convention since there is no rule covering this.

The President declared a short recess.

AFTER RECESS

Mr. Collins moved and asked unanimous consent that the Convention recess until 1:30 p.m. The following committee announcements were made: Administration on recess; Style and Drafting at 12:30 p.m. in lunchroom.

Mr. Davis objected to the unanimous consent request for a recess. Mr. Collins so moved. Mr. McNees seconded. The roll was called with the following result:

Yeas: 24 - Awes, Barr, Coghill, Collins, Cross, Doogan, Emberg, H. Fischer, Harris, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McNees, Marston, Poulsen, V. Rivers, Robertson, Smith, Stewart, and Sweeney

Nays: 21 - Boswell, Cooper, Davis, V. Fischer, Gray, Hermann, Hinckel, Hurley, McCutcheon, McLaughlin, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, Sundborg, Walsh, White, Wien, and Mr. President

Absent: 10 - Armstrong, Buckalew, Hellenthal, Hilscher, McNealy, Reader, Riley, Rosswog, Taylor, and VanderLeest

and so the Convention recessed. The sergeant-at-arms was asked to contact the absent members to be sure they would be in attendance at the afternoon session.

AFTER RECESS

A telegram from Cyrus E. Peck, Grand Secretary, Alaska Native Brotherhood, urging that the action taken by the Convention which voted down the amendment regarding native lands in Committee Proposal No. 8a be sustained, was read and ordered filed.

A telegram from Arthur Skinner of Juneau, urging the Convention to reconsider its action on Section 5 of Committee Proposal No. 8a, pertaining to Fish and Wildlife, was read and ordered filed.

Mr. White, under the suspension of the rules granted earlier, reviewed his motion regarding the use of the terms "by the legislature" and "by law". Mr. Buckalew seconded. After discussion by Mr. R. Rivers, Mr. V. Fischer, Miss Awes, Mr. McNees, Mr. Barr, Mr. Riley, Mr. Marston, Mr. Cross and Mr. White, Mr. Rosswog asked permission to abstain from voting since he had been absent during the debate. Permission was granted. Mr. Metcalf requested a roll call. The roll was called with the following result:

Yeas: 18 - Barr, Buckalew, Coghill, Collins, Cooper, Davis, Johnson, Kilcher, Laws, McCutcheon, McNealy, Nerland, Nolan, Peratrovich, Poulsen, Reader, Robertson, and Taylor

Nays: 34 - Armstrong, Awes, Boswell, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nordale, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Absent: 2 - Hellenthal and VanderLeest

Abstaining: 1 - Rosswog

and so the motion failed.

Mr. R. Rivers rose to a point of information as to whether the suspension of the rules would make it possible for him to submit another motion regarding a change in the initiative provision.

Mr. McCutcheon rose to a point of order to state that the result of the vote on Mr. White's motion made the position of the Convention clear on the point.

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

Mr. Johnson rose to a point of order to state that his motion, which he had laid aside until action had been taken on Mr. White's motion, was still pending.

Mr. R. Rivers rose to a point of order to state that Mr. Johnson had not stated that it would be taken up immediately after Mr. White's motion, but had merely asked that it be held in abeyance until later.

The President declared a short recess.

AFTER RECESS

The President stated that it would take a suspension of the rules for Mr. R. Rivers to present his motion.

Mr. R. Rivers stated he would not ask for a suspension of the rules and yielded to Mr. Johnson.

Mr. Johnson requested a division of the question and asked for action on the suspension of the rules question first.

Mr. McCutcheon stated that he didn't believe a suspension of the rules was necessary since it is only a change in terminology and not a substantive change.

The President stated that if Mr. Johnson's amendment carried, it would limit the article to the use of the term "by law" to mean an act of the legislature rather than a possible act of the initiative and referendum so it would be a change in substance.

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

Yeas: 33 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Gray, Harris, Hermann, Johnson, King, Laws, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, Robertson, Rosswog, Sweeney, Taylor, Walsh, Wien, and Mr. President

Nays: 20 - Coghill, Collins, Emberg, H. Fischer, V. Fischer, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, Londborg, McNees, Marston, Peratrovich, V. Rivers, Smith, Stewart, Sundborg, and White

Absent: 2 - Hellenthal and VanderLeest

and so the rules were not suspended.

Mr. Johnson asked unanimous consent to withdraw his motion to amend. There being no objection, it was so ordered.

Mr. McLaughlin asked unanimous consent to suspend the rules so he could introduce a motion.

Mr. McCutcheon rose to a point of order to state he would like to know the nature of the motion before he could vote on the suspension of the rules.

Mr. McLaughlin read the motion.

Mr. Buckalew objected to the unanimous consent request. Mr. McLaughlin moved that the rules be suspended so that he could introduce a motion. Mr. Knight seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan,

Nordale, Reader, Riley, R. Rivers, V. Rivers,
Robertson, Rosswog, Smith, Stewart, Sundborg,
Sweeney, Taylor, Walsh, White, and Wien

Nays: 6 - Buckalew, Coghill, Marston, Peratrovich, Poulsen,
and Mr. President

Absent: 2 - Hellenthal and VanderLeest

and so the rules were suspended.

Mr. McLaughlin moved that it be the intent of the Convention that all provisions of the constitution which include the words "by the legislature" or "the legislature", unless clearly inapplicable or unless specifically excluded from the initiative and referendum by the article on the initiative and referendum, shall be subject to the initiative and referendum.

Mr. Cooper rose to a point of order to call attention to the rule which states that a long amendment should be mimeographed before presentation. The President stated that this was not an amendment. Mr. Cooper withdrew his point of order.

Mr. Barr seconded the motion.

After discussion by Mr. McLaughlin, Mr. Johnson, Mr. Sundborg, Mr. White, Mr. Coghill and Mrs. Nordale, the question was called. On voice vote the motion was adopted.

Mr. McCutcheon moved that the Judiciary Article be sent back to Style and Drafting for further consideration. Mr. Taylor seconded. On voice vote the motion failed.

Mr. Robertson moved that Committee Proposal No. 2 be recommitted to the Judiciary Committee. Mr. McCutcheon seconded the motion.

Mr. Davis stated that under the motion just adopted the Judiciary Committee would have no authority to change the wording in the article.

Mrs. Hermann stated that it would take a suspension of the rules to do what Mr. Robertson requested, since the Proposal was no longer in second reading.

The President stated that Mrs. Hermann's point of order was well taken.

Mr. Robertson appealed from the ruling of the Chair.

The question being "Shall the ruling of the Chair be sustained?", the roll was called with the following result:

Yeas: 49 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, and Wien

Nays: 3 - Hinckel, Robertson, and Taylor

Absent: 2 - Hellenthal and VanderLeest

Abstaining: 1 - Mr. President

and so the ruling of the Chair was sustained.

Mr. Robertson moved that the Rules be suspended.

The roll was called with the following result:

Yeas: 13 - Barr, Collins, Johnson, Laws, McCutcheon, McNealy, Marston, Nolan, Poulsen, Reader, Robertson, Taylor and White

Nays: 40 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McLaughlin, McNees, Metcalf, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 2 - Hellenthal and VanderLeest

and so the rules were not suspended.

Mr. Sundborg moved that the rules be suspended and that Style and Drafting be allowed to write in as one of the restrictions in the initiative article the matter of establishment and operation of the courts. Mr. Robertson seconded.

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

AFTER RECESS

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

Mr. V. Rivers asked unanimous consent that C. P. No. 2 be referred to the Rules Committee for assignment to the calendar in third reading.

Mr. Davis stated the Committee on Style and Drafting had a few amendments to offer.

Mr. V. Rivers withdrew his motion.

Mr. Davis moved the adoption of the following committee amendment to the report of the Committee on Style and Drafting on C.P. No. 2:

Page 5, Section 14, line 16, insert "other" between "any" and "office".

Mr. Johnson seconded. Mr. Taylor objected. After Mr. Davis explained the amendment, Mr. Taylor withdrew his objection. There being no further objection, the amendment was ordered adopted by unanimous consent.

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

Page 5, Section 14, Line 19, at the end of the line add "another".

Mr. R. Rivers objected. Mr. Davis so moved. Mr. Johnson seconded. After discussion by Mr. R. Rivers, Mr. McNees, Mr. Robertson, Mrs. Nordale and Mr. Davis, the question was called. On voice vote the amendment was adopted.

The President asked if there were any objections to the fact that the two amendments had been adopted without a roll call vote.

Mr. Davis stated that since these were merely questions of style there was no need for a roll call.

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

Transfer Section 17 to Miscellaneous Provisions of the Constitution.

There being no objection, it was so ordered and Section 17 was referred to the Committee on Engrossment and Enrollment.

Mr. Sundborg asked unanimous consent that the number of Section 17 be changed by the Committee on Engrossment and Enrollment to the appropriate number in the Miscellaneous Provisions article. There being no objection, it was so ordered.

Mr. Davis moved that Section 18 as written be taken from the Judiciary article and transferred to the committee considering transitional measures.

Mr. V. Rivers rose to a point of information to inquire whether that committee would make any changes.

The President stated that the section would come to the floor with all the transitional measures.

Mr. V. Fischer stated that the section could be referred to the Committee on Engrossment and Enrollment and held there until the remaining transitional measures reached the committee.

Mr. V. Rivers withdrew his request for information.

The President referred Section 18 to the Committee considering transitional measures.

Mr. McNealy spoke on personal privilege to state the section would be returned to the floor in the same language.

Mr. Davis moved that the report of the Committee on Style and Drafting on Committee Proposal No. 2 be accepted. Mr. Robertson objected.

Mr. V. Rivers moved and asked unanimous consent that the Convention adjourn until 9 a.m., Monday. Mr. Johnson seconded. Mr. Coghill objected and stated that the Committee on Administration had a report to make.

Mr. McNealy announced a meeting of the Committee on Ordinances on adjournment. Mr. Sundborg announced a meeting of the Committee on Style and Drafting.

On voice vote the motion lost and the Convention remained in session.

Mr. Sundborg seconded the motion of Mr. Davis to accept the report of the Committee on Style and Drafting on C. P. No. 2. Mr. Poulsen requested a roll call. The roll was called with the following result:

Yeas: 48 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, and Mr. President.

Nays: 5 - Kilcher, McCutcheon, Nolan, Poulsen, and Robertson

Absent: 2 - Hellenthal and VanderLeest

and so the report was adopted.

Mr. V. Fischer asked the Chairman of the Rules Committee what the calendar contained.

Mr. Riley reported that Committee Proposal No. 16 was in second reading and Committee Proposal No. 2 was in third reading.

The President declared a recess until 3:45 p.m.

AFTER RECESS

Mrs. Hermann introduced Mr. H. G. Pope, Executive Director of the Public Administration Service, which produced the constitutional studies, who was present at the invitation of the Statehood Committee in regard to studies with reference to transitional measures. Mr. Pope spoke briefly.

Mr. Coghill presented the following report of the Committee on Administration:

"The Committee on Administration recommended that a ceremony for the signing of the constitution be held at 2:00 p.m. on Sunday, February 5, in the gymnasium of the University of Alaska. The Committee recommended that special letters of invitation be sent to the governors of the States and Territories of the United States and that 3,000 printed invitations be obtained for distribution through the delegates and otherwise."

Mr. Sundborg moved that the Convention accept the recommendation of the Committee as to the time, 2 p.m. Sunday, February 5. Mrs. Hermann seconded. Mr. R. Rivers asked unanimous consent. There being no objection, it was so ordered.

Mrs. Sweeney moved and asked unanimous consent that the University gymnasium be the place where the program would be held. Mr. Sundborg objected temporarily. Mr. Kilcher seconded. After discussion by Mr. Sundborg, Mr. Hilscher, Mr. Doogan, Mr. Londborg, Mrs. Sweeney, Mr. Walsh, Miss Awes, Mr. Buckalew and Mr. Coghill, Mr. Sundborg withdrew his objection. On voice vote the motion was adopted.

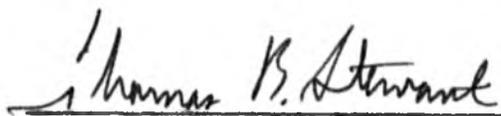
Mrs. Hermann moved that the Convention accept the Committee report as to sending out invitations. Mrs. Sweeney seconded. After discussion by Mr. Doogan, Mr. McNeese, Mr. White, Mr. Londborg, Mr. Kilcher and Mr. Coghill, the question was called. On voice vote the motion was adopted.

Mr. Boswell asked unanimous consent that the Convention adjourn until 9 a.m., Monday.

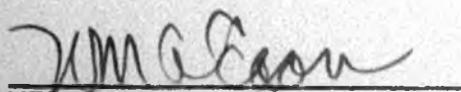
Mr. Sundborg announced a meeting of the Committee on Style and Drafting on adjournment.

Mr. McNealy announced a meeting of the Committee on Ordinances on adjournment.

There being no objection to the unanimous consent request, the Convention adjourned at 4:30 p.m., until Monday at 9 a.m.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal/50

Approved

Jan. 28, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-SECOND CONVENTION DAY, Monday, January 23, 1956

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

The Invocation was given by Major Robert A. Wood of Ladd Air Force Base, a member of the Branch Presidency of the Church of Jesus Christ of Latter Day Saints, Slaterville.

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

A telegram from Mr. William L. Paul, Grand President of the Alaska Native Brotherhood, opposing deletion of Section 5 from the Resources Article, was read and ordered filed.

A letter from the Tanana Valley Sportsmen's Association, Fairbanks, expressing objection to and recommending corrective action in the case of certain constitutional matters, was read and ordered filed.

A letter from the University of Alaska Wildlife Club, recommending the inclusion of provision for wildlife administration in the constitution, was read and ordered filed.

Mr. Sundborg stated that the Committee on Style and Drafting needed time to finish work on the proposals which were in the Committee.

Mr. Buckalew suggested the Convention recess until 7 p.m.

The President stated that the Rules Committee had a calendar containing two items which should be considered before adjournment.

The President declared a short recess.

AFTER RECESS

Committee Proposal No. 2 was considered in third reading and read for the third time.

Mr. Robertson, Mr. Cooper, Mr. McLaughlin, Mr. Smith, Mr. R. Rivers, and Mr. McNealy spoke on the Proposal.

62nd Day, Monday, Jan. 23, 1956

The question being "Shall Committee Proposal No. 2, the article on the Judiciary, be adopted as a part of the Alaska State Constitution?", the roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 6 - Coghill, Knight, Laws, Londborg, McNealy, and Poulsen

Absent: 2 - Buckalew and Riley

and so the Proposal was made a part of the Constitution.

Mr. Sundborg moved that the Convention rescind its action as to the amendment to change "shall" to "may" in line 1 of Section 1 of Committee Proposal No. 12. Mr. Metcalf seconded.

After discussion by Mr. Londborg, Mr. V. Fischer, Mrs. Nordale, Mr. Sundborg, Mr. Stewart and Mr. Johnson, Mr. Stewart suggested an amendment. Further discussion continued by Mr. Barr, Mr. McCutcheon, Mr. Nolan, Mr. R. Rivers and Mr. White.

The President declared a short recess.

AFTER RECESS

After further discussion by Mr. McLaughlin, Mr. Londborg and Mr. Coghill, Mr. Sundborg closed the argument.

The question being "Shall the Convention rescind its action on changing "shall" to "may"?", the roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Metcalf, Nerland, Nolan, Nordale, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Nays: 13 - Coghill, Cooper, Hinckel, Johnson, Laws, Londborg, McCutcheon, Marston, Peratrovich, Poulsen, Reader, Robertson, and White

Absent: 2 - Buckalew and McNealy

and so the action was rescinded.

Mr. Sundborg moved that the Convention rescind the action taken by striking Section 5 from Committee Proposal No. 8a. Mr. Boswell seconded.

Mr. Sundborg stated that if the action was rescinded he proposed to amend Section 5 to strike the words "and administration" from line 10.

Mr. Kilcher rose to a point of order that Mr. Sundborg was discussing an amendment which was not before the Convention.

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

Mr. Londborg rose to a point of order as to when rescinding action could be taken.

The President stated that a motion to rescind can be made after the time for a reconsideration motion has passed; he stated further that it was his opinion that at any time a motion to rescind would be in order.

The President declared a fifteen-minute recess.

AFTER RECESS

A telegram from Senator Marcus Jensen urging reconsideration of the action striking Section 5 from the Resources article, was read and ordered filed.

A telegram from ~~Reuel~~ M. Fleming, Secretary of the Juneau Vessel Owners, expressing their view that there should be inserted in the Constitution an article setting up a commission for fisheries, was read and ordered filed.

A telegram from Louise Juhnke, Secretary of the Anchorage Chapter of the Izaak Walton League of America, asking for the inclusion of submitted fish and game management proposals in the Constitution, was read and ordered filed.

A telegram from Albert S. Davis, President, ANB Camp No. 1, Sitka, recommending a commission to govern fish and another to govern game be inserted in the Constitution, was read and ordered filed.

A memorandum from the Director of the Alaska Department of Fisheries on behalf of the Alaska Fisheries Board, submitting the Board's recommendations regarding fish and fisheries provisions in the Constitution, was read and ordered filed.

The President referred Committee Proposal No. 12 to the Committee on Engrossment and Enrollment.

Mr. Sundborg's motion to rescind action on striking Section 5 of Committee Proposal No. 8a being before the Convention, there was further debate by Mr. Coghill, Mr. V. Fisher, Mr. McNealy, Mr. Marston, Mr. White, Mr. Smith, Mr. V. Rivers, Mr. R. Rivers, Mr. King, Mrs. Hermann and Mr. McCutcheon, after which the President declared a short recess.

AFTER RECESS

Further debate on the motion followed by Mr. Taylor and Mr. Emberg. The President then asked Mr. Sundborg to take the Chair so that he could speak on the motion. Mr. Stewart and Mr. McNees spoke on the motion. Mr. Doogan moved to recess. The motion died for lack of a second.

The President took the Chair. Mr. Sundborg closed the argument. The question being "Shall the Convention rescind its action on striking Section 5 of Committee Proposal No. 8a?", the roll was called with the following result:

- Yeas: 20 - Boswell, Coghill, Cooper, H. Fischer, Gray, Johnson, King, Knight, Laws, Lee, McNealy, Marston, Nolan, Peratrovich, Riley, Sundborg, Sweeney, VanderLéest, Walsh, and Wien
- Nays: 35 - Armstrong, Aves, Barr, Buckalew, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, White, and Mr. President

and so the Convention did not rescind its action.

Mr. Sundborg asked unanimous consent that the Convention recess until 1:45 p.m. The following committee announcements were made: Ordinances at 1 p.m.; Style and Drafting at 1 p.m.

Mrs. Sweeney asked if it would be agreeable to release Committee Proposal No. 14 from the Engrossment and Enrollment Committee without the boundary descriptions. Mr. Hellenthal stated he had no objection.

Mrs. Sweeney asked unanimous consent for the adoption of the report of the Committee on Engrossment and Enrollment as to Committee Proposal No. 14 being correctly engrossed and the first enrolled copy correctly enrolled. There being no objection, it was so ordered.

McNealy, Marston, Nerland, Nordale, R. Rivers, Rosswog, Smith, Stewart, Sundborg, White, Wien, and Mr. President

Nays: 22 - Armstrong, Barr, Coghill, Cooper, Davis, Doogan, H. Fischer, Hinckel, Johnson, Lee, Londborg, McCutcheon, McNees, Metcalf, Nolan, Peratrovich, Poulsen, Reader, V. Rivers, Sweeney, Taylor, and Walsh

Absent: 3 - Riley, Robertson and VanderLeest

and so the amendment was adopted.

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

Strike Section 2.

Mr. Barr seconded. After discussion by Mr. McNealy and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. Smith announced that he had an amendment to insert a new Section 2.

The President asked if the Chairman of the Committee on Ordinances had any more amendments.

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

Strike Section 3.

Mr. Buckalew seconded. Mr. McNealy asked unanimous consent. There being no objection to the amendment, it was ordered adopted.

The President declared a short recess so that the Committee on Ordinances could discuss the proposed amendment.

AFTER RECESS

Mr. Smith moved the adoption of the following amendment:

"Section 2. All provisions of the Act admitting Alaska to the Union which reserves rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property made to Alaska, are consented to fully by the State of Alaska and its people."

Mr. Johnson seconded.

After discussion by Mr. Smith and Mr. McCutcheon, Mr. White asked to have the amendment held over until later.

The President announced that the Ordinance Committee had scheduled a talk by Mr. George H. Lehleitner before the Convention at 7 p.m. this date.

After discussion about having a longer time for committee meetings, Mr. Sundborg withdrew his unanimous consent request and asked unanimous consent that the Convention recess until 7 p.m.

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

Committee Proposal No. 17 by the Committee on Ordinances and Transitional Measures, entitled SCHEDULE was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. R. Rivers asked unanimous consent that the Convention stand at recess until 7 p.m. There being no objection, it was so ordered.

AFTER RECESS

The President introduced Mr. George H. Lehleitner of New Orleans, Louisiana, as a strong supporter of statehood for both Alaska and Hawaii who has worked unselfishly spending his efforts to further the cause of statehood for the two territories. Mr. Lehleitner spoke to the delegates on the "Tennessee Plan".

At the conclusion of his talk the President declared a ten-minute recess.

AFTER RECESS

Committee Proposal No. 16 was read the second time.

Mr. McNealy gave a brief explanation of the proposal.

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

Section 1, page 2, line 11, strike semicolon, insert a period and strike the balance of the section.

Mr. R. Rivers asked unanimous consent for the adoption of the amendment. Mr. McCutcheon objected. Mr. Buckalew seconded. After discussion by Mr. McNealy, Mr. McCutcheon, Mr. Hellenthal, Mr. Hinckel, Mr. Buckalew, Mr. McNees, Mr. V. Rivers and Mr. R. Rivers, Mr. McNealy closed the argument. The roll was called with the following result:

Yeas: 30 - Awes, Boswell, Buckalew, Collins, Cross, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King, Knight, Laws, McLaughlin,

After Mr. Buckalew, Mr. McLaughlin, Mr. Hellenthal and Mr. Lee spoke, Mr. Kilcher requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McLaughlin asked unanimous consent that consideration of the amendment be held over for at least twenty-four hours. There being no objection, it was so ordered.

Mr. Emberg requested copies of the amendment be furnished all delegates. There being no objection, it was so ordered.

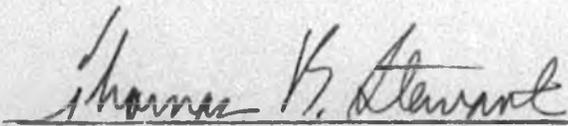
Mr. Johnson moved that the Convention adjourn until 9 a.m., Tuesday.

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

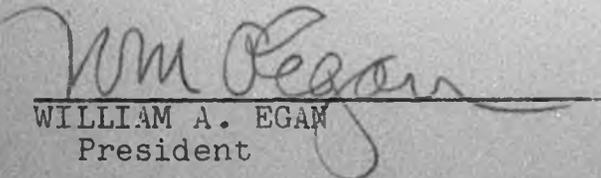
Mr. Sundborg submitted on behalf of the Committee on Style and Drafting their reports on C.P. #1 and C.P. #3, the articles on Suffrage and Elections, and Initiative, Referendum and Recall. The reports were referred to the Rules Committee for assignment to the calendar.

Mr. Hellenthal reported the descriptions of the election districts as a supplement to C.P. #14. The report was referred to the Committee on Rules for assignment to the calendar.

Mrs. Sweeney moved and asked unanimous consent that the Convention adjourn until 9 a.m., Tuesday. There being no objection, the Convention adjourned at 9:30 p.m. until 9 a.m., Tuesday morning.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal, 51

Approved

Jan. 30, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTY-THIRD CONVENTION DAY, Tuesday, January 24, 1956

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

The Invocation was given by the Rev. E. N. Gurr of the Pentacostal Church of God.

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

Mr. Knight asked unanimous consent that the Journal for the fifty-sixth day be approved as read. There being no objection, it was so ordered.

Mr. Riley reported the following change in the calendar: Committee Proposal No. 14, election district descriptions, under second reading.

Mr. Sundborg asked unanimous consent that the election district descriptions of Committee Proposal No. 14 be considered in second reading at this time. Mr. Nolan objected because he would like to check the descriptions with the map. Mr. Sundborg withdrew his request for unanimous consent.

The report of the Committee on Style and Drafting on Committee Proposal No. 3, Initiative, Referendum and Recall, was read. Discussion of the changes in language made by the Committee followed. Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

A telegram addressed to President Egan from the members of the Anchorage Sportsmen's Association, criticizing the delegates for not specifically providing for the Fish and Wildlife in the constitution, was read and ordered filed.

A telegram addressed to President Egan from ~~Mr.~~ M^r B. Sarvela, Northern Fishing Vessel Owners' Association of Sitka, requesting fisheries management policy be set forth in the Resource article of the constitution, was read and ordered filed.

63rd Day, Tuesday, Jan. 24, 1956

A telegram addressed to Delegate Benny White (presumably the delegate addressed was Barry White) criticizing the omission of provisions for fish and game in the constitution, was read and ordered filed.

A telegram addressed to Delegate Barry White from A. W. Long, Secretary, Anchorage Sportsmen's Association, stating that only by incorporating the Alaska Sportsmen's Council recommendation into the constitution will the fish and wildlife be safe from mishandling, was read and ordered filed.

A telegram addressed to Delegate Dorothy Awes from Jean A. Blanchard of Anchorage, urging provisions be made in the constitution for fish and wildlife, was read and ordered filed.

A telegram addressed to Delegate Stanley McCutcheon (presumably the delegate addressed was Steve McCutcheon) from Howard Houtz of Anchorage, criticizing the omission of provisions for the fish and wildlife in the constitution, was read and ordered filed.

CONSIDERATION OF REPORT OF COMMITTEE ON STYLE AND DRAFTING ON ARTICLE XI

Mr. Sundborg moved the adoption of the following committee amendment to the Style and Drafting Committee report on Committee Proposal No. 3 being Article XI:

Section 4, page 2, line 2, at the end of the line, change the word "title" to "proposition".

Mr. Taylor objected.

The President declared a short recess.

AFTER RECESS

Mr. Sundborg asked unanimous consent for the withdrawal of the committee amendment. There being no objection, it was so ordered.

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

Page 2, lines 2 and 3, strike "title and summary of" and insert in lieu thereof "ballot title and proposition summarizing".

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the following committee amendment be adopted:

Section 5, line 12, strike "title and summary" and insert "ballot title and proposition summarizing".

There being no objection, it was so ordered.

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

Page 2, line 18, after the word "the" strike the word "defeat" and insert in lieu thereof the words "approval or rejection".

There being no objection, it was so ordered.

Mr. Taylor moved the adoption of the following amendment to Section 5:

Line 14, change "twenty" to "eighty".

Mr. Knight seconded. Mr. R. Rivers objected. After explanation by Mr. Sundborg, Mr. R. Rivers withdrew his objection.

The President declared a short recess.

AFTER RECESS

Mr. Sundborg asked unanimous consent for the adoption of Mr. Taylor's amendment. There being no objection, it was so ordered.

After discussion on Section 7, Mrs. Sweeney reported that there had been an error in the enrolled copy of the Proposal and the language which followed the word "safety" had been deleted by the Convention and the enrolled copy would be corrected accordingly.

Mr. Sundborg moved that the report of the Committee on Style and Drafting as to Article XI as amended be accepted by the Convention. Mr. McCutcheon seconded. Mr. Hellenthal requested a roll call. Mr. Metcalf asked unanimous consent that the report be accepted. Mr. Poulsen objected. The roll was called with the following result:

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

Nays: 5 - Hinckel, Laws, McCutcheon, Poulsen, and Reader

Absent: 3 - Davis, Hilscher and McLaughlin

and so the report was adopted.

Mr. McCutcheon moved that the rules be suspended and that Article XI be returned to second reading for specific amendment. Mr. Taylor asked unanimous consent.

Mr. V. Fischer rose to a point of information to have the amendment read.

Mr. Robertson stated that the amendment was to Section 7, line 2, to insert the words "create courts, define the jurisdiction or prescribe the rules thereof," after "appropriations,".

Mr. Kilcher objected to the unanimous consent request. Mr. Taylor seconded the motion. The roll was called with the following result:

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

Nays: 5 - Coghill, Emberg, Kilcher, Londborg, and Peratrovich

Absent: 3 - Davis, Hilscher, and McLaughlin

and so the rules were suspended.

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

Section 7, line 2, after the word "appropriations," insert the words "create courts, define the jurisdiction or prescribe the rules thereof,".

The President declared a short recess.

AFTER RECESS

Mr. Robertson moved the adoption of the amendment. Mr. Taylor seconded. After discussion by Mr. Coghill, Mr. White, Mr. V. Fischer, Mr. McLaughlin, Mrs. Nordale, Mr. Hellenthal, Mr. Johnson, Mr. Taylor, Mr. McNees, Mr. Kilcher, Mr. Marston, Mr. Nolan and Mr. McCutcheon, Mr. Coghill moved that the Convention recess until 1:30 p.m.

The following committee announcements were made: Resources at 12:50 p.m. Engrossment and Enrollment at 1 p.m.

Mr. Hellenthal announced that anyone who would like to compare the election district descriptions with the map might do so between 1 p.m. and 4 p.m., in Room 404 of the Mines Building.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

AFTER RECESS

The question being "Shall Mr. Robertson's amendment to Section 7 of Article XI be adopted?", the roll was called with the following result:

Yeas: 39 - Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Hinckel, Johnson, King, Laws, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, White, Wien and Mr. President

Nays: 10 - Coghill, Emberg, V. Fischer, Gray, Hilscher, Kilcher, Knight, McNees, Peratrovich, and VanderLeest

Absent: 6 - Armstrong, Barr, Hurley, Londborg, Nolan, and Walsh

and so the amendment was adopted.

The President referred the Article to the Rules Committee for assignment to the calendar.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended, that the Article on the Initiative, Referendum and Recall be advanced to third reading, read by title only and placed on final passage. Mr. White and Mr. Cooper objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Nays: 13 - Cooper, V. Fischer, Hilscher, Johnson, Laws, Londborg, Metcalf, Poulsen, Reader, Robertson, Rosswog, Sweeney, and White

Absent: 2 - Barr and Nolan

and so the rules were suspended.

Article XI was read the third time. After debate by Mr. Robertson, Mr. Sundborg, Mr. V. Fischer, Mr. Marston and Mr. Doogan, Mr. McCutcheon moved the previous question. Mr. Doogan seconded. On voice vote the previous question was ordered.

The question being "Shall Article XI, the Initiative, Referendum and Recall become a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, White, Wien, and Mr. President

Nays: 10 - V. Fischer, Johnson, Laws, Londborg, McCutcheon, McNaly, Poulsen, Reader, Robertson, and Walsh

Absent: 2 - Barr and Nolan

and so the article was adopted.

COMMITTEE REPORTS

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

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

Two articles of the constitution totalling ten pages had been adopted by the Convention. The articles which had passed second reading totalled 67 pages. The Committee had finished work on one additional article of 6 pages in length, leaving about 7 articles totalling around 50 pages still to go.

As a result of the work ahead for Style and Drafting, Mr. Sundborg asked whether the Convention would hold shorter plenary sessions so Style and Drafting could have more time to work.

The President suggested the possibility of not meeting until 1:30 p.m. daily for plenary sessions.

Mr. Johnson moved that the Convention adopt a policy that the plenary sessions begin at 1:30 p.m. daily for the next few days. Mr. Hellenthal seconded.

Mr. Cooper moved to amend the motion to 3 p.m.

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

AFTER RECESS

Mr. Doogan requested the privilege of the floor to discuss the need for working as long as possible in plenary session to get the work done.

After further discussion by Mr. Hellenthal, Mr. Sundborg, Mr. Taylor and Mr. Metcalf, the question was called. On voice vote the motion carried and the policy of meeting in plenary session from 1:30 p.m. on, was adopted.

Mr. Sundborg asked unanimous consent that the Convention adjourn at 5:40 p.m. this date. Mr. Doogan objected. Mr. Sundborg so moved. Mr. R. Rivers seconded. On voice vote the motion was adopted.

Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment as to Committee Proposal No. 6a, which the Committee had found correctly engrossed and enrolled, be adopted. There being no objection, it was so ordered. Committee Proposal No. 6a was referred to the Committee on Style and Drafting.

SECOND READING OF PROPOSALS

Committee Proposal No. 16 was considered again.

The amendment offered by Mr. Smith to add a new Section 2 being before the Convention, discussion by Mr. McNealy, Mr. Smith, Mr. White, and Mr. R. Rivers followed. Mr. McCutcheon rose to a point of order during Mr. R. Rivers' argument to state he was arguing an amendment to the amendment and not the amendment. The President stated that Mr. McCutcheon's point of order was well taken.

After Mr. Buckalew spoke on the amendment, Mr. McCutcheon moved the previous question. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 27 - Awes, Buckalew, Collins, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hilscher, Hinckel, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, Taylor, and VanderLeest

Nays: 27 - Armstrong, Barr, Boswell, Coghill, Cooper, Davis, Emberg, Hellenthal, Hermann, Johnson, Kilcher, King, Laws, McNealy, Nerland, Poulsen, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Absent: 1 - Hurley

and so the previous question was not ordered.

After further discussion by Mr. V. Rivers and Mr. Kilcher, Mr. Sundborg spoke regarding a transitional measure he would offer on the same subject. Mr. McCutcheon rose to object that the matter Mr. Sundborg was speaking on was not before the Convention.

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

Strike the language of the proposed amendment and substitute the following: "Section 2. Provisions of the act admitting Alaska to the Union which should require consent by the people of Alaska to any condition, or inclusion in the state constitution of any language, not expressed in this constitution shall be presented for ratification at the first general election at which a governor is chosen. If ratified, such provisions shall be incorporated in this constitution as though they were an original part hereof."

Mrs. Hermann rose to a point of order to state that the amendment destroys the original intent of Mr. Smith's amendment and was not acceptable.

The President declared a short recess.

AFTER RECESS

The President stated that Mrs. Hermann's point of order was well taken and that the amendment to the amendment was not in order at this time.

After further discussion on Mr. Smith's amendment by Mr. Hellenenthal, Mr. Hinckel, Mr. Barr, Mr. Johnson, Mr. V. Rivers, Mr. McNeese, and Mr. Armstrong, Mr. Smith closed the argument. Mr. Coghill asked a question of Mr. Smith and Mr. V. Rivers requested a roll call vote. The roll was called with the following result:

Yeas: 46 - Armstrong, Aves, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenenthal, Hermann, Hilscher, Hinckel, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNeese, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, Walsh, White, Wien, and Mr. President

Nays: 7 - Barr, Coghill, Cooper, King, McNealy, Sundborg and Sweeney

Absent: 2 - Hurley and VanderLeest

and so the amendment was adopted.

Mr. White rose to speak on personal privilege regarding the amendment just adopted.

Mr. White served notice of intention to reconsider his vote on Mr. Smith's amendment to Section 2 of Committee Proposal No. 16.

Mr. Johnson rose to a point of order that Mr. White served notice under personal privilege.

The President stated that he was certain that it had not been Mr. White's intention to do so and recognized it as a separate request.

Mr. Taylor moved that the rules be suspended and that Mr. White's reconsideration be taken up at this time. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 17 - Collins, H. Fischer, Hinckel, Knight, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Peratrovich, Poulsen, Reader, V. Rivers, Taylor, Walsh, and Mr. President

Nays: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Johnson, Kilcher, King, Laws, Londborg, McNealy, Marston, Nolan, Nordale, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, White, and Wien

Absent: 2 - Hurley and VanderLeest

and so the rules were not suspended.

Mr. McNealy asked unanimous consent that Committee Proposal No. 17a be considered at this time and that Committee Proposal No. 17 be held in abeyance. There being no objection, it was so ordered.

Committee Proposal No. 17a was read the first time.

Mr. McNealy asked unanimous consent that the rules be suspended and that Committee Proposal No. 17a be advanced to second reading. Mr. Robertson had a question regarding material from C. P. 17 not being in 17a. The President declared a short recess.

AFTER RECESS

There being no objection, Committee Proposal No. 17a was read the second time.

Mr. Hurley moved the adoption of the following amendment to Section 2:

Line 2, page 1, change "Juneau" to "Palmer".

Mr. McCutcheon seconded.

After discussion by Mr. Hurley, Mr. V. Fischer, Mr. V. Rivers, Mr. Coghill, Mr. White and Mr. McNealy, the President declared a short recess.

AFTER RECESS

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

After the word "Palmer" strike period and insert the words: "whenever the town of Palmer shall be able to provide a capitol building and other facilities comparable with the facilities and buildings available at Juneau."

The President ruled the amendment to the amendment out of order because it was not germane to the question.

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

Yeas: 12 - Davis, H. Fischer, Harris, Hurley, Kilcher, Laws, Londborg, McCutcheon, Poulsen, Reader, V. Rivers, and White

Nays: 40 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Lee, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, and Mr. President

Absent: 3 - Buckalew, McLaughlin, and VanderLeest

and so the amendment failed.

Mr. McNees moved the adoption of the following amendment:

Strike Section 2. Mr. Marston seconded.

Mr. Sundborg asked questions of Mr. McNees. Mr. Hurley rose to a point of order that questions should be directed through the Chair.

Further discussion followed by Mr. V. Rivers, Mr. Johnson, Mr. V. Fischer, Mr. Buckalew and Mr. McNealy. Mr. McCutcheon rose to a point of order that the Chairman of the Committee did not need to justify the section, that the question was whether the section should be retained or deleted. Mr. Armstrong asked Mr. McNealy to explain why he felt the section should be retained.

Mr. Emberg asked whether the seat of government would still be in Juneau during the transitional period if the section were deleted. Considerable discussion followed and it was stated that there could be a question as to whether the provision in the Organic Act would carry over.

The question was called and Mr. Robertson requested a roll call vote. The question being "Shall Mr. McNees' amendment be adopted?", the roll was called with the following result:

Yeas: 9 - Cross, V. Fischer, Hurley, Kilcher, Laws, McNees, Poulsen, V. Rivers, and White

Nays: 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, and Mr. President

Absent: 2 - Marston and VanderLeest

and so the amendment failed.

Mr. Kilcher asked for the reading of his proposed amendment.

Mr. R. Rivers stated he had an amendment on the Chief Clerk's desk which had been there before Mr. McNees' amendment had been considered and the President had stated it would be the next in order.

Mr. Kilcher rose to a point of order to inquire whether it was in order to assign priority to amendments.

Mr. V. Rivers requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Kilcher moved the adoption of the following amendment:

Section 2, line 2, change period to a comma and add "unless decided otherwise by law."

Mr. Poulsen seconded. Mr. Sundborg requested a roll call vote. The roll was called with the following result:

Yeas: 20 - Collins, Cross, Davis, H. Fischer, V. Fischer, Hellenthal, Hurley, Kilcher, Londborg, McNees, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Walsh, White, Wien, and Mr. President

Nays: 31 - Armstrong, Awes, Barr, Boswell, Cooper, Doogan, Emberg, Gray, Harris, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratovich, Riley, Robertson, Stewart, Sundborg, Sweeney, and Taylor

Absent: 4 - Buckalew, Coghill, Marston, and VanderLeest

and so the amendment failed.

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

Section 2. Strike the section and substitute the following:

"Unless otherwise determined as hereinafter set forth the capital of the State of Alaska shall be at Juneau.

"Within 5 years from the admittance of Alaska as a State of the Union, the legislature shall establish a capital site survey commission to study the merits and demerits of potentially suitable sites for the permanent capital in line with the best interests of the people of the whole state. Upon completion of its studies the commission shall report to the Legislature and to the public. The legislature shall then provide for a referendum by the people at a statewide election or series of statewide elimination elections until a majority of the voters voting on the proposition have concurred on a particular site, after which the seat of government shall be retained at Juneau or changed as rapidly as feasible to the new site, as the case may be."

Mr. Hinckel seconded.

After discussion by Mr. R. Rivers, Mr. V. Rivers asked unanimous consent that the amendment be mimeographed. Mr. V. Fischer asked whether Mr. R. Rivers would not withdraw the amendment and submit a new amendment which had been revised.

Mr. Cross stated that the amendment was similar to the proposal adopted by the Resolutions Committee on the same subject.

Mr. Gray rose to a point of personal privilege. Mr. V. Rivers rose to a point of order to state that a delegate cannot debate under personal privilege.

Mr. Cooper objected to the unanimous consent request of Mr. V. Rivers.

The President declared a short recess.

AFTER RECESS

Mr. R. Rivers moved that the amendment be mimeographed. Mr. V. Rivers seconded. The President stated that since it was a suspension of the rules, it would require a two-thirds' vote. The roll was called with the following result:

Yeas: 15 - Barr, Boswell, Cross, Doogan, Gray, Lee, Londborg, McLaughlin, Nerland, Nordale, Poulsen, Reader, Riley, Smith, and Walsh

Nays: 37 - Armstrong, Awes, Coghill, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, McCutcheon, McNealy, McNees, Metcalf, Nolan, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, White, Wien, and Mr. President

Absent: 2 - Marston and VanderLeest

Abstaining: 1 - Buckalew

Before the result of the roll call was announced, Mr. V. Fischer stated that the rules provide for mimeographing of lengthy amendments.

The President stated that Mr. Fischer was correct.

The President stated that he was in error in putting the motion.

Mr. Barr moved to rescind.

Mr. Peratrovich stated that the motion was out of order since it could be reached by a motion to reconsider.

The President declared a short recess.

AFTER RECESS

The President announced that the motion had failed of adoption and the amendment was ordered mimeographed under the rules of the Convention.

Mr. Robertson rose to speak on a matter of personal privilege to state that Committee Proposal No. 4 adopted by the Resolutions Committee was not the same as Mr. R. Rivers' amendment.

Mr. Harris served notice of reconsideration on his vote on Mr. Kilcher's amendment to Section 2.

Section 20 of Committee Proposal No. 17a was considered at this time. Mr. McNealy asked Mr. Buckalew to explain the section.

A general discussion of the section followed by Mr. Buckalew, with questions from Mr. Johnson and Mr. Coghill.

Mr. Hellenthal moved the adoption of the following amendment to Section 20:

Delete lines 8 to 14 inclusive, on page 1 and line 1 on page 2 and the words "state legislature" on line 2 of page 2 and substitute a capital "T" in the word "the" on line 2 so that the last two sentences of the indented material are retained.

Mr. Johnson rose to a point of order that amendments were not in order at this time, that this was merely the discussion period.

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

Further discussion continued by Mr. Robertson, Mr. Emberg, Mr. Coghill, Mr. McCutcheon, Mr. V. Fischer, Mr. Lee and Mr. Barr.

The President declared a five-minute recess.

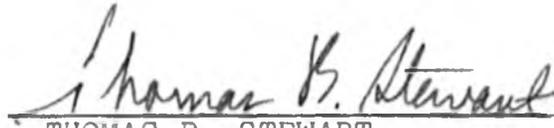
AFTER RECESS

Mr. Johnson moved and asked unanimous consent that the Convention adjourn until 1:30 p.m., Wednesday. The following committee announcements were made: Administration Wednesday morning at 10 a.m. at Apt. 1012, Polaris Building; Ordinances on adjournment; Style and Drafting on adjournment.

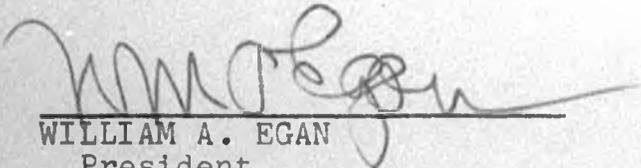
Mr. Coghill reported he had received another shipment of the report of the White House Conference on Education and had sufficient copies for all delegates.

Mrs. Hermann suggested that since there would be a great deal of work in connection with thanking various people for assistance, etc., during the Convention, that a committee should be appointed. Mr. Coghill reported that the Committee on Administration was already taking care of this.

There being no objection to the unanimous consent request, the Convention adjourned at 5:25 p.m. until 1:30 p.m., Wednesday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/52
Approved Jan. 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTY-FOURTH CONVENTION DAY, Wednesday, January 25, 1956

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

The Invocation was given by the Rev. James Gamble of the Pentacostal Holiness Church.

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

The Convention was declared at ease so that the delegates could sign their names for the use of the Fairbanks News-Miner in their special edition concerned with the ceremony of signing the constitution.

AFTER RECESS

Mr. Robertson asked unanimous consent that it be the policy of the Convention when it adjourns on the last day that it do so in honor of Judge James Wickersham who submitted the first Statehood bill to Congress when he was delegate. Mr. V. Rivers asked if Mr. Robertson would include Judge Anthony J. Dimond. Mr. Robertson stated he thought the Convention had recessed in honor of Judge Dimond at the Christmas recess. Mr. Riley advised that the Convention had adjourned in honor of Judge Dimond one day in November in honor of Anthony J. Dimond Day.

Mr. Robertson agreed to the inclusion of Judge Dimond in his unanimous consent request. There being no objection, it was so ordered.

A telegram addressed to Delegate Hilscher from Cliff Webber of Anchorage, criticizing him for neglecting to make provisions for fish and wildlife in the Constitution, was read and ordered referred to the special committee composed of Mr. Smith, Mr. White and Mr. Boswell, who will attempt to answer each and every message received relating to the subject.

Mr. Smith stated that the Committee on Resources had several minor amendments to Proposal 8a and requested that it be made a first order of business so the proposal could be referred to the Committee on Engrossment and Enrollment.

64th Day, Wednesday, Jan. 25, 1956

Mr. Sundborg reported to the Convention the Style and Drafting Committee's redraft on the Legislative Article and the Preamble and Declaration of Rights. The reports were referred to the Rules Committee for assignment to the calendar.

Mr. Sundborg asked unanimous consent that Mr. Kimbrough Owen, adviser to the Committee on Style and Drafting, be given the privilege of the floor to speak to the delegates to point out the matter with which the Committee is concerned. There being no objection, Mr. Owen was given the privilege of the floor and gave an account of the matters Style and Drafting were checking on to make each article conform with the other.

The approval of the Journal was delayed until later in the day.

Mr. Marston asked that his resolution regarding friendly relations with Canada be taken up at this time, and stated that he had a revised version.

Mr. Riley, as Chairman of the Rules Committee, suggested that Mr. Marston could either withdraw his original resolution or submit the revised version as an amendment when the resolution came up for consideration.

Mr. Marston advised that he would hold the matter and submit it as an amendment at the proper time.

Mr. Smith asked unanimous consent to revert to the consideration of Committee Proposal No. 8a for amendment purposes. There being no objection, it was so ordered.

The President declared a short recess so the delegates could obtain copies of the proposal.

AFTER RECESS

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

Page 1, line 10, strike "now"; page 1, line 11, strike period and add "upon the date of ratification of this constitution by the people of Alaska."

Mr. V. Rivers objected in order to discuss the matter. Mr. Riley so moved. Mr. White seconded. Mr. V. Rivers and Mr. Buckalew spoke on the amendment. On voice vote the amendment was adopted.

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

Section 2, pages 1 and 2, strike lines 15, 16 and 17 of page 1 and strike through "state," on line 1 of page 2.

Mr. White seconded. On voice vote the amendment was adopted.

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

Page 2, line 6, change period to a comma and add: "subject to preferences among beneficial uses".

Mr. Stewart seconded. On voice vote the amendment was adopted.

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

Page 2, line 7, strike "as defined by the Legislature" and insert the same language on page 6, line 2, following word "state".

Mr. Knight seconded. On voice vote the amendment was adopted.

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

Page 4, lines 1 and 2, strike "or interests therein".

Mr. Stewart seconded. On voice vote the amendment was adopted.

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

Page 5, line 20, the insert material should follow "shall" instead of "use" and be set off by commas.

Mr. Knight seconded. On voice vote the amendment was adopted.

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

Page 5, line 24, strike "of" and substitute "among".

Mr. Marston seconded. On voice vote the amendment was adopted.

Mr. Riley called attention to Style and Drafting to transpose Sections 7 and 8.

Committee Proposal No. 8a was referred to the Committee on Engrossment and Enrollment.

Mr. White moved reconsideration of his vote on the amendment of Mr. Smith on Section 2 of Committee Proposal No. 16 and asked for a one-minute recess so that a new Section 2 which he proposed may be placed on the delegates' desks because it was germane to the question to know that he proposed to substitute another Section 2 if the Smith amendment failed. There being no objection to the recess, it was so ordered.

AFTER RECESS

Mr. White moved his reconsideration at this time. Mr. Marston seconded.

After discussion by Mr. White, Mr. Robertson, Mr. Smith, Mr. Sundborg and Miss Awes, Mr. Hurley asked unanimous consent that the discussion of Mr. White's amendment be allowed even though it had not been presented. There being no objection, it was so ordered.

Discussion by Mr. McLaughlin, Mr. Hilscher, Mr. V. Fischer, Mr. Barr, Mr. Coghill, Mr. V. Rivers, Mr. Marston, Mr. Davis, Mr. Buckalew, Mr. Hurley and Mr. Metcalf followed.

Mr. McNees moved recess until 4:05 p.m. Mr. Johnson seconded. On voice vote the motion failed.

After discussion by Mrs. Hermann and Mr. Hinckel, Mr. White closed the argument. The roll was called with the following result:

Yeas: 31 - Armstrong, Awes, Buckalew, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McCutcheon, McLaughlin, McNees, Nordale, Peratrovich, Riley, R. Rivers, Rosswog, Smith, Stewart, Taylor, VanderLeest, Wien, and Mr. President

Nays: 22 - Barr, Boswell, Coghill, Cross, Gray, Harris, Johnson, King, Laws, Londborg, Marston, Metcalf, Nerland, Nolan, Poulsen, Reader, V. Rivers, Robertson, Sundborg, Sweeney, Walsh, and White

Absent: 2 - Doogan and McNealy

and so the amendment was adopted.

Mr. McNees asked unanimous consent that the Convention recess until 4:10 p.m. There being no objection, it was so ordered.

AFTER RECESS

The President asked if there were further amendments to Committee Proposal No. 16.

Mr. V. Fischer stated that the calendar showed consideration of the reports of the Committee on Style and Drafting were the next order of business.

The President stated that Mr. White's reconsideration of the amendment to Committee Proposal No. 16 brought the proposal before the Convention.

Mr. Hellenthal moved the adoption of the following amendment:

Delete Section 1.

Mr. Taylor seconded. After discussion by Mr. Hellenthal, Mr. Johnson, Mrs. Nordale, Mr. Hellenthal, Mr. V. Fischer, Mr. McLaughlin, Mr. Sundborg and Mr. Smith, the question was called. On voice vote the amendment failed.

There being no further amendments, Committee Proposal No. 16 was referred to the Committee on Engrossment and Enrollment.

The report of the Committee on Style and Drafting on Committee Proposal No. 5, Article II, The Legislature, was read.

Mr. Sundborg stated that a subcommittee of Style and Drafting consisting of Mr. Davis, Mr. Fischer and Mr. Sundborg had worked on the article and he asked Mr. Fischer to explain the changes made by the Committee and to answer any questions.

Mr. Fischer gave an explanation of the changes made in style.

After Mr. McNees asked several questions, Mr. Cooper requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Hellenthal moved and asked unanimous consent for the adoption of the following amendment to Section 1:

Strike "be" and substitute the words "have been" and delete the words "who has been a resident".

The President stated that amendments were not in order at this time; only questions of the committee as to changes in language were in order.

After questions from Mrs. Sweeney, Mr. Hellenthal, Mr. Hurley, Mr. V. Rivers, Mr. Kilcher, Mr. Johnson and Mr. R. Rivers, Mr. Sundborg moved and asked unanimous consent that the report of the Committee on Style and Drafting as to Article II, The Legislature, be accepted. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. Hellenthal moved the adoption of the following amendment:

Section 2, lines 7 and 8, strike "filing for" and insert "election to".

Mr. Knight seconded. Mr. Hinckel asked unanimous consent. Mr. Metcalf objected. After discussion by Mr. Sundborg, Mr. V. Rivers, Mr. Hellenthal, Mr. Taylor and Mr. McCutcheon, Mr. Hellenthal withdrew the amendment.

Mr. Hilscher moved and asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made: Legislative Branch on recess; Direct Legislation at 6:45 p.m.; Suffrage, Elections and Apportionment at 6:45 p.m.; Ordinances at 6:30 p.m.; Style and Drafting throughout the dinner hour.

There being no objection to the unanimous consent request the Convention recessed until 7 p.m.

AFTER RECESS

Mr. White asked unanimous consent that the Journals of the 57th and 58th days be approved as read. There being no objection, it was so ordered.

Committee Proposal No. 5, Article II, The Legislature, as reported by the Style and Drafting Committee, was considered again.

Mr. Barr offered an amendment to the proposal.

The President stated committee amendments would be considered first.

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return Article II to second reading for the following specific committee amendment:

Page 2, Section 5, line 4, begin the section with the following sentence: "No legislator shall hold any other office or position of profit under the United States or the State."

There being no objection, the rules were suspended.

Mr. McCutcheon asked unanimous consent for the adoption of the amendment.

The President declared a short recess.

AFTER RECESS

There being no objection, ~~it was so ordered.~~ *The amendment was adopted.*

Mr. McCutcheon asked unanimous consent to suspend the rules to return Article II to second reading for the following specific committee amendment:

Section 5, page 2, beginning on line 9, strike lines 9 and 10 and insert the following: "This section does not prohibit the election of any person as governor, secretary of state or member of a constitutional convention or the employment of any person by a constitutional convention."

Mr. Riley objected for the purpose of inquiry. The President declared a short recess.

AFTER RECESS

Mr. McCutcheon asked that the phrase "or election to the Congress" be inserted at the end of the amendment.

After discussion the President declared another recess for the purpose of adding to the amendment.

AFTER RECESS

Mr. McCutcheon asked that the following words be added to the amendment after "election" on line 1: "appointment or succession".

There being no objection, the rules were suspended.

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

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific amendment:

Page 2, Section 6, line 12, after word "made" strike the words "or action taken". On line 13, strike the period after "duties" and add "while the legislature is in session".

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

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific committee amendment:

Section 12, page 4, line 4, change "may" to "shall".

Mr. Hellenthal objected. Mr. McCutcheon so moved. Mr. Knight seconded. The roll was called with the following result:

Yeas: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien and Mr. President

Absent: 2 - Robertson and VanderLeest

and so the rules were suspended.

Mr. McCutcheon moved the adoption of the amendment. Mr. McNees seconded. On voice vote the amendment was adopted.

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific committee amendment:

Page 5, Section 16, beginning on line 4, strike the words "and bills dealing with taxation or affecting expenditures" and insert in lieu thereof the following: "and bills to raise revenue".

There being no objection, the rules were suspended.

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

Mr. McCutcheon asked unanimous consent to suspend the rules to return the proposal to second reading for the following specific committee amendment:

Strike Section 18, page 5 and insert "Laws passed by the legislature become effective ninety days after enactment unless otherwise provided by law."

Mr. Johnson objected. Mr. R. Rivers so moved. Mr. Taylor seconded. Mr. White asked unanimous consent. There being no objection, the rules were suspended. Mr. McCutcheon moved the adoption of the amendment. Mr. McNees seconded.

After discussion by Mr. R. Rivers and Mr. Johnson, the President declared a short recess.

AFTER RECESS

Mr. Kilcher asked if the question could be divided.

The President called a recess to discuss the matter with the Rules Committee.

AFTER RECESS

The President ruled that a motion to divide the question would not be in order since the rules had been suspended for a specific amendment only.

After further discussion by Mr. Kilcher, Mr. Hurley, Mr. V. Rivers and Mr. Sundborg, the President declared a short recess.

AFTER RECESS

After Mr. Riley spoke, the question was called. The question being "Shall the Committee amendment to Section 18 be adopted?", the roll was called with the following result:

Yeas: 18 - Awes, Buckalew, Coghill, Collins, Cross, Doogan, H. Fischer, Hellenthal, Hilscher, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nolan, and Taylor

Nays: 33 - Armstrong, Barr, Boswell, Cooper, Davis, Emberg, V. Fischer, Gray, Harris, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Laws, Londborg, Nerland, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 4 - McLaughlin, Nordale, VanderLeest, and White

and so the amendment failed.

Mr. McCutcheon presented the following Transitional Provision related to Section 5 of Article II:

"The provisions of Section 5 of Article II of this constitution shall not prohibit the appointment of any member of the legislature first organized under this constitution to any state civil office or position created by this constitution or created during his first term."

The President referred the Transitional Provision to the Committee on Ordinances and Transitional Measures for inclusion in its report.

Mr. Riley asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific amendment:

Page 5, lines 18 and 19, strike "except general appropriation acts, do not"; line 19 strike "until"; line 20 substitute "enactment" for "adjournment"; place period after "enactment" and strike the balance of the sentence.

Mr. Hurley requested a two-minute recess. There being no objection, it was so ordered.

Mrs. Hermann inquired into the use of "earlier" instead of "another" and incorporating the change in Mr. Riley's amendment. Mr. Armstrong rose to a point of order that the rules were suspended for a specific amendment and no amendments to the amendments were in order. The President stated that Mr. Armstrong's point of order was well taken.

Mr. Hellenthal objected to the unanimous consent request for the suspension of the rules.

Mr. Riley moved that the rules be suspended. Mr. Taylor seconded. The roll was called with the following result:

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

Nays: 4 - Hellenthal, Hinckel, Laws, and McNees

Absent: 1 - Vanderleest

and so the rules were suspended.

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

AFTER RECESS

Mr. Riley moved the adoption of the amendment. Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Barr offered the following amendment:

Section 16, page 5, line 1, after the word "message" strike the comma and the balance of the sentence on lines 2 and 3 and substitute

the following: "The house receiving it shall immediately reconsider its passage, and, if passed, shall transmit it to the other house without delay."

Mr. Sundborg rose to a point of order to state that this amendment had been voted down previously.

Mr. Johnson rose to a point of order that under the suspension of the rules the matter could be taken up again.

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

Mr. Barr moved and asked unanimous consent for the suspension of the rules to return Article II to second reading for specific amendment. Mr. Coghill objected. Mr. Barr so moved. Mr. Johnson seconded. The roll was called with the following result:

Yeas: 21 - Armstrong, Barr, Boswell, Collins, Cross, Harris, Hurley, Johnson, Knight, Laws, Londborg, Metcalf, Nerland, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, and Mr. President

Nays: 33 - Awes, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, White, and Wien

Absent: 1 - VanderLeest

and so the rules were not suspended.

Mr. R. Rivers moved to suspend the rules to return the proposal to second reading for the following specific amendment:

Section 18, lines 22 and 23, change "earlier" to "another"; line 23, put period after word "date" and strike balance of the section.

Mr. Knight seconded.

Mr. R. Rivers requested the privilege of the floor to explain the amendment.

The President declared a short recess.

AFTER RECESS

Mr. R. Rivers renewed his unanimous consent request for the privilege to speak on the amendment. Mr. Doogan objected.

The roll was called on the suspension of the rules with the following result:

Yeas: 38 - Armstrong, Boswell, Cooper, Cross, Doogan, Emberg, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Laws, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Nays: 16 - Awes, Barr, Buckalew, Coghill, Collins, Davis, V. Fischer, Gray, Johnson, Lee, McCutcheon, McNealy, McNees, Robertson, Taylor, and White

Absent: 1 - VanderLeest

and so the rules were suspended.

Mr. R. Rivers moved the adoption of the amendment. Mrs. Hermann seconded.

After discussion by Mr. R. Rivers, Mr. Hellenthal, Mr. McCutcheon and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. Sundborg asked unanimous consent that the article on the legislature be referred back to the Committee on Style and Drafting. Mr. Hellenthal rose to a point of order to inquire whether Style and Drafting would be confined to work on amendments offered this date only. The President stated that would be the instruction given to the Committee.

Mr. Sundborg asked Mr. McCutcheon if the Committee had considered the question of the time from which residence should start in the case of those filing for office.

Mr. McCutcheon stated that the Committee had decided to leave the article as is.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended and that the Committee on Style and Drafting be instructed to insert the words "filing for office" in the Executive article in place of the language now there, "prior to his election". There being no objection, the Style and Drafting Committee was ordered to make that change.

The report of the Committee on Style and Drafting with regard to the Preamble and Declaration of Rights was read.

Mrs. Nordale explained the changes made by the Committee on Style and Drafting.

After discussion of the report by Mr. Taylor, Miss Awes, Mr. Hellenthal, Mr. Buckalew, Mr. R. Rivers and Mr. Robertson, Mr. Buckalew moved for a five-minute recess. Mr. V. Rivers seconded. On voice vote the motion failed.

After Mr. McNealy and Mr. McLaughlin spoke, Mr. Hellenthal requested and was granted the privilege of the floor.

After further discussion by Mrs. Nordale, Mr. Barr, Mr. McCutcheon, Mr. Coghill, Mr. Hurley, Mr. Armstrong, Mr. Taylor and Mr. McNealy, Mr. Harris moved that the reconsideration of his vote on Mr. Kilcher's amendment to Section 2 of Committee Proposal No. 16 be taken up at this time.

Mr. Hurley asked unanimous consent that the rules be suspended and the matter of the reconsideration of Mr. Harris' vote be made a first order of business at the next plenary session. There being no objection, it was so ordered.

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

The report of the Committee on Style and Drafting submitting its redraft of the Article on Health, Education and Welfare was referred to the Rules Committee for assignment to the calendar.

Mr. White asked unanimous consent that the Convention revert to the business of introduction of motions. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that the Rules Committee consider adopting rules regarding (a) the amending procedure during consideration of the report of the Committee on Style and Drafting and (b) reference of the report of the Committee on Style and Drafting to the full substantive committee prior to the time the report is submitted to the Convention. There being no objection the two matters were referred to the Rules Committee.

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

Committee Proposal No. 17b, entitled SCHEDULE, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Hellenthal announced a meeting of the Committee on Suffrage, Elections and Apportionment at 1 p.m. Thursday. Miss Awes announced a meeting of the Committee on Bill of Rights at 1 p.m., Thursday.

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

Mr. Riley announced a meeting of the Rules Committee just prior to the plenary session Thursday.

Mr. Londborg asked unanimous consent that the Convention adjourn until 1:30 p.m., Thursday. Mr. Davis objected. Mr. Londborg so moved. Mr. V. Rivers seconded. The roll was called with the following result:

Yeas: 28 - Awes, Barr, Buckalew, Collins, Cross, Emberg, H. Fischer, Harris, Hellenthal, Hinckel, King, Laws, Londborg, Marston, Nerland, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, Walsh, and White

Nays: 26 - Armstrong, Boswell, Coghill, Cooper, Davis, Doogan, V. Fischer, Gray, Hermann, Hilscher, Hurley, Johnson, Kilcher, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nordale, Peratrovich, Riley, Sundborg, Wien, and Mr. President

Absent: 1 - VanderLeest

The Chief Clerk announced that the result of the roll call was 27 "yeas", 27 "nays" and 1 "absent", and the President declared the Convention still in session.

Mr. Hellenthal asked a question regarding Committee Proposal No. 7. Mr. V. Fischer answered the question.

Mr. McCutcheon rose to a point of order regarding taking up Mr. Harris' reconsideration at this time. The President ruled that since it had been put over by unanimous consent it was not before the Convention at this time.

Consideration of the Style and Drafting Report on the Preamble and Declaration of Rights continued.

After discussion of the report by Mr. R. Rivers, Mr. Hellenthal and Mr. Hurley, Miss Awes, Chairman of the Committee on Preamble and Bill of Rights, asked to make a statement regarding the fact that the Committee on Style and Drafting had met with representatives of the Committee on Bill of Rights and the changes made by the Committee had been approved.

Mr. Taylor moved that the Convention adjourn until 1:30 p.m., Thursday. Mr. Poulsen seconded. On voice vote the motion failed.

Mr. Sundborg moved and asked unanimous consent that the report of the Committee on Style and Drafting as to Article I, Preamble and Bill of Rights, be accepted by the Convention. Mr. Hinckel objected. Mr. Sundborg so moved. Mr. Riley seconded. On voice vote the report was accepted.

Mr. Doogan moved that the rules be suspended and Article I be advanced to third reading, read by title only and put upon final passage. Mr. McCutcheon seconded.

Mr. Londborg rose to a point of order regarding amendments.

The President stated it would take a suspension of the rules to amend at this time or after the article had been advanced to third reading.

Mr. Hellenthal rose to a point of information regarding a meeting Miss Awes had scheduled for Thursday which he understood was called for the purpose of discussing Article I with Style and Drafting.

The roll was called on the question of the suspension of the rules to advance the article to third reading with the following result:

Yeas: 17 - Boswell, Cross, Doogan, Gray, Harris, Johnson, King, Laws, Londborg, McCutcheon, Metcalf, Nolan, Riley, Robertson, Sweeney, Taylor, and Walsh

Nays: 37 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, White, Wien, and Mr. President

Absent: 1 - VanderLeest

and so the rules were not suspended.

Mr. V. Fischer requested a fifteen-minute recess for the purpose of letting the Bill of Rights Committee hold a meeting. Mr. Doogan seconded. Mr. V. Fischer asked unanimous consent. There being no objection, it was so ordered.

AFTER RECESS

The President announced that the Chief Clerk had sent a note to the President shortly after the roll call relative to adjournment, advising that an error had been made in announcing the result of the

vote and that the correct result was 28 "yeas", 26 "nays" and 1 "absent", but he had not read the note immediately and since this constituted something which could not be undone, the business of the Convention continued.

Mr. Hinckel rose to speak on a matter of personal privilege. Mr. Sundborg spoke on a matter of personal privilege.

Miss Awes reported that the Committee on Preamble and Bill of Rights had met during the recess and had voted four to two to go along with the changes made by the Committee on Style and Drafting.

Mr. McNees also spoke to a question of privilege.

Mr. White moved the adoption of the following amendment to the Preamble:

Strike the preamble in Style and Drafting report and reinsert the preamble from the first enrolled copy. Mr. Metcalf seconded.

Mr. Riley rose to a point of order that the amendment would have to be considered under a suspension of the rules.

The President stated that the point of order was not well taken since the amendment merely sought to insert the language which had been adopted by the Convention.

After discussion by Mr. White, Mr. Hinckel, Miss Awes, and Mr. Cross, the question was called. On voice vote the amendment failed.

Mr. Hellenthal moved the adoption of the following amendment:

Delete Section 2 of the Style and Drafting Committee report and insert Section 2 of the first enrolled copy in its place.

Mr. Buckalew seconded. Mr. Taylor asked unanimous consent. Mr. McCutcheon and Mr. Doogan objected. After discussion by Mr. Hellenthal, Mr. Buckalew, Mr. McNealy, Miss Awes, Mr. McLaughlin, and Mr. Marston, Mr. Sundborg asked unanimous consent for the adoption of the amendment. Mr. McCutcheon objected.

Mr. Davis spoke on a matter of personal privilege regarding the work of the Committee on Style and Drafting. Mr. McCutcheon also spoke on a matter of personal privilege regarding the work of the Committee on Style and Drafting.

Mr. Hellenthal asked unanimous consent to withdraw his amendment. Mr. Poulsen objected.

The question being "Shall Mr. Hellenthal's amendment to Section 2 of the Committee on Style and Drafting report on Article I be adopted?", the roll was called with the following result:

Yeas: 27 - Awes, Barr, Boswell, Buckalew, Collins, Cooper, Emberg, Harris, Hellenthal, Hinckel, Hurley, Kilcher, King, McLaughlin, McNees, Marston, Metcalf, Nolan, Poulsen, Reader, Robertson, Rosswog, Smith, Stewart, Taylor, White, and Wien

Nays: 27 - Armstrong, Coghill, Cross, Davis, Doogan, H. Fischer, V. Fischer, Gray, Hermann, Hilscher, Johnson, Knight, Laws, Lee, Londborg, McCutcheon, McNealy, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Sundborg, Sweeney, Walsh, and Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

Mr. McNealy served notice of his intention to reconsider his vote on the Hellenthal amendment.

Mr. Metcalf submitted the following amendment:

Strike Section 3 of the report of the Committee on Style and Drafting and insert in lieu thereof Section 3 of the enrolled copy.

The President declared a short recess.

AFTER RECESS

Mr. Metcalf moved the adoption of the amendment. Mr. Barr seconded. The roll was called with the following result:

Yeas: 18 - Barr, Collins, Cooper, Hellenthal, Hinckel, Kilcher, Laws, McNees, Metcalf, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Stewart, Taylor, White, and Wien

Nays: 36 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Nerland, Nolan, Nordale, Peratrovich, Riley, V. Rivers, Smith, Sundborg, Sweeney, Walsh, and Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

Mr. McNealy served notice of his intention to reconsider his vote on Mr. Metcalf's amendment.

Mr. McLaughlin moved that the Convention adjourn until 1:30 p.m., Thursday. Mr. White seconded. On voice vote the amendment failed.

Mr. Barr requested and was granted the privilege of the floor.

Mr. McNealy moved the adoption of the following amendment:

Section 18, line 12, substitute "in civil causes" for "common law suit".

The President declared a short recess.

AFTER RECESS

Mrs. Sweeney moved that the rules be suspended and that the matter of Mr. McNealy's reconsideration of his vote on Mr. Metcalf's amendment be considered at this time.

Mr. McNealy rose to a point of order that it was his intention to reconsider his vote on Section 2 at this time and to withdraw his reconsideration of the Metcalf amendment and the amendment to Section 18.

Mrs. Sweeney withdrew her motion.

Mr. McNealy moved to suspend the rules to bring up his reconsideration of the vote on the amendment to Section 2 at this time. Mr. Knight seconded. On voice vote the rules were suspended.

After discussion by Mr. Harris, Mr. V. Fischer, Mr. McNealy, and Mr. Davis, the question was called. The question being "Shall Mr. Hellenthal's amendment to Section 2 be adopted?", the roll was called with the following result:

Yeas: 34 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hinckel, Hurley, Kilcher, King, Knight, Laws, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, White, and Wien

Nays: 19 - Coghill, Cross, Davis, Doogan, Gray, Hermann, Hilscher, Johnson, Lee, Londborg, McCutcheon, Nerland, Nordale, Peratrovich, Riley, Sundborg, Sweeney, Walsh, and Mr. President

Absent: 2 - R. Rivers and VanderLeest

and so the amendment was adopted.

Mr. McNealy asked unanimous consent to withdraw his notice of reconsideration on Section 3. Mr. Barr objected. Mr. McNealy so moved. Mr. Doogan seconded. Mr. White objected.

Mr. V. Rivers served notice that he would move to rescind the action taken on Mr. White's amendment to the Preamble at a future time.

Mr. White withdrew his objection to Mr. McNealy's withdrawal of his motion to reconsider.

After discussion by Mr. Barr, Mr. Metcalf, Mr. Coghill, Mr. Cooper, and Mr. Hurley, Miss Awes asked if anyone could move reconsideration after notice had been given. The President stated that Miss Awes was correct that anyone can move the reconsideration once the notice has been given.

Mr. Davis asked unanimous consent that the rules be suspended and the Convention consider Mr. McNealy's motion to reconsider at this time. There being no objection, it was so ordered.

The President stated that the motion to withdraw his reconsideration made by Mr. McNealy was superseded by the unanimous consent action of the Convention to reconsider the amendment offered by Mr. Metcalf at this time. Mrs. Hermann requested permission to abstain, ~~since she had been absent during the debate.~~

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

Yeas: 19 - Armstrong, Barr, Collins, Cooper, Harris, Hellenthal, Hinckel, Hurley, Kilcher, McNealy, McNees, Metcalf, Poulsen, R. Rivers, V. Rivers, Robertson, Smith, Stewart, and Wien

Nays: 34 - Awes, Boswell, Euck, G. Hill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hilscher, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, Marston, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, Rosswog, Sundberg, Sweeney, Taylor, Walsh, White, and Mr. President

Absent: 1 - VanderLeest

Abstaining: 1 - Hermann

and so the amendment failed.

Mr. Davis moved that the Convention discharge its committee on Style and Drafting and appoint a new committee. Mr. Johnson seconded.

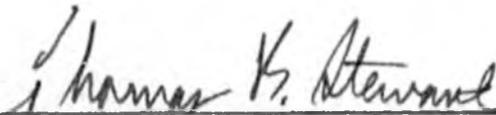
The President declared the motion out of order.

After discussion by Mr. Davis, Miss Awes, Mr. V. Rivers, Mr. Buckalew and Mr. McLaughlin, the President again stated that Mr. Davis' motion was out of order, that the Committee is a permanent committee of the Convention.

Mr. McLaughlin asked unanimous consent that the Convention adjourn until 1:30 p.m., Thursday.

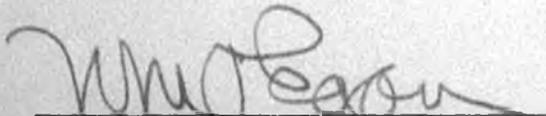
Mr. Davis asked unanimous consent that the Style and Drafting Committee be allowed to make a substantive change in Section 18. There being no objection, it was so ordered.

There being no objection to the unanimous consent request, the Convention adjourned at 11:50 p.m. until 1:30 p.m., Thursday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention
Journal/53
Approved Feb. 3, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-FIFTH CONVENTION DAY, Thursday, January 26, 1956

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

The Invocation was given by the Rev. Robert W. Shepperd of the First Church of the Nazarene. At the request of Mr. Sundborg and with the unanimous consent of the Convention the prayer given by Rev. Shepperd was ordered spread on the Journal.

"Our Heavenly Father, we pause to give Thee grateful thanks for these men and these women, the framers of the Constitution for the future State of Alaska. We thank Thee, our Father, for all their abundant labors, their selfless interest and devotion to duty they have felt and answered and especially for those aims for which they have labored, many of which have been answered as of this good day. Recognizing, O Lord, that all good government is ordained of God, we would pray Thy blessings upon this group as they come to the consummation of this great document and indeed upon the document itself, that it may find recognition among those in positions of high authority and that we may take our proper place as a sister state among those in our great republic of which we may be justly proud and for which we give Thee grateful thanks and thus we pray Thy blessings on these men and these women in the days ahead and indeed that all mankind may be vitally interested in perpetuating good government. This we pray. In the Lord's name we pray, Amen.

Roll call showed all delegates present except Mr. Harris. The President declared a quorum to be present.

The President announced that the seventh grade of the Fairbanks Main School was in attendance.

Mr. Doogan stated that the first order of business scheduled was Mr. Harris' consideration. In view of Mr. Harris' absence the reconsideration was held in abeyance until later in the day.

Mr. Hilscher spoke on a matter of personal privilege.

The President called for the second reading of the election district schedule of Committee Proposal No. 14.

65th Day, Thursday Jan. 26, 1956

Mr. Doogan rose to a point of order that the Preamble and Bill of Rights had been on the calendar when the Convention adjourned the day before.

Mr. Davis reported that Style and Drafting did not have the report on the amendments to the Bill of Rights ready at this time.

Mr. Hellenthal asked unanimous consent that before the descriptions were read that the following committee changes be adopted as a part of the report:

Page 8, lines 20 and 21 strike "Toolik" and substitute "Kugaruk". Page 1, strike "Clarence Strait" and "Ernest Sound" and substitute "Burroughs Bay and the east side of Clarence Strait". Page 2, strike "that area drained by Bradfield Canal and its tributaries" and substitute "Lemesurier Point".

There being no objection, the changes were ordered adopted as a part of the report.

The description of the election districts was read the second time.

After discussion it was decided to hold the proposal in second reading until a committee meeting could be held to discuss changes in the descriptions.

Mr. Sundborg presented the report of the Style and Drafting Committee with respect to amendments made to Article II, the Legislature.

The Style and Drafting Committee recommended the following changes to the amendments to Sections 5 and 16:

"Section 5. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state or member of Congress. This section shall not apply to employment by or election to a constitutional convention."

"Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature."

Mr. Sundborg moved and asked unanimous consent that the report of the Style and Drafting Committee be accepted. There being no objection, it was so ordered.

Mr. Sundborg moved that the rules be suspended, that Article II, the Legislature, be advanced to third reading, read the third time by title only and placed on final passage.

Mr. Taylor rose to a point of information regarding the inclusion of the word adopted in connection with accepting the report of the Committee on Style and Drafting.

Mr. Sundborg withdrew his unanimous consent request for a suspension of the rules at this time.

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee regarding Article II amendments presented earlier be adopted. There being no objection, it was so ordered.

Mr. Sundborg renewed his unanimous consent request for a suspension of the rules to advance Article II to third reading.

Mr. McNees raised a question as to changes in substance. Mr. Sundborg denied any changes made by Style and Drafting. Mr. V. Fischer questioned Mr. McNees regarding the changes allegedly made by Style and Drafting. The President declared a short recess.

AFTER RECESS

There being no objection, the rules were suspended and Article II, the Legislature, was read the third time.

After debate by Mr. Cooper, Mr. Robertson, Mr. Barr, Mrs. Sweeney, Mr. McNealy, Mr. Taylor, Mr. V. Rivers and Mr. Johnson, Mr. Buckalew moved the previous question. Mr. Taylor seconded. Mr. Cooper requested a roll call. The roll was called with the following result:

Yeas: 21 - Awes, Barr, Buckalew, Collins, Cross, Emberg, V. Fischer, Gray, Hilscher, Hinckel, Kilcher, Lee, McCutcheon, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, and Taylor

Nays: 29 - Armstrong, Boswell, Cooper, Davis, H. Fischer, Hellenthal, Hermann, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Nolan, Nordale, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 5 - Coghill, Doogan, Harris, McLaughlin, and Riley

and so the previous question was not ordered.

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

AFTER RECESS

Mr. Smith addressed a question to Mr. Robertson. After Mr. Nolan, Mr. Londborg and Mr. R. Rivers spoke, the question was called. The question being "Shall Article II, the Legislature, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 46 - Armstrong, Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 6 - Barr, Londborg, Nolan, Reader, Robertson, and Sweeney

Absent: 3 - Coghill, McLaughlin, and Riley

and so the article was adopted.

Mr. Hellenthal moved that the rules be amended so that in third reading a delegate be confined to one minute in explaining his vote and in the alternative he be given the opportunity to make a written statement which would be a part of the record. Mr. Kilcher seconded.

After discussion by Mr. Barr, Mr. Johnson and Mr. Nolan, the President declared a short recess.

AFTER RECESS

Mr. Hellenthal asked unanimous consent to withdraw his motion.

Article I having been held over was called on the calendar. Mr. Davis suggested that the article be considered without Section 18. The President ordered that consideration of Article I would be withheld until the amended Section 18 was ready.

Mr. McCutcheon noted that since Mr. Harris had arrived reconsideration of his vote be taken up at this time.

Mr. Harris moved reconsideration of his vote on Mr. Kilcher's amendment to Section 2 of C. P. No. 17a. Mr. Buckalew seconded.

After discussion by Mr. Stewart, Mr. Kilcher, Mr. Armstrong, Mr. Kilcher, Mr. Buckalew, Mr. Robertson, Mr. White, Mr. Hellenthal, Mr. V. Rivers, Mr. McNealy, Mr. V. Fischer, and Mr. Taylor, Mr. Harris closed the argument. Mr. V. Rivers requested a roll call vote. The question being "Shall Mr. Kilcher's amendment to Section 2 of C. P. No. 17a be adopted?", the roll was called with the following result:

Yeas: 16 - Buckalew, Cross, H. Fischer, Harris, Hurley, Kilcher, Londborg, McCutcheon, McNees, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, White, and Mr. President

Nays: 38 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, Robertson, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, and Wien

Absent: 1 - McLaughlin

and so the amendment failed.

Mr. Johnson asked unanimous consent for a fifteen-minute recess. Prior to recess Miss Awes announced a meeting of the Committee on Bill of Rights during recess and Mr. Hellenthal announced a meeting of the Committee on Apportionment upon recess. There being no objection, the Convention recessed until 4 p.m.

AFTER RECESS

Mr. R. Rivers moved the adoption of the following amendment to C. P. No. 17a.

Section 2. Strike the section and substitute the following:

"Unless otherwise determined as hereinafter set forth the capital of the State of Alaska shall be at Juneau.

"Within 5 years from the admittance of Alaska as a State of the Union, the legislature shall establish a capital site survey commission to study the merits and demerits of potentially suitable sites for the permanent capital in line with the best interests of the people of the whole state. Upon completion of its studies the commission shall report to the Legislature and to the public. The legislature shall then provide for a referendum by the people at a statewide election or series of statewide elimination elections until a majority of the voters voting on the proposition have concurred on a particular site, after which the seat of government shall be retained at Juneau or changed as rapidly as feasible to the new site, as the case may be."

Mr. Poulsen seconded.

Mr. Sundborg asked whether C. P. No. 17a was properly before the Convention.

The President stated that the reconsideration of Mr. Harris' vote brought the proposal before the Convention in second reading again.

After discussion by Mr. R. Rivers, Mr. Doogan, Mr. V. Fischer, Mr. McNees, Mr. Hilscher, and Mr. Emberg, the question was called. Mr. Sundborg requested a roll call. The question being "Shall Mr. R. Rivers' amendment to Section 2 of C. P. No. 17a be adopted?", the roll was called with the following result:

Yeas: 11 - Cross, H. Fischer, Harris, Hinckel, Hurley, Londborg, McCutcheon, McNees, Poulsen, R. Rivers, and V. Rivers

Nays: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Johnson, King, Knight, Laws, Lee, McNealy, Marston, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 4 - Hellenthal, Kilcher, McLaughlin, and Metcalf

and so the amendment failed.

Mr. Boswell stated he had an amendment to Section 20 and 21.

Mr. Buckalew asked if Mr. Boswell would withhold his amendment until a committee amendment could be offered.

Mr. Boswell agreed.

Mr. Johnson rose to ask whether the Convention was considering 17b or 17a since the numbers of the sections were in conflict.

The President declared a short recess.

AFTER RECESS

The President stated that the proposal before the Convention was C. P. No. 17a.

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

Strike Sections 20 and 21 and substitute the following:

"Section 20. If this constitution shall be accepted by the electors and a majority of all the votes cast for and against the proposition to abolish fish traps shall be cast for adoption of the proposition, then the following shall become effective:

'As a matter of immediate public necessity, to relieve economic distress among individual fishermen and those dependent upon them for a livelihood, to conserve the rapidly dwindling supply of salmon in Alaska, to ensure fair competition among those engaged in commercial fishing, and to make manifest the will of the people of Alaska pending the establishment of the first state legislature, the use of fish traps for the taking of salmon for commercial purposes is hereby prohibited in all the coastal waters of the State until otherwise provided by law. Violations of this section shall be punishable by a fine not to exceed \$5,000.00 and by confiscation of the fish traps. The police power of the State shall be used to the extent necessary to enforce this section.'

Section 21. Each qualified voter who offers to vote upon this Constitution shall be given a ballot by the election judges which in substance shall contain the following proposition:

Shall the proposed constitutional provision prohibiting the use of fish traps for the taking of salmon for commercial purposes until otherwise provided by law, become effective?"

_____ YES

_____ NO

Mr. Knight seconded.

Mr. V. Fischer moved the adoption of the following amendment to the amendment:

Strike the words "until otherwise provided by law" in sections 20 and 21.

Mr. Buckalew asked unanimous consent for the adoption of the amendment to the amendment. There being no objection, it was so ordered.

After discussion regarding C. P. No. 17 and C. P. No. 17b, Mr. McNealy asked unanimous consent to withdraw C. P. No. 17 to avoid confusion. There being no objection, it was so ordered.

Mr. Hurley asked unanimous consent that the numbers of 17a be renumbered to correspond with 17b. There being no objection, it was so ordered.

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

AFTER RECESS

Mr. Lee spoke and requested a roll call vote on adoption of the amendment as amended. After further discussion by Mr. Hilscher, Mr.

Taylor, Mr. Hinckel, Mr. V. Fischer, Mr. Buckalew and Mr. R. Rivers, the question was called. The question being "Shall the Committee amendment to 17a be adopted?", the roll was called with the following result:

Yeas: 49 - Armstrong, Aves, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 2 - Laws and Robertson

Absent: 4 - Collins, Kilcher, McLaughlin, and Stewart

and so the amendment as amended was adopted.

Mr. Boswell moved the adoption of the following amendment:

Strike Sections 24 and 25.

Mr. Cooper seconded.

After discussion by Mr. Boswell, Mr. Buckalew, Mr. Rosswog, Mr. Emberg, Mr. Taylor and Mr. Peratrovich, Mr. Sundborg asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made: Executive at 6:45 p.m.; Finance on recess; Rules immediately on recess; Ordinances on recess.

There being no objection to the unanimous consent request, the Convention recessed until 7 p.m.

AFTER RECESS

Further debate on Mr. Boswell's motion to strike Sections 24 and 25 of C. P. 17a continued by Mr. Smith, Mr. McNealy, Mrs. Hermann, Mr. Poulsen, Mr. R. Rivers, Mr. Hurley, Mr. Hilscher, Mr. V. Rivers, Mr. Smith, and Mr. Robertson; Mr. Lee questioned Mr. Robertson; Mr. Riley asked a question of Mr. Buckalew and Mr. Hellenthal asked a question of Mr. Riley; Mr. Boswell closed the argument. Mr. Lee requested a roll call. The question being "Shall Mr. Boswell's amendment be adopted?", the roll was called with the following result:

Yeas: 19 - Armstrong, Barr, Boswell, Cooper, Cross, Davis, Doogan, Hilscher, Johnson, Laws, Londborg, McNealy, Metcalf, Reader, R. Rivers, V. Rivers, Robertson, Walsh, and Wien

Nays: 30 - Awes, Buckalew, Coghill, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Sweeney, Taylor, White, and Mr. President

Absent: 6 - Collins, McLaughlin, Nolan, Stewart, Sundborg, and VanderLeest

and so the amendment failed.

Mr. Buckalew asked unanimous consent for the adoption of the following amendment to Section 24:

Strike the words "pending the establishment of the first state legislature" and retain the comma.

Objection was heard. Mr. Buckalew so moved. Mr. Emberg seconded. The roll was called with the following result:

Yeas: 26 - Awes, Buckalew, Coghill, Cross, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, Kilcher, King, Knight, Laws, Lee, McCutcheon, Marston, Nerland, Nordale, Peratrovich, Smith, Stewart, Taylor, Wien, Rosswog, and Mr. President

Nays: 24 - Armstrong, Barr, Boswell, Cooper, Davis, Doogan, H. Fischer, Hermann, Hilscher, Hurley, Johnson, Londborg, McNealy, McNees, Metcalf, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Sweeney, Walsh, and White

Absent: 5 - Collins, McLaughlin, Nolan, Sundborg, and VanderLeest.

and so the amendment was adopted.

Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Buckalew asked unanimous consent for the adoption of the following amendment to Section 24:

Strike "by a fine not to exceed \$5,000.00 and".

There being no objection, the amendment was ordered adopted.

Mr. Kilcher asked unanimous consent for the adoption of the following amendment to Section 24:

Strike the last sentence of Section 24.

Mr. Doogan objected. Mr. Kilcher so moved. Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment:

Strike the last five lines of Section 25 and insert the following: "Shall the proposed constitutional ordinance prohibiting the use of fish traps for the taking of salmon be adopted?"

The President declared a short recess.

AFTER RECESS

Mr. Marston seconded Mr. Taylor's motion.

Mr. Londborg suggested that the words "for commercial purposes" be inserted after "salmon" in Mr. Taylor's amendment. Mr. Taylor asked unanimous consent that the words be included as a part of the amendment. There being no objection, it was so ordered.

Mr. V. Fischer asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Mr. Hilscher moved that the last sentence of Section 24 beginning "violation" be stricken. Mr. Robertson seconded. After discussion by Mr. Hilscher, Mr. R. Rivers, Mr. Lee, Mr. Buckalew, Mr. Taylor, Mr. V. Fischer, Mr. Barr, Mrs. Hermann, and Mr. Smith, Mr. Hellenthal requested a recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Hilscher asked unanimous consent for the withdrawal of his amendment. There being no objection, it was so ordered.

Mr. Buckalew asked unanimous consent for the adoption of the following amendment to Section 24:

On lines 3 and 4 strike the word "proposition" and insert the word "ordinance" and insert the following language after the word "effective" on line 4. "Upon the entry into force of this constitution".

Mr. Hellenthal objected. Mr. Buckalew so moved. Mr. Knight seconded. After discussion by Mr. Hellenthal, and Mrs. Hermann, Mr. V. Rivers spoke on privilege of the floor.

After Mr. Buckalew spoke on the amendment, the question was called. On voice vote the amendment was adopted.

After question from Mr. Armstrong regarding the amendment offered by Mr. Hilscher which was withdrawn, the President declared a short recess.

AFTER RECESS

Mr. Buckalew asked unanimous consent that C. P. 17a be held until a time certain to get the penalty provision worked out. Mr. Metcalf objected.

Mr. McNealy stated that he would like the proposal carried over until another day and that he would like the members to consider the legal implications of the ordinances.

Mr. Buckalew moved that the proposal be held over. Mr. Emberg seconded. On voice vote the motion carried.

Mr. McNees gave notice of his intention to reconsider his vote on Mr. Boswell's amendment to strike Sections 24 and 25.

Mrs. Sweeney reported that the committee on Engrossment and Enrollment to whom had been referred C. P. 8a on Resources had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled. Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment be adopted. *without objection, it was so ordered.* Committee Proposal 8a was referred to the Committee on Style and Drafting.

Mr. Sundborg reported that the Committee on Style and Drafting was ready to report on the amendments to the Preamble and Bill of Rights.

Mr. Sundborg moved the adoption of the following Style and Drafting Committee amendment to Section 18:

Strike Section 18 and substitute the following:

"In civil cases where the amount in controversy exceeds two hundred fifty dollars, the right of trial by jury is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury, and in courts not of record, may provide for a jury of not less than six or more than twelve."

Mr. Taylor asked unanimous consent. There being no objection the amendment was ordered adopted.

Mr. Sundborg moved the adoption of the following Style and Drafting Committee amendment:

Section 3, page 2, line 1, after the word "denied" insert "the enjoyment of".

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

Mr. Sundborg asked unanimous consent for the adoption of the following Style and Drafting Committee amendment to the Preamble:

Fourth line, after the word "liberty" add "within the Union of States".

There being no objection, the amendment was ordered adopted.

Mrs. Hermann requested that the record show that she did not approve of the last two amendments from the Committee on Style and Drafting, but would not object to their adoption. Mrs. Nordale asked that the record show that she was in accord with Mrs. Hermann's position.

Mr. V. Rivers moved that, in accordance with his notice given the previous Convention day, the Convention rescind its action taken on voting down Mr. White's amendment to the Preamble to insert the preamble of the enrolled copy in the report of Style and Drafting. Mr. Cooper seconded.

After discussion by Mr. Armstrong and Mrs. Hermann, Mr. Sundborg requested the Chief Clerk to read the two preambles.

After Mr. White spoke, Mrs. Hermann requested a roll call. The question being "Shall the Convention rescind its action taken on voting down Mr. White's amendment to the Preamble?", the roll was called with the following result:

Yeas: 8 - H. Fischer, V. Fischer, Kilcher, Laws, Poulsen, V. Rivers, White, and Wien

Nays: 41 - Armstrong, Awes, Barr, Boswell, Puckalew, Cooper, Cross, Davis, Doogan, Imberg, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McNealy, McNees, Metcalf, Nerland, Nordale, Peratrovich, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, and Mr. President

Absent: 6 - Coghill, Collins, McLaughlin, Marston, Nolan, and VanderLeest

and so the Convention did not rescind its action.

Miss Awes proposed the following Committee amendment and asked whether it would be a substantive phraseology change:

Section 19, strike "except in case of absconding debtors" and substitute: "but this does not prohibit civil arrest of absconding debtors."

The President declared a short recess.

AFTER RECESS

The President ruled that the proposed amendment was not substantive, just a clarifying amendment.

Miss Awes asked unanimous consent for the adoption of the Committee amendment to Section 19. There being no objection, the amendment was ordered adopted.

There being no further amendments Mr. Sundborg asked unanimous consent that the rules be suspended, that the Preamble and Article I, Declaration of Rights, be advanced to third reading, read by title only and placed on final passage.

Mr. Kilcher offered an amendment to Section 19 to insert a period after "~~but~~" and strike the rest of the sentence.

Mr. Taylor rose to a point of order that Mr. Kilcher was out of order.

The President stated that Mr. Kilcher's speaking at the time constituted an objection to the unanimous consent request and Mr. Kilcher was in order.

Mr. Kilcher asked unanimous consent that the rules be suspended and Article I be returned to second reading for specific amendment as stated above. Mr. Sundborg requested a roll call. The roll was called with the following result:

Yeas: 15 - Barr, Boswell, Buckalew, V. Fischer, Harris, Hurley, Kilcher, Lee, Londborg, Marston, Nerland, Nordale, Riley, Stewart and Sundborg

Nays: 35 - Armstrong, Awes, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Hellenthal Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, McCutcheon, McNealy, McNees, Metcalf, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sweeney, Taylor, Walsh, White, Wien, and Mr. President

Absent: 5 - Coghill, Collins, McLaughlin, Nolan, and VanderLeest
and so the rules were not suspended.

Mr. Sundborg renewed his request for the suspension of the rules to advance the Preamble and Declaration of Rights to third reading. There being no objection, it was so ordered.

Mr. Barr asked that the Convention recess until 9:50 p.m.--20-minute recess.

Mr. Hellenthal announced a meeting of the Committee on Apportionment during the recess.

Mr. McCutcheon objected to the request for recess.

Mr. Barr moved that the Convention recess for twenty minutes. Mr. Doogan seconded. On voice vote the motion carried.

AFTER RECESS

Mr. Metcalf asked to have Section 19 of Article I read.

The Preamble and Declaration of Rights was read the third time.

Mr. Doogan inquired into the importance of reading the Articles in their entirety, instead of by title only.

The President stated that there was nothing in the Act which set up the Convention which prohibited suspending the rules and reading the articles the third time by title only.

The question being "Shall the Preamble and Declaration of Rights be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McNees, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers,

Rosswog, Sundborg, Sweeney, Taylor, Walsh, White,
Wien, and Mr. President

Nays: 0

Absent: 11 - Collins, V. Fischer, McLaughlin, McNealy, Marston,
Nolan, Peratrovich, Robertson, Smith, Stewart, and
VanderLeest

and so the Article was adopted.

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

Mr. Sundborg reported back to the Convention the Style and Drafting redraft of the article on the Executive, Article III. Article III, the Executive, was referred to the Rules Committee for assignment to the calendar.

The report of the Committee on Style and Drafting on Article V, Suffrage and Elections, was read.

Mr. Sundborg asked unanimous consent that the following amendment by the Committee on Style and Drafting be incorporated into the redraft as if it were a part thereof:

Section 1, line 6, after the word "year" strike the article "a" and insert the following "an actual, bona fide and continuous"; at the end of the same line, after the article "a", insert the word "like".

Mr. Riley inquired whether it was a Committee Amendment as such or just an amendment to incorporate the material in the report.

Mr. Sundborg stated it was merely to incorporate the language of the enrolled copy into the report which had been taken out, but which, if deleted, would constitute a substantive change.

Mr. Sundborg announced that the subcommittee on Style and Drafting who had redrafted the article consisted of Mrs. Hermann, Mr. McLaughlin and Mr. Johnson.

There being no objection to the unanimous consent request to incorporate the amendment into the report, the language was ordered incorporated. The President announced that the insertion of the language into the report did not preclude amending that section later.

Mrs. Hermann explained the changes made by Style and Drafting.

After questions by Mr. Londborg, Mr. Barr, Mr. Taylor and Mr. Metcalf, Mr. Hellenthal stated he would like to be heard on the residence statement. Mr. Johnson rose to a point of order that there was nothing before the Convention.

Mr. V. Fischer pointed out that the questions should be directed only to changes in language and that questions regarding substance were out of order at this time.

The President stated Mr. Fischer was entirely correct.

Mr. Hellenthal stated that the Committee on Suffrage and Elections had reviewed the report of the Style and Drafting Committee and had no objection to it whatsoever.

Mrs. Nordale asked Mr. Davis a question regarding the use of certain language to modify "resident". Mr. McCutcheon rose to a point of order that since the language was in the report the question was out of order at this time. The President stated that Mr. McCutcheon was correct.

Mr. Davis suggested that the amendments regarding the matter of resident requirements be taken up at this time.

Mr. Buckalew offered the following amendment to Section 1.

Strike "an actual, bona fide and continuous resident" and insert "a resident and inhabitant of Alaska".

Mr. Buckalew withdrew his amendment.

Mr. Sundborg moved and asked unanimous consent that Section 6 be referred to the Committee on Ordinances for incorporation in the Transitional section of the constitution. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee on the Article on Suffrage and Elections be accepted and that the changes made in language be adopted. Mrs. Hermann **objected**. Mr. R. Rivers seconded.

Mr. Hellenthal stated he wished to speak on the words used to modify "resident" in Section 1.

Mr. Davis stated that the words were in the report and there was no issue unless someone moved to strike the language.

Mrs. Hermann withdrew her objection to acceptance of the report.

There being no objection, the report of the Committee on Style and Drafting was accepted and the changes in language were adopted.

Mr. Riley asked unanimous consent for a two-minute recess.

AFTER RECESS

Mr. Riley asked unanimous consent for a suspension of the rules to return Article V to second reading for the following specific amendment:

Page 1, line 6, strike "an actual, bona fide and continuous", strike "like", insert the article "a" after "year".

Mr. Hellenthal objected. Mr. Riley so moved. Mr. McCutcheon seconded. The roll was called with the following result:

Yeas: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Lee, McCutcheon, McNees, Marston, Metcalf, Nerland, Nordale, Reader, Riley, R. Rivers, V. Rivers, Smith, Sundborg, Sweeney, Taylor, White, Wien, and Mr. President

Nays: 13 - Coghill, Davis, Gray, Hellenthal, Hinckel, Knight, Laws, Londborg, McNealy, Peratrovich, Poulsen, Rosswog, and Walsh

Absent: 6 - Collins, McLaughlin, Nolan, Robertson, Stewart, and VanderLeest

and so the rules were not suspended.

Mr. Hellenthal requested the privilege of the floor for five minutes. Mr. McCutcheon objected.

Mr. Doogan moved that the Convention rescind its action on the suspension of the rules. The President stated that action on suspending the rules cannot be rescinded.

Mr. Barr moved that Mr. Hellenthal be given the privilege of the floor for five minutes. Mr. Knight seconded. Mr. McCutcheon stated he believed it would require a suspension of the rules. Mr. Londborg rose to a point of order. After Mr. Davis and Mr. Barr spoke the question was called. On voice vote the motion failed and Mr. Hellenthal was not granted the privilege of the floor.

Mrs. Hermann asked that the question of rescinding action on suspension of the rules be referred to the Rules Committee.

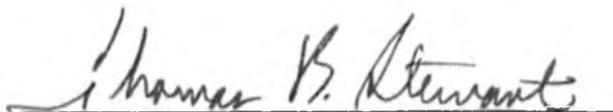
The President declared a short recess.

AFTER RECESS

The President advised Mr. Doogan that a motion to rescind cannot apply to a suspension of the rules motion.

Mr. Rosswog moved that the Convention adjourn until 1:30 p.m. Mr. Coghill seconded. The following Committee announcements were made: Ordinances at 1 p.m.; Style and Drafting on recess and in the morning; Finance briefly on adjournment; Suffrage and Elections at 1 p.m. On voice vote the motion to adjourn failed.

Mr. Riley spoke on a matter of personal privilege. Mr. Riley moved that the Convention adjourn until 9 a.m. Mr. Knight seconded. On voice vote the Convention adjourned at 11:30 p.m. until 9 a.m., Friday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention

Journal/54

Approved

Feb. 3, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-SIXTH CONVENTION DAY, Friday, January 27, 1956

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

The Invocation was given by Mr. Londborg.

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

Mr. Knight reported on the reading of the Journal for the 59th day and asked unanimous consent for its approval. Mr. Londborg rose and asked that the roll call for the name of the local government unit on page 14 be corrected to show the names of the delegates. The approval of the journal was held until later.

Business of the Convention then turned to consideration of Article V, Suffrage and Elections.

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

Page 1, line 3, following the word "article" strike the words "and not barred by any other provision of law".

There being no objection, the rules were suspended.

Mr. Rivers moved the adoption of the amendment. Mrs. Hermann seconded.

Mr. Hellenthal rose on a point of information and stated that a similar amendment had been considered by the Committee.

Mr. Hurley asked a question of Mr. Hellenthal which he answered. After Mr. Hellenthal spoke, Mr. Londborg addressed a question to Mr. R. Rivers, and Mr. V. Fischer spoke. Mr. R. Rivers asked unanimous consent for a one-minute recess. There being no objection, the President declared a recess.

66th Day, Friday, Jan. 27, 1956

AFTER RECESS

Mr. R. Rivers spoke on personal privilege. Mr. R. Rivers asked unanimous consent for the adoption of the following amendment:

Line 4, Section 1, page 1, change the period to a comma and add "subject to any other qualifications imposed under this constitution".

Miss Awes objected.

Mr. R. Rivers asked unanimous consent that the amendment include the following:

Strike comma on line 2 and insert "and".

Miss Awes objected. Mr. R. Rivers moved the adoption of his amendment, including the additions. Mr. V. Rivers seconded. Mr. Armstrong asked that the Convention recess so the amendment could be studied. The President declared a short recess.

AFTER RECESS

Mr. Barr asked unanimous consent that the rules be suspended to return Article V to second reading for the purpose of offering the following specific amendment:

Page 1, line 6, strike the words "actual, bona fide and continuous" before the word "resident" and insert the word "legal" before the word "resident".

Mr. McNealy objected. Mr. Knight seconded. The roll was called for the suspension of the rules with the following result:

Yeas: 38 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Riley, V. Rivers, Smith, Sundborg, Sweeney, Taylor, and VanderLeest.

Nays: 12 - Coghill, Davis, Hellenthal, Londborg, McNealy, Nordale, Reader, Robertson, Rosswog, Walsh, Wien, and Mr. President

Absent: 5 - Collins, Nolan, R. Rivers, Stewart, and White

and so the rules were suspended.

Mr. Barr moved the adoption of the amendment. Mr. Knight seconded. After discussion by Mr. Barr, Mr. Sundborg, Miss Sweeney, Mr. Taylor and Miss Awes, Mr. Taylor asked for a division of the question. Mr. V. Rivers asked unanimous consent to amend the amendment. Mr. Taylor requested a short recess. The President stated that there could be no other amendment offered under suspension of the rules but the amendment before the Convention.

AFTER RECESS

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

Mr. Barr asked unanimous consent for suspension of the rules for the purpose of returning Article V to second reading to present a specific amendment. Mr. Londborg objected for the purpose of hearing the amendment. Mr. Barr's amendment was read as follows:

Section 1, line 6, strike "an actual, bona fide and continucus" and insert "a" at the end of line 6; strike "like".

Mr. McNealy objected. Mr. Barr so moved. Mr. Knight seconded. The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Sundborg, Sweeney, Taylor, VanderLeest, and Wien

Nays: 11 - Coghill, Cross, Davis, Hellenthal, Londborg, McNealy, Robertson, Rosswog, Smith, Walsh, and Mr. President

Absent: 4 - Collins, Nolan, Stewart, and White

and so the rules were suspended.

Mr. Coghill moved and asked unanimous consent that the question be called at five minutes to 10 a.m. Mr. Barr agreed. Mr. Hellenthal spoke. Mr. Buckalew objected. Mr. Doogan seconded. Mr. Kilcher directed a question to Mr. Coghill. Mr. McCutcheon requested that the time limit run from the time of the beginning of the actual debate and that two-and-one-half minutes be allowed for each side of the question. Mr. Coghill then moved and asked unanimous consent that the question be put at 10 a.m. The roll to limit debate was called with the following result:

Yeas: 18 - Barr, Coghill, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hilscher, Johnson, Kilcher, Knight, Laws, Londborg, McNealy, Metcalf, Peratrovich, VanderLeest, and Wien

Nays: 33 - Armstrong, Awes, Boswell, Buckalew, Cooper, Cross, Davis, Emberg, Hellenthal, Hermann, Hinckel, Hurley, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Taylor, Walsh, and Mr. President

Absent: 4 - Collins, Nolan, Stewart, and White

and so the motion failed.

After discussion by Mr. Barr, Mr. R. Rivers and Mr. Hellenthal, Mr. Barr rose to a point of order regarding the time limit on debate. The President stated that there was no time limit on debate.

After discussion by Mr. Hellenthal and Mr. McLaughlin, Mr. Hellenthal rose to a point of order. Mr. McLaughlin spoke. Mr. V. Fischer moved and asked unanimous consent for the previous question. There being no objection, the previous question was ordered. The question being "Shall the amendment as proposed by Mr. Barr be adopted?", the roll was called with the following result:

Yeas: 35 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Laws, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nordale, Riley, R. Rivers, V. Rivers, Smith, Sundborg, Sweeney, Taylor, VanderLeest, and Wien

Nays: 17 - Coghill, Cross, Davis, Hellenthal, Knight, Londborg, McNealy, Marston, Peratrovich, Poulsen, Reader; Robertson, Rosswog, Stewart, Walsh, White and Mr. President

Absent: 3 - Collins, Hinckel, and Nolan

and so the amendment was adopted.

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

Mr. R. Rivers asked unanimous consent to suspend the rules and return the article to second reading to present an amendment to Section 1. There being no objection, the rules were suspended. Mr. R. Rivers moved the adoption of the following amendment:

Page 1, lines 3 and 4, after the word "this" delete the following: "article and not barred by any other provision of law" and substitute the words "Constitution and laws enacted pursuant thereto".

Mr. R. Rivers asked unanimous consent for the adoption of his amendment. Mr. McNealy objected. Mrs. Nordale seconded.

After discussion by Mr. R. Rivers, Mr. McNealy, and Miss Awes, Mr. Davis asked unanimous consent to return the article to the Style and Drafting Committee to draft language regarding the proposed amendment. Mr. R. Rivers agreed. Mr. Hellenthal spoke. Mr. Davis withdrew his motion. Mr. Hurley moved and asked unanimous consent to recess until 9:50 a.m. There being no objection, the President declared a recess.

AFTER RECESS

Mr. Doogan asked unanimous consent that the Journal for the 60th Convention day be approved as read. There being no objection, it was so ordered.

Mr. Doogan asked unanimous consent that the President take under consideration the possibility of excusing the members of the Style and Drafting Committee from plenary sessions who are not actively engaged in reporting an article on the floor. Mrs. Hermann objected. Mr. V. Fischer pointed out that under Rule 18 it is necessary to ask permission before a committee meeting can be held during plenary session.

After further discussion by Mr. Barr and Mr. Sundborg, Chairman of the Committee on Style and Drafting, the President ruled that there being no further objection to the unanimous consent request the Style and Drafting Committee could hold meetings during plenary session using its own judgment as to how many members should be absent from the floor at a time.

Mr. R. Rivers asked that Article V be held on the calendar until his amendment to Section 1 had been mimeographed. There being no objection, it was so ordered.

The report of the Style and Drafting Committee on Article VII, Health, Education and Welfare, was read.

Mr. Hurley reported on the Style and Drafting changes.

Questions regarding substance were raised and Mr. Armstrong rose to a point of order to state that the questions were not in order at this time since the discussion was concerned with changes in phraseology only.

Miss Awes proposed the following Committee amendment to Section 3 and asked whether it was substance change or not: Strike Section 3 and substitute "The State shall provide for public welfare."

The President declared a short recess.

AFTER RECESS

The President ruled that it was not a substantive change.

Miss Awes asked unanimous consent to suspend the rules to return the article to second reading for specific amendment. Mr. Metcalf objected. Miss Awes withdrew her motion.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting on Article VII be accepted and that the changes in wording which appear in the report be adopted. Mr. Metcalf objected.

Mr. Metcalf moved the adoption of the following amendment in phraseology:

Section 1, line 2, after "public schools" insert "which shall be".

Mr. Knight seconded. On voice vote the amendment failed.

Mr. Sundborg renewed his unanimous consent request. There being no objection, the report was ordered accepted and the changes adopted.

Miss Awes moved that the rules be suspended and that Article VII be returned to second reading for specific amendment. Mr. Doogan seconded. The roll was called with the following result:

Yeas: 42 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 9 - Cooper, Cross, Harris, Kilcher, Laws, Metcalf, Peratrovich, Reader, and Taylor

Absent: 4 - Collins, Hilscher, Hinckel, and Nolan

and so the rules were suspended.

Miss Awes moved the adoption of the following amendment:

Strike Section 3 and substitute: "The legislature shall provide for public welfare."

Mr. Armstrong seconded. After discussion by Miss Awes, Mr. Armstrong and Mrs. Hermann, the question was called. On voice vote the amendment was adopted.

Mr. Cooper spoke on a matter of personal privilege.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article VII, Health, Education and Welfare, be advanced to third reading, read by title only and placed on final passage. There being no objection, the rules were suspended.

Article VII was read the third time. The question being, "Shall Article VII, Health Education and Welfare, become a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 48 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 4 - Coghill, Laws, Londborg, Metcalf

Absent: 3 - Collins, Hinckel, and Nolan

and so the article was adopted.

The report of the Style and Drafting Committee on Article III, The Executive, was read.

Mr. Sundborg reported that a subcommittee consisting of Mr. Armstrong, Mr. Hurley and Mrs. Hermann had worked on the article and Mr. Armstrong would explain the changes in phraseology.

Mr. Armstrong gave an explanation of the changes made.

Mr. Boswell called attention to a typographical error on page 6, line 6 in the spelling of "legislature".

Mr. Sundborg moved and asked unanimous consent that the report of the Style and Drafting Committee be accepted and that the changes in wording proposed by the Style and Drafting Committee be adopted. There being no objection, it was so ordered.

Mr. V. Rivers requested that it be held over until after the noon recess so that the Executive Committee could meet and discuss proposed amendments in substance.

Mr. Coghill asked unanimous consent that the rules be suspended, that Article III be returned to second reading for the following specific amendment:

Section 26, page 7, line 3, after the word "law" strike the comma and insert a period and strike the balance of the sentence.

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

- Yeas: 13 - Coghill, Cooper, Hurley, Kilcher, Laws, Londborg, McNealy, Metcalf, Nerland, Peratrovich, R. Rivers, Walsh and Wien
- Nays: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nordale, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, White, and Mr. President
- Absent: 6 - Collins, Davis, V. Fischer, Hinckel, Nolan, and Sundborg

and so the rules were not suspended.

Mr. Coghill asked for the privilege of the floor. Mr. Buckalew objected. Mrs. Hermann rose to state that the privilege of the floor was not debatable. Mr. Buckalew withdrew his objection.

Mr. Coghill spoke on personal privilege.

Mr. Doogan asked unanimous consent that the Convention recess until 1:30 p.m. The following committee announcements were made: Mr. Armstrong announced a meeting of a subcommittee of the Style and Drafting Committee with Mr. Riley and Mr. Boswell of the Resources Committee at 12:45 p.m.; Mr. Hellenthal announced a meeting of the Apportionment Committee at 12:00 noon and asked Mr. Kilcher, Mr. Metcalf, Mr. Hurley and Mr. Cross to be present; Ordinances at 1:00 p.m.; Judiciary on recess; Style and Drafting on recess; and Administration just prior to the plenary session. There being no objection to the unanimous consent request the Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. Knight spoke on personal privilege.

Mr. V. Rivers asked unanimous consent for the suspension of the rules to return Article III to second reading for the purpose of offering the following specific amendment: Strike Section 10 and insert the following:

"Section 10. If the governor elect dies, resigns or is disqualified, the secretary of state elect shall succeed to the office of governor for the full term. If the governor elect fails to assume his office for any other reason, the secretary of state elect shall act as

governor and if the governor elect does not assume his office within six months of the beginning of the term, the secretary of state shall then succeed to the office."

There being no objection, the rules were suspended.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the amendment.

Copies of the amendment not being available, Mr. V. Rivers asked to hold action on his amendment until the mimeographed copies were ready.

Mr. Hurley asked unanimous consent to take up the suggested amendment to the Article on Suffrage and Elections. There being no objection, Article V was considered again.

Mr. R. Rivers asked unanimous consent to withdraw his amendment, offered earlier, to Article V. There being no objection, it was so ordered.

Mr. Davis moved the adoption of the following amendment offered by Mr. Davis, Mr. R. Rivers and Mr. McLaughlin:

Strike Section 1 and substitute the following:

"Section 1. Every citizen of the United States who is at least nineteen years of age, who meets registration requirements which may be prescribed by law, and who is qualified to vote under this Article, may vote in any state or local election. He shall have been, immediately preceding the election, for one year a resident of Alaska and for thirty days a resident of the election district in which he seeks to vote. He shall be able to read or speak the English language as prescribed by law, unless prevented by physical disability. Additional voting qualifications may be prescribed by law for bond issue elections of political subdivisions."

Mr. Davis asked unanimous consent for the suspension of the rules to return Article V to second reading for the purposes of offering the above amendment. There being no objection, the rules were suspended.

Mr. Davis moved the adoption of the amendment. Mrs. Hermann seconded. Mr. R. Rivers asked unanimous consent. There being no objection, the amendment was ordered adopted.

Mr. Johnson asked unanimous consent that the rules be suspended, that Article V be advanced to third reading, read by title only and put upon final passage. There being no objection, the rules were suspended. Article V was read the third time. The question being, "Shall the rules be suspended and Article V be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

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

Nays: 4 - Laws, Londborg, McNealy, and Reader

Absent: 5 - V. Fischer, Smith, Sundborg, White; and Robertson

and so the article was adopted.

At the request of Mr. Hellenthal and with the unanimous consent of the Convention, the following amendments to Committee Proposal No. 14 "Description of the Election Districts" were adopted:

Page 2, District No. 3, third line after the word "north" insert the following: "and partly bounded on the north by a line drawn between Cape Fanshaw and the north side of Pybus Bay".

Page 3, District No. 6, sixth line delete the second "and" also the word "Islands" and insert a comma after the word "Douglas". After the word "Shelter" insert a comma and the words "and Benjamin Islands,".

Page 4, District No. 7 on the first line, beginning with the word "including" strike the balance of the section, and substitute the following: "not including the Tiekel River on the west; and up to and including the Chitina River on the east."

Page 4, District No. 8, line 5, beginning with the word "but", strike the balance of the sentence and insert the following: "and including the Tiekel River on the West, and above but not including the Chitina River on the east."

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

Page 4, District No. 9, sixth line, after the word "including" insert the words "the area draining into the". After the word "River" insert the following words: "from the north and from the south".

Mr. Taylor objected to the unanimous consent for information purposes. Mr. Taylor then withdrew his objection and there being no further objection to the unanimous consent request the amendment was ordered adopted.

Mr. Hellenthal moved and asked unanimous consent for the adoption of the following amendment to Committee Proposal No. 14 "Description of the Election Districts".

Page 5, District No. 10, line 6 after the word "tributaries" strike the balance of the section and substitute the following: "to but not including Beluga River on the south."

Mr. Kilcher objected to call attention to another amendment in that district description.

Mr. Helenthal then asked unanimous consent to include in his amendment the following:

Strike the words "and Beluga" at the end of line 5, page 5, Section 10.

There being no objection the amendment as amended was adopted.

At the request of Mr. Hellenthal and with the unanimous consent of the Convention, the following amendments were adopted:

Page 5, Section 11, line 2, strike the words "and including Chugach and Windy Bays" and insert in lieu thereof "Gore Point". Also strike the period at the end of section 11 and insert a semicolon and the following words: ";and to and including the confluence of the Kenai and Russian Rivers on the west".

Page 5, District No. 12, line 2, after the word "into" insert the following: "the Gulf of Alaska"; also strike the words "but not" and inset in lieu thereof the word "and".

Page 5, District No. 12, line 3, strike the words "by Chugach Bay" and insert in lieu thereof "into Port Dick"; also after the word "south" insert the words "to Gore Point".

Page 5, District No. 12, line 4, strike the word "River" and insert in lieu thereof the word "Creek"; also strike the semicolon after the word "north" and insert the following: "and the area east of the confluence of the Kenai and Russian Rivers and".

Page 5, District No. 12, line 6, strike the word "Chakachatna" and insert in lieu thereof the word "Beluga" and change comma to a semicolon after "River" on line 6; also line 7, strike the words "Chakehamna Lake".

Page 7, District No. 19, line 2, after the word "Creek" insert a comma and the words "near Blair Lakes,".

Page 8, Section No. 22, lines 2 and 3, strike the words "but not" and insert in lieu thereof the word "and"; line 3, strike the word "Buckland" and insert in lieu thereof the words "Good Hope".

Page 8, District 23, line 3, delete the word "and" and insert in lieu thereof the words "but not"; line 4 delete the word "Buckland" and insert in lieu thereof the words "Good Hope"; also delete the second word "and" and insert in lieu thereof the words "but not".

Page 9, District 24, line 1, delete the words "but not" and insert in lieu thereof the word "and".

Page 3, correct spelling of "Krugof" to "Kruzof", "Burners" to "Berners", "Yokobi" to "Yakobi".

Reference to the Pastolic River in sections 23 and 24 so as to spell it with a "k" instead of a "c"; correct spelling of "Shamisso" to "Chamisso".

The description of the election districts (schedule to C.P. No. 14) was referred to the Committee on Engrossment and Enrollment.

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

AFTER RECESS

Mr. Coghill asked permission to revert to committee reports and submitted the program for the official signing of the constitution as prepared by the Committee on Administration. Mr. Coghill moved and asked unanimous consent for adoption of the program. Mr. Doogan objected to state that the program should say "Recess" instead of "Adjournment".

Mr. Doogan withdrew his amendment. Mr. Buckalew objected. Mr. Doogan seconded.

After discussion by Mr. Barr, Mr. Hinckel, Mr. Doogan, and Mr. Boswell, Mr. Barr moved that a signed copy of the constitution be presented to the University of Alaska. Mr. Taylor seconded. Mr. Nerland asked unanimous consent. There being no objection, it was so ordered.

Mr. Johnson asked that the official gavel be presented to the University of Alaska at the Sunday night dinner, February 5, 1956.

There being no objection the report was adopted as amended on voice vote.

A discussion followed on several phases of the report. Mr. Doogan made a motion that the delegates accept the dinner invitation of the University. Mr. Kilcher seconded, and on voice vote the motion carried.

Mr. Coghill asked unanimous consent that the 100 copies be printed on a parchment or high grade paper. There being no objection, it was so ordered.

The President stated that the Committee on Administration would meet tomorrow and any delegates having suggestions to offer could meet with the Committee.

Mr. White inquired of the Chair if it were permissible to have the roll call on the Suffrage and Elections Article show his vote in favor of the article since he was away on Convention business when the vote was taken. The President ordered the record to show that Mr. White would have voted in the affirmative on Article V. Mr. Sundborg, Mr. V. Fischer and Mr. Smith made similar requests and the Chief Clerk was instructed to let the record show that they also would have voted in the affirmative on Article V.

to Article III
Mr. V. Rivers asked unanimous consent that he be allowed to withdraw the previous amendment) and substitute another. Mrs. Sweeney objected for more information. Mrs. Hermann rose to a point of inquiry to find out if amendments would go to the Style and Drafting Committee. The President stated that they wouldn't go to Style and Drafting until after the third reading.

Mr. Johnson moved and asked unanimous consent to recess for fifteen minutes. There being no objection, the President declared the Convention at recess.

AFTER RECESS

A telegram from Charles W. Wilson, mayor of Palmer stating,

"The people of Palmer express their thanks for your efforts in framing a constitution and congratulations for the excellent results."

was read and ordered filed.

Mr. V. Rivers asked unanimous consent for the suspension of the rules to return Article III to second reading for the purpose of offering the following amendments:

Mr. Riley objected for clarification. After clarification by Mr. V. Rivers there being no further objection, the rules were ordered suspended.

At the request of Mr. V. Rivers and with the unanimous consent of the Convention the following amendments were adopted:

Section 10, Page 2, strike the section and insert the following:

"Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him shall succeed to the office of governor for the full term. If the governor-elect fails to assume office for any other reason, the secretary of state elected with him shall serve as acting governor and shall succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term."

Section 13, Page 3, strike the section and insert the following:

"Section 13. Provision shall be made by law for succession to the office of governor in the event that the secretary of state is unable to succeed to the office. Provision shall also be made for a person to serve as acting governor in the event that the secretary of state is unable to act as governor. No election of a secretary of state shall be held except at the time of electing a governor."

Section 23, Page 6, line 4, insert period after the word "orders", strike balance of section and substitute the following:

"These orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."

Mr. Sundborg asked unanimous consent that the amendments adopted to Article III be referred to the Committee on Style and Drafting. There being no objection, it was so ordered.

Committee Proposal 17b was read the second time.

Mr. Sundborg moved and asked unanimous consent that those portions of the Miscellaneous Provisions which have been referred to Engrossment and Enrollment be referred to the Committee on Style and Drafting.

Mrs. Sweeney advised that the Miscellaneous Provisions were being held until all miscellaneous provisions had been referred to Engrossment and Enrollment and, in line with Mr. Sundborg's request, those provisions which had been referred would be reported out immediately.

Mr. McNealy moved and asked unanimous consent that the following committee amendment to C.P. No. 17b be adopted:

Section 3, line 8, strike the words "not inconsistent" and insert the word "consistent".

There being no objection, the amendment was adopted.

Mr. Hellenthal moved and asked unanimous consent that the following amendment be adopted:

Section 5, line 9, insert "health districts," after "school districts,".

There being no objection, the amendment was adopted.

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

Section 6, page 2, lines 15 and 16, strike the words "performing functions vested by this constitution in the State" and insert "of the Territory, or under its laws," and on line 18, delete "those" and insert "their".

Mr. Stewart seconded.

Mr. White stated that the word to be deleted by Mr. McNealy was "these", not "those".

Mr. McNealy asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

Mr. Nerland moved and asked unanimous consent that Section 7 of C.P. No. 17b be deleted since the matter is covered in the Finance Article.

After discussion by Mr. V. Rivers, Mr. Hellenthal, Miss Awes, Mrs. Nordale and Mr. V. Rivers, Mr. Nerland asked to withdraw his amendment.

Mr. Nerland asked unanimous consent to strike the first sentence of Section 7.

Mr. Johnson asked whether the last sentence would be retained in the ordinances.

Mr. Nerland stated that would be his intention.

The President declared a short recess.

AFTER RECESS

Mr. Nerland asked that action on Section 7 be held over until a committee meeting could be held.

Mr. Stewart moved that the Convention adjourn until 9 a.m., Saturday. Mr. Lee seconded.

Mr. McNees asked unanimous consent that his reconsideration on striking sections 24 and 25 of 17a be considered at the time 17a would be on the calendar. There being no objection, it was so ordered.

Mr. Lee withdrew his second. Mr. Taylor seconded.

Mr. Coghill asked unanimous consent for adjournment. Mr. Doogan objected.

The following announcements were made: Finance on adjournment; Style and Drafting on adjournment; Engrossment and Enrollment on adjournment.

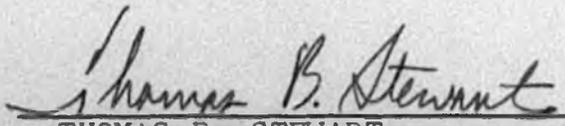
The question being "shall the Convention adjourn until 9 a.m. Saturday?", the roll was called with the following result:

Yeas: 38 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, McNealy, Marston, Nerland, Nolan, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, and Wien

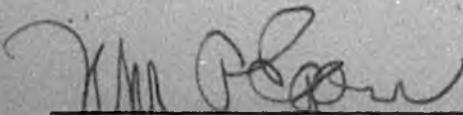
Nays: 10 - Doogan, Kilcher, Laws, Lee, Londborg, McCutcheon, McNees, Metcalf, Peratrovich, and Mr. President

Absent: 7 - Barr, Davis, V. Fischer, McLaughlin, Nordale, Robertson, and VanderLeest

and so the Convention adjourned at 5 p.m. until 9 a.m., Saturday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/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. Hellenenthal 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, Hellenenthal, 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, 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, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nordale, Peratrovich, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, and Mr. President

Nays: 5 - McCutcheon, Nolan, Poulsen, V. Rivers, and Robertson

Absent: 5 - Coghill, Collins, H. Fischer, Marston, and VanderLeest
and so the article was adopted.

Mr. Hilscher asked unanimous consent for the introduction of the following resolution:

"Introduced by Doogan, Emberg, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Lee, McCutcheon, McNealy, McNees, Metcalf, Peratrovich, Riley, Stewart, Smith, Sundborg, Taylor, VanderLeest, White, Wien

WHEREAS, in a spirit of complete selflessness and at great personal expenditure of time, effort and money, and

WHEREAS, as a fully enfranchised American citizen, he shares with all Alaskans an earnest desire to see that we achieve our rightful free-born heritage within the American nation; and

WHEREAS, he has made numerous trips to Alaska to assist us in our aspirations for statehood, and has outlined in great detail to this convention and to the people of Alaska the historical advantages of the Tennessee Plan;

THEREFORE, be it resolved that Mr. George H. Lehleitner of New Orleans, Louisiana, be hereby designated and acclaimed by this body to be an Honorary Member of the Alaska Constitutional Convention and an Honorary Ambassador of Good Will from this Convention to the People of the United States and to the members of Congress in our endeavor to achieve Statehood for Alaska."

Mr. V. Fischer asked that the names of all the delegates be included as sponsors of the resolution. Mr. Hilscher asked unanimous consent that Mr. Fischer's request be adopted. There being no objection, it was so ordered.

Mr. Poulsen suggested that the words "Tennessee" be changed to "Alaska" in referring to the plan.

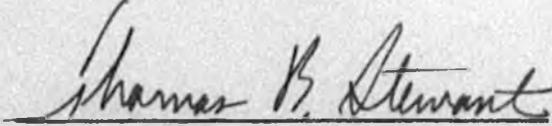
There being no objection, the resolution was ordered adopted and spread on the Journal.

Mr. Robertson inquired if the adoption of Article VI automatically adopted Article XV referred to in the article. The President stated that the article did not carry Article XV with it.

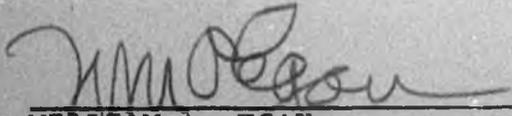
Mr. Riley asked unanimous consent that the Convention adjourn until 2 p.m. Mr. McNees asked unanimous consent that the reconsideration of his vote on C. P. No. 17a be held over. The President stated that the reconsideration would automatically be held until C. P. No. 17a was on the calendar again.

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

There being no objection to the unanimous consent request, the Convention adjourned at 10 p.m. until 2 p.m., Sunday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/56
Approved July 4, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-EIGHTH CONVENTION DAY, Sunday, January 29, 1956

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

The Invocation was given by Mr. Armstrong.

Roll call showed all delegates present except Mr. Coghill. The President declared a quorum to be present.

Mr. McNealy reported out Committee Proposal No. 17c.

Committee Proposal No. 17c entitled SCHEDULE was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Riley reported that since the calendar had been completed at Saturday's session he asked unanimous consent to suspend the rules and have Committee Proposal No. 17c advanced to second reading.

Committee Proposal No. 17c was read the second time.

Mr. Stewart asked unanimous consent that the date on line 10, page 4, be changed to 1955. There being no objection, it was so ordered.

Mr. McNealy gave a brief explanation of the proposal.

Mr. McLaughlin made a parliamentary inquiry as to whether a motion to strike would require a suspension of the rules.

The President stated it would not require a suspension of the rules.

Mr. McLaughlin moved to strike subsection (1) of Section 28. Mr. Buckalew seconded in order to get the amendment on the floor.

Mr. McLaughlin explained that the only reason he made the motion was to get the issue decided whether the Convention favored the Tennessee Plan or not. Mr. Marston spoke on the amendment and Mr. White requested a roll call vote.

The question being "Shall Mr. McLaughlin's amendment to strike subsection (1) of Section 28 of Committee Proposal No. 17c be adopted?", the roll was called with the following result:

68th Day, Sunday, Jan. 29, 1956

Yeas: 0

Nays: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 2 - Coghill and R. Rivers

and so the amendment failed.

Mr. McLaughlin moved to strike subsection (4) of Section 28. Mr. V. Rivers seconded.

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

AFTER RECESS

Mr. McLaughlin explained that he had picked the wrong section to strike and asked unanimous consent that the proposed amendment be withdrawn. Mr. Londborg objected.

Mr. McLaughlin explained that what he wanted to strike was the material on page 2, line 21, after the word "offices" through the word "then" on line 13 of page 3. Mr. McLaughlin moved that he be allowed to withdraw his original amendment to strike subsection (4). Mr. Riley seconded.

Mr. Sundborg stated that Mr. Londborg could offer the amendment to strike subsection (4) at some time if he desired.

The question being "Shall Mr. McLaughlin be allowed to withdraw his amendment?", the roll was called with the following result:

Yeas: 45 - Armstrong, Awes, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Robertson, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 8 - Barr, Boswell, Cooper, Londborg, Reader, V. Rivers,
Rosswog, and Sweeney

Absent: 2 - Coghill and R. Rivers

and so the amendment was withdrawn.

Mr. McLaughlin moved to strike all the words on page 2, line 21, following the word "offices" and to strike all the words on page 3, commencing with the first word of line 1, down to and including the word "one" in line 13. Mr. Stewart seconded.

Mr. McLaughlin explained that he had introduced the amendment to raise the question of whether a primary election should be held on the 24th day of April for the qualifying candidates.

Mr. Davis inquired of the Chair whether the amendments offered would apply to the new Proposal No. 17c, revised, in which the sections have been numbered differently.

The President declared a short recess.

AFTER RECESS

Mr. McLaughlin asked unanimous consent to withdraw his proposed amendment to Committee Proposal No. 17c.

Mr. Davis inquired whether that meant only the last motion offered. Mr. McLaughlin answered in the affirmative.

There being no objection, the amendment was ordered withdrawn.

Mr. McNealy asked unanimous consent to withdraw Committee Proposal No. 17c. There being no objection, it was ordered withdrawn.

Mr. McNealy offered Committee Proposal No. 17c revised.

Committee Proposal No. 17c revised, entitled SCHEDULE was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Riley asked that the rules be suspended and Committee Proposal No. 17c, revised, be placed on the calendar as the next order of business. There being no objection, it was so ordered.

Committee Proposal No. 17c, revised, was read the second time.

Mr. McNealy gave a brief explanation.

Mr. McLaughlin moved that Committee Proposal No. 17c, revised, be amended as follows:

Page 3, commencing with subsection (4), line 14 and all subsequent wording on that page and all the wording on page 4 and page 5 down to and including the word "then" on line 7 be stricken. ~~Mr.~~ Sundborg seconded.

Questions and discussion followed by Mr. Davis, Mr. McNealy, Mr. Johnson, Mr. McLaughlin, Miss Awes, Mrs. Hermann, Mr. Buckalew, Mr. White, Mr. Stewart, Mr. Hurley, Mr. Sundborg, ~~and Mr. Smith,~~ and *Mr. Hurley.*

The President declared a twenty-minute recess. Before recess, Mr. Rosswog announced a meeting of the committee on Local Government during recess. Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

AFTER RECESS

Mr. Nolan spoke and Mr. Buckalew rose to speak when Mr. Kilcher rose to a point of order to state that Mr. Buckalew had already spoken twice.

After Mr. Peratrovich, Mr. Johnson and Mr. Londborg spoke, Mr. McCutcheon objected to what Mr. Londborg had said and started to ask questions when Mr. Hurley rose to a point of order to object to the questions Mr. McCutcheon had asked. The President declared a short recess.

AFTER RECESS

Further discussion by Mr. Walsh, Mrs. Nordale, Mr. Hilscher, Mr. McLaughlin, Mrs. Hermann, Mr. Taylor, Mr. Robertson, Mr. Knight, Mr. Hellenthal, Mr. V. Fischer, Mr. Kilcher, Mr. Davis, Mr. Armstrong, Mr. Lee, Mr. McNees, and Mr. McNealy followed. Mr. Kilcher rose to a point of order during Mr. McNealy's discussion to state that even though Mr. McNealy had not mentioned any names he knew that he referred to him and he had not made the allegation referred to. The President stated that Mr. Kilcher's point of order was not well taken.

The question was called and Mr. Sundborg requested a roll call.

The question being "Shall Mr. McLaughlin's amendment to strike material on pages 3, 4 and 5 of C. P. 17c, revised, be adopted?", the roll was called with the following result:

Yeas: 39 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray,

Hellenthal, Hilscher, Hinckel, Hurley, Johnson, King, Laws, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, White, Wien, and Mr. President

Nays: 14 - Collins, Cooper, Harris, Hermann, Kilcher, Knight, Londborg, McNees, Nolan, Reader, Robertson, Sweeney, VanderLeest, and Walsh

Absent: 2 - Coghill and R. Rivers

and so the amendment was adopted.

Mr. McNees moved the adoption of the following amendment:

Page 5, line 7, strike the material beginning with the word "part" down to and including the word "election" on line 20.

Miss Awes moved that the Convention recess until 7 p.m. and asked unanimous consent. Mr. Rosswog announced a meeting of the Committee on Local Government on recess. Mr. Sundborg announced a meeting of the Committee on Style and Drafting on recess.

Objection was heard to the unanimous consent request. Mr. Knight seconded. The roll was called with the following result:

Yeas: 17 - Awes, Barr, Buckalew, Collins, Doogan, Emberg, Johnson, Kilcher, Knight, Londborg, McLaughlin, McNees, Poulsen, Rosswog, Smith, Wien, and Mr. President

Nays: 36 - Armstrong, Boswell, Cooper, Cross, Davis, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Laws, Lee, McCutcheon, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, V. Rivers, Robertson, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, and White

Absent: 2 - Coghill and R. Rivers

and so the Convention did not recess.

Mr. McNees moved the adoption of the amendment. Mr. Barr seconded. After Mr. McNees explained the amendment, the question was called. On voice vote the amendment failed.

Mr. Barr moved that the Convention recess until 7:05 p.m. Mrs. Hermann seconded. Mr. Nolan asked whether the Convention could not adjourn until 9 a.m. Monday. Mr. Barr asked unanimous consent to withdraw his motion to recess.

Mr. Taylor moved that the Convention adjourn at 6:10 p.m. Mr. Sundborg stated that the correct motion would be that it be the policy of the Convention to adjourn at 6:10 p.m. Mr. Taylor so moved. Mr. Stewart seconded. On voice vote the motion failed.

Mr. Davis inquired of Mr. McNealy about Section 29, subsection (6) and a sentence in 17c which was not in the 17c, revised, and asked whether he could offer the sentence as an amendment. Mr. McNealy stated he would support the amendment.

The President declared a short recess.

AFTER RECESS

Mr. Riley suggested that the Convention defer any action to adjourn until the matter before the Convention, namely C. P. No. 17c, revised, was finished and that upon completion of the work on the proposal the Convention adjourn for the night so that the Committee on Style and Drafting could work during the evening and get some more reports out.

Mr. Davis moved the adoption of the following amendment:

Section 29, subsection (6), line 7, page 6, insert the following sentence after the word "elected": "The duties and emoluments of these offices shall be as provided by law."

Mr. Kilcher seconded. After Mr. Buckalew and Mr. Sundborg spoke, the question was called. On voice vote the amendment was ordered adopted.

Mr. Hurley moved the adoption of the following amendment:

Page 5, Section 29, subsection (b), line 8 after "made", insert "for this election only".

Mr. Riley seconded. Mr. Hurley asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Sundborg moved the adoption of the following amendment:

Page 2, line 12, strike "the regular" and substitute "an initial short"; line 13, strike "1963" and substitute "1959,".

Mr. Barr seconded. On voice vote the amendment was ordered adopted.

Mr. McLaughlin moved the adoption of the following amendment:

Page 5, line 15, strike the words "July 15" and substitute the words "June 30".

Mr. McNealy seconded. Mr. Buckalew asked unanimous consent. Mr. McNees objected. After discussion by Mr. McNees, Mr. Hurley, Mr. McNealy, Mr. McLaughlin, Mr. McCutcheon, Mrs. Hermann, Mr. Buckalew and Mr. Hellenthal, the question was called. On voice vote the amendment failed.

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

Page 3, line 7, strike "primary and".

Mr. Kilcher asked if Mr. Fischer would not include to strike any similar inconsistencies throughout the article.

Mr. McNealy objected to the unanimous consent request. Mr. Fischer moved. Mr. Metcalf seconded.

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

AFTER RECESS

Mr. V. Fischer asked unanimous consent that his amendment include to strike the word "general" on line 7 also. There being no objection, it was so ordered. Mr. Fischer renewed his unanimous consent request for adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Poulsen moved the adoption of the following amendment:

Wherever the words "Tennessee Plan" occur, substitute the words "Alaska Plan".

Mr. Buckalew seconded. After discussion by Mr. Hurley, Mr. Hilscher, Mr. McCutcheon, Mr. Buckalew, Mr. Barr, Mr. McNealy, Mr. Hellenthal, Mr. McNees, and Mr. Londborg, the question was called. On voice vote the amendment failed.

Mr. Sundborg asked that the Committee on Style and Drafting be given the authority to make such changes as would be necessary to carry out the intention of the Convention to make the plan workable.

Mr. Kilcher moved to rescind the action taken on Mr. Sundborg's motion to shorten the terms of the senators elected. Mr. Buckalew seconded. Mr. Kilcher spoke on the motion.

Mr. Barr moved that the Convention recess until 7:40 p.m. Mr. Sundborg objected. Mr. Johnson seconded. On voice vote the motion failed.

After discussion by Mr. Londborg, Mr. Hurley, Mr. McNees, Mr. McNealy and Mr. Kilcher, the question was called. The question being "Shall the Convention rescind its action on Mr. Sundborg's amendment to change the senators' terms?", the roll was called with the following result:

Yeas: 29 - Armstrong, Buckalew, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Johnson, Kilcher, Lee, McCutcheon, McLaughlin, McNealy, McNees, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Robertson, Smith, Sweeney, White, Wien, and Mr. President

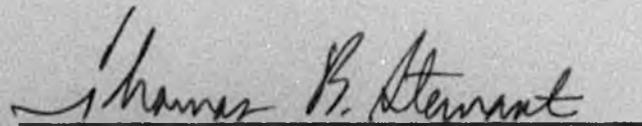
Nays: 19 - Boswell, Cooper, Cross, V. Fischer, Gray, Hellenthal, Hilscher, King, Knight, Laws, Londborg, Marston, Metcalf, Reader, V. Rivers, Rosswog, Stewart, Sundborg, and Walsh

Absent: 7 - Awes, Barr, Coghill, Collins, R. Rivers, Taylor, and VanderLeest

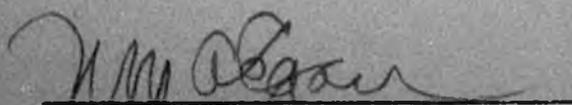
and so the action was rescinded.

Mr. Hellenthal moved that Committee Proposal No. 17c, revised, be referred to the Committee on Style and Drafting with power to suggest amendments of substance reserving the right to delete those matters of substance by a majority vote. There being no objection, it was so ordered.

Mr. Hellenthal moved and asked unanimous consent that the Convention adjourn until 9:01 a.m., Monday. Mr. Robertson seconded. Mr. Kilcher objected. On voice vote, the motion carried and the Convention adjourned at 6:45 p.m. until 9:01 a.m., Monday,


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention

Journal/57

Approved

Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-NINTH CONVENTION DAY, Monday, January 30, 1956

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

The Invocation was given by Chaplain Martin Luther Shaner of Ladd Air Force Base.

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

Mr. Knight asked unanimous consent that the Journal for the 63rd day be approved subject to the following correction: change "Mirth" to "Myrth". There being no objection, the Journal was ordered approved.

Mr. Sundborg introduced the Style and Drafting report on Local Government which was referred to the Rules Committee for assignment to the calendar.

Mr. Boswell reported that the special committee appointed to answer the communications received regarding Section 5 of the original resources article had prepared a statement and had sent it out, together with the enrolled copy of the resources proposal under the signature of the President of the Convention.

Mr. Poulsen asked whether it would be out of order to put in an amendment to the Tennessee Plan at this time. The President stated that the proposal had been referred to the Committee on Style and Drafting.

Mr. Hurley asked unanimous consent to allow Mr. Poulsen to present his amendment at this time. There being no objection, it was so ordered.

Mr. Poulsen moved and asked unanimous consent that the words "Alaska-Tennessee Plan" be used wherever "Tennessee Plan" appears in the proposal 17c revised. Mr. R. Rivers objected. Mr. White seconded. After questioning Mr. Poulsen, Mr. R. Rivers withdrew his objection. Mr. Metcalf objected. After discussion by Mr. Marston, Mr. V. Fischer, Mr. Barr and Mr. McLaughlin, the roll was called with the following result:

69th Day, Monday, January 30, 1956

Yeas: 50 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White and Wien

Nays: 1 - Mr. President

Absent: 4 - Cooper, Doogan, Hilscher, and McCutcheon

and so the amendment was adopted.

Mr. Riley asked for a short recess until copies of the calendar were available.

Committee Proposal No. 17a was considered again.

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

Strike the last sentence of Section 24 pertaining to violations.

There being no objection, the amendment was ordered adopted.

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

Section 25, strike the word "constitutional".

There being no objection, it was so ordered.

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

Section 24, line 4, change "effective" to "operative" and change "entry into force" to "effective date".

Mr. Taylor and Mr. Buckalew objected. Mr. Gray seconded. On voice vote, the amendment was ordered adopted.

Mr. McNees moved reconsideration of his vote on the amendment offered by Mr. Boswell to strike sections 24 and 25. Mr. Doogan

seconded. Mr. Davis brought up the fact that the sections were substantially changed now from the sections Mr. Boswell had requested to strike. The President declared a fifteen-minute recess.

AFTER RECESS

Letters from Governor William G. Stratton of Illinois, Governor Goodwin J. Knight of California, Governor Arthur B. Langlie of Washington, expressing thanks for the invitation to attend the signing ceremony, and regrets at not being able to attend, were read and ordered filed.

The President stated that since amendments had been made to Sections 24 and 25 subsequent to Mr. Boswell's motion to strike, there would have to be agreement that the motion for reconsideration would be on the section in its present form. Mr. Hurley moved and asked unanimous consent that if Mr. McNees' motion failed, that the Convention then have before it the sections in their present form.

Mr. Davis suggested that Mr. McNees withdraw his motion to reconsider and make a motion to strike the sections in their present form.

Mr. McNees withdrew his motion to reconsider for the moment.

Mr. Johnson rose to a point of order that unless Mr. McNees withdrew his motion to reconsider, positively no other action could be taken on the proposal.

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

Mr. McNees withdrew his motion to reconsider with the understanding that another motion to strike Sections 24 and 25 would be in order.

Mr. R. Rivers stated that Mr. McNees could make that motion if he so desired.

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

Strike Sections 24 and 25 and insert in lieu thereof the following: "Section 24. Provision shall be made for the elimination of commercial fish traps operated in the Coastal waters of the State by the first State legislature prior to its adjournment".

Mr. Metcalf seconded. After discussion by Mr. V. Rivers, Mr. Buckalew, Mr. McNees, Mr. Sundborg and Miss Awes, Mr. Lee asked a question of

Mr. V. Rivers. Mr. Hellenthal questioned Mr. V. Rivers. Mr. Peratrovich, Mr. Riley, and Mr. Kilcher spoke on the amendment. Mr. Sundborg questioned Mr. Kilcher. Mr. Hellenthal rose to a point of order to state that the questions should be put through the Chair. Mr. Sundborg spoke and Mr. V. Fischer spoke. Mr. Kilcher rose to a point of order that Mr. V. Fischer was not speaking to the amendment. The President stated that Mr. Kilcher's point of order was not well taken since Mr. Fischer was explaining why he was against the amendment. Further discussion continued by Mr. Hilscher, Mr. Barr and Mr. Lee. Mr. V. Rivers, requested a roll call vote. The questions being, "Shall Mr. V. Rivers' amendment to Sections 24 and 25 of 17a be adopted?", the roll was called with the following result:

Yeas: 12 - Barr, Boswell, Collins, Cross, Hilscher, Johnson, McNealy, McNees, Reader, R. Rivers, V. Rivers, and Robertson

Nays: 42 - Armstrong, Awes, Buckalew, Coghill, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 1 - Cooper

and so the amendment failed.

Mr. White moved the adoption of the following amendment:

Strike Sections 24 and 25 as amended. Mr. Sundborg seconded.

After Mr. White spoke, Mr. Davis raised the question of whether Mr. White's amendment was in order.

The President stated that this was the third time he had been placed in the position of allowing the convention to act on something which should properly be out of order but seemed to be a question of policy and so had been allowed. He further stated that a proposal cannot be killed in second reading and it is not in order to strike that part of the proposal which virtually kills it.

Mr. V. Fischer pointed out that Sections 24 and 25 are only a part of C. P. 17 and it would not kill the proposal.

The President stated Mr. V. Fischer was correct and that Mr. White's motion was in order.

After further discussion by Miss Awes, Mr. Robertson, and Mr. McCutcheon, Mr. Hellenthal moved the previous question. Mr. Buckalew seconded. Mr. Buckalew withdrew his second when he realized Mr. White had not been given the opportunity to close the argument. Mr. Hinckel seconded the motion. Mr. V. Fischer asked unanimous consent that Mr. White be permitted to close. Mr. Kilcher rose to a point of order. The question being, "Shall the previous question be ordered?", the roll was called with the following result:

Yeas: 16 - Awes, Barr, Coghill, Gray, Hellenthal, Hinckel, King, Lee, McCutcheon, McLaughlin, Metcalf, Peratrovich, Poulsen, Sundborg, Taylor, and White

Nays: 38 - Armstrong, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, Knight, Laws, Londborg, McNealy, McNees, Marston, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, Wien, and Mr. President

Absent: 1 - Cooper

and so the previous question was not ordered.

Further debate by Mr. Peratrovich, Mr. Smith, Mr. Emberg, Mr. Boswell, Mr. Hellenthal and Mr. Marston, Mr. McCutcheon rose to a point of order that the motion to strike was not valid since all the argument had been on the same matter and he believed the convention was considering something which had been acted on previously.

The President referred the matter of Mr. White's amendment to the Rules Committee for consideration, and declared a short recess.

Mr. V. Rivers asked unanimous consent that the Convention recess until 1:30 p.m. Mr. Hellenthal objected.

Mr. White rose to a point of order to explain his position in presenting the amendment. Mr. McCutcheon rose to a point of order to state that there already was a point of order before the Convention to be decided.

The President stated that Mr. White would be allowed to present his point of order after the point of order referred to the Rules Committee is decided.

The following committee announcements were made prior to recess: Local Government at 1 p.m.; Style and Drafting on recess; Rules on recess.

The Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. Riley stated that the point of order was not well taken since the matter to be voted to be stricken had changed substantially since the previous motion to strike was acted upon.

The President stated that the ruling of the Rules Committee would be the ruling of the Chair.

Further debate by Mr. Knight, Mr. Metcalf, Mr. Barr, Mr. V. Rivers, Mr. Buckalew, Mr. Taylor and Mr. White followed. The question being, "Shall Mr. White's amendment to strike Sections 24 and 25 be adopted?", the roll was called with the following result:

Yeas: 16 - Armstrong, Barr, Boswell, Collins, Cross, Harris, Hilscher, Johnson, Laws, McNees, Reader, R. Rivers, V. Rivers, Robertson, Stewart and White

Nays: 38 - Awes, Buckalew, Coghill, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Absent: 1 - Cooper

and so the amendment failed.

Mr. V. Fischer spoke on the privilege of the floor.

The President declared a short recess.

AFTER RECESS

The President announced that a photographer would be arriving at 2 p.m. to take pictures of all the committees and the employees, and it would be in order to recess for that purpose.

Mr. Johnson moved and asked unanimous consent that the Convention recess for the purpose of pictures until the call of the Chair. Mr. Sundborg asked that the Style and Drafting Committee meet during the recess. Mrs. Sweeney announced a meeting of the Committee on Engrossment and Enrollment.

There being no objection, the Convention recessed until the call of the chair.

AFTER RECESS

Mr. Hilscher introduced Mr. Lawrence Davies of the New York Times who would be covering the Convention until the 75th day.

Committee Proposal No. 17a was referred to the Committee on Engrossment and Enrollment.

Mr. Hilscher spoke on a matter of personal privilege.

The President asked Mr. Peratrovich to take the Chair.

The report of the Committee on Style and Drafting on Article X, LOCAL GOVERNMENT, was read.

Mr. Sundborg announced that the subcommittee which had worked on the article was composed of Mr. McLaughlin, Mrs. Nordale and Mr. Johnson, and asked Mr. McLaughlin to explain the article.

Mr. McLaughlin asked that the following insertions be made in the Committee report:

At the end of Section 6, add the following sentence: "It may exercise any powers or functions in an unorganized borough which the assembly may exercise in an organized borough".

On page 3, line 5, insert ",reclassified," after "classified".

Section 15, strike "At the time a borough is organized," and "performing local functions", and insert in lieu of the last phrase "existing at the time a borough is organized,", and change "s" to "S" in "special".

Correct the spelling of "borough" in Section 7.

Section 3, line 12 of page 1, add the word "population," at the end of the line.

Mrs. Hermann asked unanimous consent that on line 9, page 4, the hyphen be placed after the first "m". There being no objection, it was so ordered.

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

Line 21 of Section 14, strike the period and word "it", and on

line 22, strike the word "shall" and insert the word "to" after "government".

Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg asked to add to his amendment offered before the recess the following:

Strike the comma after "governments" and insert a period and insert after the period the words "It shall".

There being no objection, the amendment was adopted.

Mr. McLaughlin asked unanimous consent that the report of the Style and Drafting Committee be accepted as to style only. There being no objection, it was so ordered.

Mr. Buckalew offered the following amendment:

Change "borough" wherever it appears in article to the word "county".

Mr. Doogan rose to a point of order that this had already been decided.

Mr. Johnson stated that under a suspension of the rules the amendment would be in order.

Mr. Buckalew moved that the rules be suspended and that Article X be returned to second reading for specific amendment. Mr. Cooper seconded. The roll was called with the following result:

Yeas:	20 - Barr, Buckalew, Coghill, Collins, Cooper, Emberg, H. Fischer, Gray, Harris, Johnson, Kilcher, King, Laws, Londborg, Metcalf, Nolan, Peratrovich, Poulsen, Reader, and Wien
Nays:	31 - Armstrong, Awes, Boswell, Cross, Davis, Doogan, V. Fischer, Hellenthal, Hermann, Hinckel, Hurley, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, and White
Absent:	4 - Hilscher, McNealy, Riley, and Mr. President

and so the rules were not suspended.

Mr. Johnson moved that the Convention recess for twenty-five minutes. Mr. Coghill seconded.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting during the recess.

There being no objection, the Convention recessed.

AFTER RECESS

President Egan took the Chair.

Mr. Barr rose to speak under personal privilege regarding changing the name of the local government unit. Considerable discussion followed, and Mr. Barr was advised that it would take a suspension of the rules to change the name from "borough" to "county". Mr. Barr asked if he offered another name than "county", would that take a suspension of the rules. The President stated he would rule that it would be a phraseology change only.

Mr. Barr moved the adoption of the following amendment:

Change "borough" to "area" where it appears in Article X.

Mr. Kilcher seconded. Mrs. Hermann stated she believed it would take a suspension of the rules. The President stated in line with his previous ruling, this would be merely a phraseology change. Mr. V. Fischer pointed out that it would be a substantive change since the word "area" is used on page 2 in another sense.

The President stated that in this case, the use of another word for the word "borough" would be a substantive change, since it would create confusion.

Mr. Barr asked unanimous consent for the withdrawal of his amendment. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. Barr moved that the Convention rescind its action on adopting the word "borough" for the name of the local government unit. Mr. Knight seconded. The roll was called with the following result:

Yeas: 16 - Barr, Boswell, Coghill, Collins, Cooper, H. Fischer, Johnson, Kilcher, Knight, Laws, Londborg, Metcalf, Nolan, Poulsen, Reader, and Wien

Nays: 35 - Armstrong, Awes, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, and Mr. President

Absent: 4 - Buckalew, Hilscher, McNealy, and Robertson

and so the action was not rescinded.

Mr. Rosswog moved the adoption of the following amendment:

That the words "it deems necessary or advisable" from the enrolled copy be restored to the report on Style and Drafting.

Mr. White seconded. Mr. McLaughlin asked unanimous consent. Mr. Davis objected. On voice vote, the amendment was adopted.

Mr. McLaughlin moved the adoption of the new sentence in Section 6 offered earlier. Mr. Doogan seconded. Mr. Rosswog stated that the amendment had the approval of the Local Government Committee and asked unanimous consent for its adoption. There being no objection, it was so ordered.

Mr. McLaughlin asked unanimous consent that the substantive change made by the Committee on Style and Drafting by inserting the sentence beginning on line 5 of page 4 beginning "The change shall become effective forty-five days etc." be adopted. There being no objection, it was so ordered.

Mr. Johnson moved that the original language of the Style and Drafting report as to Section 15 be restored. Mr. Coghill seconded.

Mr. White stated that the Section had not been changed; that the recommendation of Mr. McLaughlin had not been adopted.

Mr. Sundborg asked if Mr. Johnson would withdraw his amendment so that the report could be adopted.

Mr. Johnson withdrew his amendment.

Mr. Sundborg asked unanimous consent that the amendments or changes reported in the Style and Drafting Committee redraft of Article X be adopted.

The President stated that since the changes had been acted on separately, it would be better to continue the practice.

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

Mr. Sundborg asked unanimous consent that the change in Section 15 as proposed by Mr. McLaughlin earlier be adopted. Mr. Johnson objected. Mr. Sundborg so moved. Mrs. Hermann seconded.

Mr. Johnson stated he believed this to be a substantive change. Mr. Doogan explained that it was merely an amendment to clarify.

The President ruled that the amendment was substantive and would require a suspension of the rules.

Mr. Sundborg withdrew his amendment.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article X be returned to second reading for the purpose of submitting the following specific amendment:

Section 15, strike "At the time a borough is organized," change "s" to "S" in "special", and strike "performing local functions" and insert therefor "existing at the time a borough is organized,".

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

Yeas: 43 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Londborg, McCutcheon, McLaughlin, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 8 - Coghill, Cooper, Hurley, Johnson, Laws, Lee, Marston, and Peratrovich

Absent: 4 - Buckalew, McNealy, McNees, and Robertson

and so the rules were suspended.

Mr. Sundborg moved the adoption of the amendment. Mr. Gray seconded. The roll was called with the following result:

Yeas: 36 - Awes, Barr, Collins, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, Metcalf, Nerland, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 15 - Armstrong, Boswell, Coghill, Cooper, Davis, Emberg, Hurley, Johnson, Laws, Londborg, Marston, Nolan, Peratrovich, Reader, and Stewart

Absent: 4 - Buckalew, McNealy, McNees, and Robertson

and so the amendment was adopted.

Mr. Sundborg asked unanimous consent that the amendments and changes made by the Style and Drafting Committee in Article X be adopted. Mr. Barr stated he had an amendment.

Mr. Sundborg withdrew his motion.

Mr. Barr moved the adoption of the following amendment:

Section 2, page 1, line 7, strike the word "borough" and substitute therefor the word "section", and take like action wherever the word "borough" may appear throughout the article.

Mr. Sundborg seconded. After discussion by Mr. Barr, Mr. Davis, Mr. Sundborg, Mr. Hellenthal, the question was called. On voice vote, the amendment failed.

Mr. Kilcher moved the adoption of the following amendment:

Change the spelling of "borough" to "boro".

Mr. Buckalew seconded. On voice vote, the amendment failed.

Mr. Sundborg moved that the rules be suspended so that no more amendments could be offered on the question of changing the name "borough" in Article X. Mr. Barr seconded. The roll was called with the following result:

Yeas: 18 - Awes, Barr, Boswell, Davis, V. Fischer, Hilscher, Hinckel, Hurley, Lee, McCutcheon, McLaughlin, Marston, Nerland, Nordale, Rosswog, Sundborg, Taylor, and Mr. President

Nays: 34 - Armstrong, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Johnson, Kilcher, King, Knight, Laws, Londborg, Metcalf, Nolan, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sweeney, VanderLeest, Walsh, White, and Wien

Absent: 3 - McNealy, McNees, and Robertson

and so the rules were not suspended.

Mr. Doogan asked unanimous consent for the adoption of the report of the Committee on Style and Drafting. Mr. White objected. Mr. Doogan so moved. Mr. White withdrew his objection. Mr. Barr objected. Mr. V. Rivers seconded. The roll was called with the following result:

Yeas: 49 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 3 - Barr, Johnson, and Laws

Absent: 3 - McNealy, McNees, and Robertson

and so the report was adopted.

Mr. Sundborg asked unanimous consent that the Rules be suspended, that Article X be advanced to third reading, read by title only, and placed upon final passage. Mr. Johnson objected. Mr. Doogan seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, Coghill, Johnson, Laws, and Londborg

Absent: 3 - McNealy, McNees, and Robertson

and so the rules were suspended.

The question being, "Shall Article X, LOCAL GOVERNMENT, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, Coghill, Johnson, Laws, and Nolan

Absent: 3 - McNealy, McNees, and Robertson

and so the article was adopted.

Mr. Doogan moved and asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made: Style and Drafting on recess.

Mr. Hellenthal rose to a point of order to ask what was on the calendar. Mr. Sundborg and Mr. Riley stated that the article on Resources would be ready and possibly another article.

There being no objection, the Convention recessed until 7 p.m.

AFTER RECESS

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment to whom had been reported C. P. No. 14 and C. P. No. 17b had compared the same with the originals and found them correctly engrossed and the first enrolled copies correctly enrolled. Mrs. Sweeney asked unanimous consent that the report be adopted. There being no objection, it was so ordered.

Mr. Sundborg submitted the report of the Committee on Style and Drafting on Article VIII, Natural Resources. Mr. Sundborg asked unanimous consent that the report be considered at this time. There being no objection, the report was read.

Mr. Sundborg stated that no substantive changes had been made in the report, and the redraft had been prepared by a subcommittee of Mr. Hurley, Mrs. Hermann and Mr. Armstrong and he asked Mr. Hurley to make the report.

Mr. Hurley asked unanimous consent for the adoption of the following committee amendments:

Page 2, line 15, change second word "of" to "or", line 7, same page, strike extra "the".

There being no objection, the amendments were ordered adopted.

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

Line 22, page 3, following the word "permits", insert "leases and", and strike "and leases" later in the line.

There being no objection, the amendment was ordered adopted.

Mr. Hurley asked unanimous consent that the rules be suspended and Article VIII be returned to second reading for the following specific amendment:

Line 3, page 4, strike "and" and insert "or", and insert the word "either" before "the extraction".

Mr. Doogan objected. Mrs. Hermann seconded. Mr. Doogan withdrew his objection. There being no further objection, the rules were suspended.

Mr. Hurley moved the adoption of the amendment. Mrs. Hermann seconded. After discussion by Mr. Riley and Mr. Johnson, Mr. Hurley withdrew his amendment.

Mr. Riley requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Riley asked unanimous consent for the suspension of the rules for the purpose of making a specific substantive amendment to line 3 of page 4, strike "and" and insert "or".

The President declared a short recess.

AFTER RECESS

Mr. Riley withdrew his request for a suspension of the rules.

Mr. Riley asked unanimous consent to suspend the rules to return Article VIII to second reading for the following specific amendment:

Lines 3 and 4 - on line 3, strike "and" and insert "or", on line 4, strike the period and insert a comma and add "or for both".

There being no objection, the rules were suspended.

Mr. Riley moved the adoption of the amendment and asked unanimous consent. There being no objection, the amendment was ordered adopted.

The President declared a short recess.

AFTER RECESS

Mr. Hurley moved the adoption of the following amendment:

Section 14, line 4, delete "law" and insert "the legislature".

Mr. Johnson objected. Mr. Poulsen seconded.

After discussion by Mr. Buckalew, Mr. White, Mr. Gray and Mr. Coghill, Mr. V. Fischer rose to a point of order to state that the discussion was not pertinent to the question. The question was called. On voice vote, the amendment was adopted.

Mr. V. Rivers requested a recess. There being no objection, it was so ordered.

AFTER RECESS

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

Section 3, line 10, strike the comma after "wildlife".

There being no objection, the amendment was ordered adopted.

After discussion by Mr. Barr, Mr. Hinckel and Mr. Davis, Mr. Hurley moved that the report of the Style and Drafting Committee on Article VIII be adopted as to phraseology only. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the purpose of the following specific amendment:

Page 3, line 8, Section 9, insert "unnecessarily" between "in" and "impair".

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the purpose of the following specific amendment:

Page 6, line 1, insert "resultant" before "damages".

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

There being no further amendments at this time, Article VIII was referred to the Rules Committee for assignment to the calendar.

Mr. McNees asked that the record show he would have voted in the affirmative on the adoption of the Article on Local Government into the constitution. It was so ordered.

The President brought up the question of the final vote on the constitution being taken before the signing ceremony. Mr. White so moved. Mr. Kilcher asked how long it would take to read the document. It was estimated it would take an hour or more. Mr. Armstrong suggested that it be read the third time on Saturday.

Mr. Hurley asked unanimous consent that the final reading and vote on the constitution take place in Constitution Hall on or before Saturday, February 4. Mr. Rivers asked if Mr. Hurley would amend his motion to include that it be read by preamble and title just prior to the signing. Mr. Cross seconded. On voice vote, the motion was adopted.

Mr. Sundborg submitted the report of the Committee on Style and Drafting on Article XII, General and Miscellaneous Provisions. The report was read.

Mr. Sundborg reported that there was one more provision to be included in the miscellaneous provisions concerning native rights

which would be returned to the convention within a short time, and asked that if any of the substantive committees had provisions which should be included, that they submit them as soon as possible.

Mr. Sundborg reported that the subcommittee on Style and Drafting which had worked on this article was composed of Mr. Davis, Mr. V. Fischer, and Mr. Sundborg, and he asked Mr. Fischer to report on the changes made by the committee.

Mr. V. Fischer asked unanimous consent that the rules be suspended, and Article XII be returned to second reading for the purpose of the following specific committee amendment:

After Section 8, insert following new Section 9:

"As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI."

There being no objection, the rules were suspended.

Mr. Fischer asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

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

Page 2, line 7, change "dischage" to "discharge".

There being no objection, it was so ordered.

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

Section 6, page 2, line 21, strike word "both" and insert in lieu thereof the word "either" and change "sexes" to "sex".

Mr. Sundborg objected. Mr. McLaughlin so moved. Mr. Kilcher seconded. Mr. V. Fischer requested a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McLaughlin withdrew his motion.

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

Line 21, ~~strike~~ "persons of both sexes", and insert in lieu thereof "either sex".

There being no objection, the rules were suspended.

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

Mr. V. Rivers submitted the following amendment:

"Separability clause. Should the Congress of the United States reject any ordinance or transitory provision attached to this constitution the balance of the constitution and its attached ordinances and transitory provisions shall not be impaired thereby."

Mr. V. Fischer rose to a point of order to state that the amendment was out of order and should be considered under transitional measures and ordinances.

The President stated that the proposed amendment would be held until transitional measures are considered.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting as to the first 13 sections of Article XII be accepted and that the amendments and changes therein made by the committee be adopted. There being no objection, the report was accepted and adopted.

Article XII was referred to the Committee on Rules for assignment to the calendar.

Mr. Sundborg announced that the Article on the Judiciary had not been given a number, and he asked unanimous consent that the convention adopt the following:

The Judiciary Article shall be designated Article ^cIV.

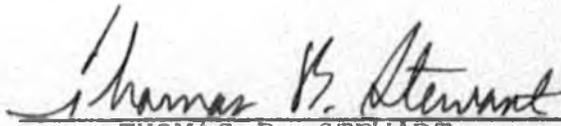
There being no objection, it was so ordered.

Mr. Boswell moved and asked unanimous consent that the Convention adjourn until 1:30 p.m. Tuesday. The following committee announcements

were made: Resources on adjournment; Style and Drafting on adjournment; Administration at 11 a.m. Tuesday in Apt. 1012 Polaris.

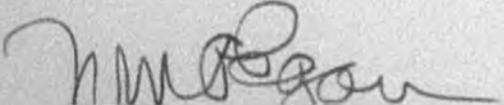
Discussion regarding signing and distribution of copies of the constitution followed. Mr. Buckalew suggested that the four district judges be given copies.

There being no further business and no objection to the unanimous consent request, the convention adjourned at 9 p.m. until 1:30 p.m. Tuesday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention
Journal/58
Approved Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SEVENTIETH CONVENTION DAY, Tuesday, January 31, 1956

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

Mr. Robertson asked that the prayer by the Chaplain be given in honor of the memory of General John R. Noyes, the Adjutant General of the Alaska National Guard, who died the previous day in Nome as the result of injuries sustained in a plane crash while on national guard business.

Chaplain Henderson of Ladd Air Force Base delivered the following Invocation:

"Let us pray:

Our heavenly Father, remembering that in all occasions of life Thou hast told us to come unto Thee in prayer, on this day we would pause to honor and pay tribute to one who has served loyally in this Territory. We would pause for a moment of silence in honor and memory of General Noyes. Bless, O God, our Heavenly Father, all who are serving Thee and serving our country and this Territory. Bless these members of the convention in the progress they have made and in their duties, of which the completion is now near at hand, that in all things Thy divine guidance may be evidenced.

Through Christ, our Lord, Amen."

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

Mr. Sundborg reported back to the Convention the Style and Drafting report on Article XV, the Apportionment Schedule; Article XV was referred to the Rules Committee for assignment to the calendar.

The Resolution "Friendly Relations with Canada" was read the second time. Mr. Marston asked unanimous consent to withdraw the Resolution "Friendly Relations with Canada" so that he could offer a substitute. There being no objection, it was so ordered.

Mr. Marston introduced the following resolution:

70th Day, Tuesday, Jan. 31, 1956

"WHEREAS, Alaskans and the people across the border in Canada have long been neighbors in the fullest sense of the word;

WHEREAS, the development of Alaska will increase the matters of common interest to the people of Alaska and their neighbors in Canada;

WHEREAS, the delegates of the Alaska Constitutional Convention keenly appreciate and desire to perpetuate the mutual feeling of affection and respect which has characterized the relationship of the people of Canada and the United States:

NOW THEREFORE BE IT RESOLVED by the Alaska Constitutional Convention:

1. That the Convention express the sincere hope that the people and government of Alaska under statehood will have the same friendly and mutually helpful relationship with their neighbors in Canada in the future as they have had in the past.
2. That the President of the Convention arrange for the wide dissemination of this resolution in Alaska and that he send copies to the President of the United States and the Secretary of State with the request that copies be forwarded to the Government of Canada for the information of the people of Canada, particularly those in British Columbia, Alberta, and the Yukon Territory."

The resolution was read the first time.

Mr. Marston asked that the rules be suspended and the resolution be advanced to second reading. There being no objection, it was so ordered. The Resolution entitled "Friendly Relations with Canada" was read the second time.

Mr. Marston asked that the rules be suspended, that the resolution be advanced to third reading, read by resolve only and put upon final passage. Mrs. Hermann objected. Mr. Marston so moved. Mrs. Fischer seconded. Mrs. Hermann stated that her objection was based on the fact that she thought the resolution should be referred to the Committee on Style and Drafting prior to final adoption.

The President stated that the resolution could be referred to the Committee on Style and Drafting after third reading.

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

Yeas: 34 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, H. Fischer, Harris, Hellenthal, Hilscher, Hurley, Kilcher, King, Lee, Londborg, McCutcheon, McNees, Marston, Nerland, Nolan, Peratrovich, Poulsen, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, VanderLeest, Walsh, and Mr. President

Nays: 14 - Barr, Cooper, Emberg, Gray, Hermann, Hinckel, Knight, Laws, Metcalf, Reader, R. Rivers, Sweeney, White, and Wien

Absent: 7 - Davis, V. Fischer, Johnson, McLaughlin, McNealy, Nordale, and Sundborg

and so the rules were not suspended.

Mr. Hurley moved that the resolution be submitted to the Committee on Style and Drafting.

Mr. Marston asked if he could speak on the resolution.

Mr. Buckalew asked whether another attempt could be made to suspend the rules.

The President stated that the question had been considered, but that if there was no objection, Mr. Marston could speak on the resolution. There being no objection, Mr. Marston spoke on the resolution.

The resolution was referred to the Committee on Style and Drafting for a report.

The report of the Committee on Style and Drafting on Article XV, the Apportionment Schedule was read.

At the suggestion of Mr. Stewart, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Article XV:

Election District No. 24, the second line be changed to read "at the Bering Sea" instead of "of the Bering Sea".

There being no objection, it was so ordered.

At the suggestion of Mr. Cross, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Election Districts #22 and #23:

Change "Good Hope" to a single word "Goodhope".

There being no objection, it was so ordered.

At the suggestion of Mr. Coghill, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Election District No. 18:

After the words "Clear Creek" insert "near Blair Lakes."

There being no objection, it was so ordered.

At the suggestion of Mr. Cross, Mr. Sundborg asked unanimous consent that the word "Chamisso" be deleted from Election District No. 23. There being no objection, it was so ordered.

Mr. Peratrovich questioned the spelling of Suemez in Election District No. 1.

Mr. Sundborg asked unanimous consent that if it is discovered the spelling of Suemez was incorrect, that the Committee on Style and Drafting be authorized to correct it before it goes into the constitution. There being no objection, it was so ordered.

Mr. Gray asked for the privilege of the floor.

Mr. Gray asked for a five-minute recess to meet with delegates interested to be certain the community of Hoonah was in the right election district. Mr. Hellenthal suggested that the problem of Livengood be considered at the same time.

AFTER RECESS

Mr. Gray reported that there was no problem as concerned Hoonah, that the delegates had agreed it was in the correct district.

Mr. Kilcher raised a question as to Election District No. 12.

The President declared a short recess.

AFTER RECESS

At the request of the Chairman of the Apportionment Committee and Mr. Kilcher, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Election District No. 12:

Insert a semicolon after "Russian Rivers".

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for the adoption of the following committee amendments to Election Districts No. 16 and 23:

Change "Saint" to "St."

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting on Article XV be accepted and that the amendments made in the article be adopted. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article XV, Apportionment Schedule, be advanced to third reading, read by title only and placed on final passage. There being no objection, the rules were suspended.

Article XV was read the third time.

The question being, "Shall Article XV, Apportionment Schedule, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 48 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, McCutcheon, Nolan, V. Rivers, and Robertson

Absent: 2 - McNealy and Nordale

and so the article was adopted.

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

Mr. Sundborg reported the portion of Article XIV containing the Alaska-Tennessee Plan which had been referred to the Committee on Style and Drafting to make changes in language. The work had been done by the Ordinance Committee meeting with the Style and Drafting Committee.

The report of the Committee on Style and Drafting as to the Alaska-Tennessee Plan was read.

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

Insert parenthesis around Alaska-Tennessee Plan on lines 10 and 11 of page 1. Page 4, line 14, strike the word "of".

After discussion of subsection (10), Mr. V. Fischer suggested that on line 18 the word "in" be changed to "after", and asked unanimous consent for a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. V. Fischer requested on behalf of the Committee on Style and Drafting unanimous consent for the adoption of the following amendment:

Subsection 10, line 18, change "in" to "after".

There being no objection, it was so ordered.

Mr. Kilcher asked a question concerning subsection (9).

Mr. Rosswog spoke on a point of personal privilege.

Mr. Rosswog moved that Committee Proposal No. 17c, revised, not be a part of the constitution.

The President stated that it would take a suspension of the rules.

Mr. Rosswog moved to strike subsection 1 of C. P. 17c, revised.

The President declared a short recess.

AFTER RECESS

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

Mr. Rosswog moved that Section 29--the Alaska-Tennessee Plan--of C. P. 17c, revised, be stricken. Mr. Cooper seconded.

After Mr. Rosswog spoke on his motion, Mrs. Hermann rose to speak on a matter of personal privilege to invite all the delegates to have coffee and cake in honor of the birthday of the youngest member of the convention--Mr. Harris.

Mrs. Hermann asked unanimous consent that the Convention recess until 4 p.m. There being no objection, it was so ordered.

AFTER RECESS

An invitation from the Department of History and Political Science to an informal coffee hour at 3:30, Thursday, February 2, 1956, was read. ^{1 p.m.}

Mrs. Sweeney moved and asked unanimous consent that the Convention accept the invitation. There being no objection, it was so ordered.

The motion to strike Section 29 of C. P. 17c, revised, being before the Convention, Mr. White, Mr. Smith, Mr. V. Rivers, Mr. McNees, Mr. Coghill, Mr. Londborg, Mr. Kilcher, Mr. Davis, Mr. Barr and Mr. Armstrong spoke on the amendment. Mr. Rosswog closed the argument. The question being, "Shall the amendment of Mr. Rosswog be adopted?" the roll was called with the following result:

Yeas: 6 - Coghill, Laws, Londborg, Reader, Robertson,
and Rosswog

Nays: 48 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins,
Cooper, Cross, Davis, Doogan, Emberg, H. Fischer,
V. Fischer, Gray, Harris, Hellenthal, Hermann,
Hilscher, Hinckel, Hurley, Johnson, Kilcher,
King, Knight, Lee, McCutcheon, McLaughlin,
McNealy, McNees, Marston, Metcalf, Nerland, Nolan,
Nordale, Peratrovich, Poulsen, Riley, R. Rivers,
V. Rivers, Smith, Stewart, Sundborg, Sweeney,
VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 1 - Taylor

and so the amendment failed.

After further discussion of the proposal by Mr. Londborg, Mr. McLaughlin, Mr. Davis, Mr. V. Fischer, Mr. Metcalf, Mr. Harris, Mr. Coghill, C. P. No. 17c, revised, was referred to the Committee on Engrossment and Enrollment.

Mrs. Sweeney asked unanimous consent that since there were only minor changes in the proposal as presented that it be referred directly to the Committee on Style and Drafting without reference to Engrossment and Enrollment. There being no objection, it was so ordered.

Mr. V. Rivers read into the record some references to court decisions.

A letter from Mr. Olaf Halverson of Nome regarding adoption of a plan whereby a percentage of the resources could be applied for educational purposes, was read and referred to Mr. Coghill.

Mr. Johnson asked Mr. McNealy whether consideration had been given to the inclusion of the filling of vacancies in the Congress in the Alaska-Tennessee Plan. After discussion by Mr. McNealy, Mr. Sundborg, Mr. Coghill, Mrs. Nordale and Mr. Londborg, Mr. Buckalew asked unanimous consent that the Committee on Style and Drafting be authorized to take up the question raised by Mr. Johnson and to confer with the Committee on Ordinances. There being no objection, it was so ordered.

The Style and Drafting Committee report on Article VIII, Natural Resources, was considered again.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Section 4, line 14, strike "conserved" and insert "maintained".

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the committee amendment. Mr. Sundborg stated that the Committee on Style and Drafting did not object to the amendment. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Line 20, page 2, insert comma after first "of", insert "permits for" before "exploration", strike "permits to" and insert "of,".

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Page 3, line 23, delete the words "and processing" and insert a period after "extraction".

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Page 3, line 24, insert the word "or" before the last word on the line.

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Page 4, line 4, strike the sentence beginning "The granting of deeds, etc." and insert in lieu thereof the following:

"Discovery and appropriation shall initiate a right, subject to further requirements of law, to patent of mineral lands if authorized by the state and not prohibited by Congress."

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Section 13, line 2 of page 5, strike the period and insert a comma and add the following "and to the general reservation of fish and wildlife."

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the amendment. Questions were asked of Mr. Riley by Mr. Kilcher, Mr. Hellenthal, Mr. Rosswog, Mr. Hurley and Mr. Kilcher. There being no objection, the amendment was ordered adopted.

Mr. Riley reported that the committee wished to go on record for the retention of Section 19.

Mr. Johnson asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific amendment:

Add new Section: "Regulation and administration of wildlife, including game fish, shall be delegated to a commission under such terms as the legislature shall prescribe."

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

Yeas: 18 - Armstrong, Boswell, Coghill, Cooper, Davis, H. Fischer, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Marston, Metcalf, Nolan, Peratrovich, and Sweeney

Nays: 36 - Awes, Barr, Buckalew, Collins, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 1 - Taylor

and so the rules were not suspended.

Mr. Smith asked unanimous consent that the rules be suspended, that Article VIII, Natural Resources, be advanced to third reading, read by title only and put upon final passage. There being no objection, the rules were suspended.

Article VIII, Natural Resources, was read the third time.

After debate by Mr. Hurley, Mr. Marston, Mr. White, Mr. Johnson, Mr. Boswell, Mr. Smith and Mr. V. Rivers, Mr. Buckalew moved the previous question. Mr. Collins seconded. On voice vote, the previous question was ordered.

The question being, "Shall Article VIII, Natural Resources, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers,

Robertson, Rosswog, Smith, Stewart, Sundborg,
Sweeney, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 2 - Taylor and VanderLeest

and so the article was adopted.

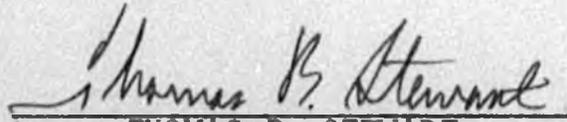
Mr. Sundborg requested a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

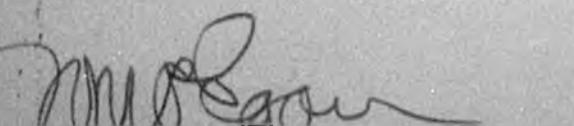
The President stated that in his opinion, it might be better to adjourn at this time until 9 a.m. and possibly work until noon Wednesday and then adjourn so that the committees could work in the afternoon.

Mr. Johnson stated that in view of the statement of the President, he asked unanimous consent that the Convention adjourn until 9 a.m. Wednesday. The following announcements were made: Style and Drafting on adjournment; Administration Wednesday afternoon; Ordinances on adjournment.

There being no objection to the unanimous consent request, the Convention adjourned at 6 p.m. until 9 a.m. Wednesday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/59
Approved Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

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

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

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

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

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

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

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

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

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

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

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

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

71st Day, Wednesday, Feb. 1, 1956

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

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

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

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

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

There being no objection, the amendment was ordered adopted.

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

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

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

The President declared a short recess.

AFTER RECESS

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

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

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

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

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

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

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

There being no objection, it was so ordered.

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

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

The President declared a recess of twenty minutes.

AFTER RECESS

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

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

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

There being no objection the rules were suspended.

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

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

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

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

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

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

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

Mr. Kilcher seconded.

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

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

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

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

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

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

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

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

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

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

and so the rules were suspended.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AFTER RECESS

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

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

Mr. V. Rivers objected temporarily. Mr. V. Rivers withdrew his objection.

There being no further objections, the report was ordered accepted and the amendments contained therein ordered adopted.

Mr. Johnson moved and asked unanimous consent for the suspension of the rules to submit the following specific amendment:

Section 21, page 7, line 13, after the first "the" add "superior court and the". Line 14, strike the word "once" and insert the following: "After the initial vacancies on the superior and supreme court are filled"; Line 15, strike the comma and insert the word "and".

There being no objection, the rules were suspended.

Mr. Johnson moved the adoption of the amendment. Mr. Robertson seconded. After questions from Mr. Hellenthal and Mr. White, Mr. McLaughlin requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Johnson made a parliamentary inquiry as to whether under the suspension of the rules he could offer an amendment to the amendment.

The President stated that this would not be possible, but that with unanimous consent he could ask for further suspension of the rules.

Mr. Johnson asked unanimous consent to suspend the rules to offer an amendment to the amendment. There being no objection, the rules were suspended. Mr. Johnson asked unanimous consent for the adoption of the following amendment to the amendment:

Delete from the amendment the reference to line 15 and substitute the following: line 15, strike the words "is appointed, he".

There being no objection, the amendment to the amendment was adopted.

There being no objection the amended amendment was adopted.

The President stated he had neglected to refer Committee Proposal No. 17a after the report of the Committee on Engrossment and Enrollment. Committee Proposal No. 17a was referred to the Committee on Style and Drafting.

Mr. Sundborg asked unanimous consent for the suspension of the rules to return Article XIV, Sections 1 to 24 to second reading for the purpose of the following specific committee amendment:

Section 11, page 3, line 14, strike "in substance" and all of line 15, and insert "will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows: "

There being no objection, the rules were suspended.

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

Mr. Johnson moved that the Convention recess until 1:30 p.m. Mr. Sundborg objected. Mr. Barr seconded. Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

Mr. Sundborg announced that the Committee on Style and Drafting would have no reports for the Convention until Thursday.

On voice vote the motion failed and the Convention remained in session.

Mr. Sundborg asked unanimous consent that the rules be suspended and that the first twenty-four sections of Article XIV be advanced to third reading, be read by title only and placed on final passage. There being no objection, the rules were suspended.

Article XIV, was read the third time.

Mr. V. Rivers asked whether it was the understanding that all the matters in the schedule are subject to change by the legislature and by referendum. The President stated that in the opinion of the Chair, that was so.

Mr. Sundborg asked if the provisions of the schedule were self-executing and subject to being changed by the legislature.

The President stated that in his mind they would be self-executing and subject to change by law. He further stated that in his opinion the schedule was not bound by the constitutional provisions as are the provisions of the constitution.

Mr. Riley stated that Mr. V. Rivers asked whether the Convention understood the situation as he described it in relation to the schedule, but that the President had said in replying "in the opinion of the Chair" Mr. V. Rivers was correct.

The question being "shall the first twenty-four sections ^{of Article XIV} be agreed upon as part of the Alaska State Constitution?", the roll was called with the following result:

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

Nays: 2 - Laws and Robertson

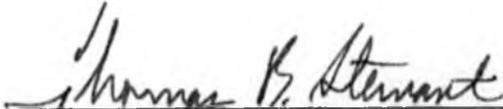
Absent: 2 - Peratrovich and R. Rivers

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

Mr. Sundborg asked unanimous consent that the Convention adjourn until 1:30 p.m., Thursday.

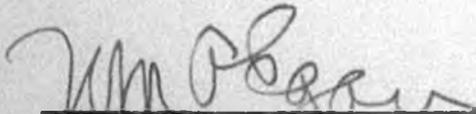
Mr. Coghill announced a meeting of the Committee on Administration at 5 p.m. at the Polaris Apt. 1012. Mr. McNealy announced a meeting of the Ordinances Committee on adjournment. Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 1:30 p.m.

There being no objection to the unanimous consent request, the Convention adjourned at 12:30 p.m. until 1:30 p.m., Thursday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention
Journal/60
Approved Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

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

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

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

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

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

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

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

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

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

72nd Day, Thursday, Feb. 2, 1956

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

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

The President declared a short recess.

AFTER RECESS

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

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

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

Nays: 3 - Laws, Reader, Robertson

Absent: 2 - Sundborg and Taylor.

and so the report was accepted.

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

Section 26 of Article XIV was read the third time.

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

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

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

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

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

Absent : 2 - Sundborg and Taylor

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

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

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

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

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

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

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

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

Yeas: 52 - Armstrong, Awes; Barr, Boswell, Buckalew, Coghill, Collins; Cooper, Cross, Davis, Doogan, Emberg; H. Fischer; V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee; McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan; Nordale, Perátrovich; Poulsen, Reader, Riley; R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, White, Wien and Mr. President.

Nays: 1 - Londborg

Absent: 2 - Sundborg and Taylor

and so the action was rescinded.

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

AFTER RECESS

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

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

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

AFTER RECESS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Absent: 1 - Taylor.

and so the amendment failed.

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

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

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

AFTER RECESS

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

The President asked Mr. Peratrovich to take the chair.

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

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

Mr. Doogan rose to speak off the record.

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

AFTER RECESS

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

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

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

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

Absent: 2 - Taylor and Mr. President

and so the amendment was adopted.

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

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

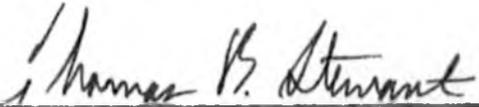
AFTER RECESS

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

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

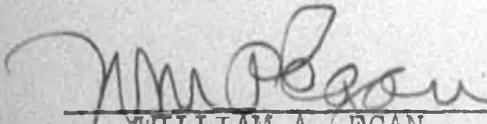
Mr. Coghill rose to a point of information to state the Mr. McNees could offer a new Section 32 without rescinding the action.

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



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

Constitutional Convention
Journal/61

February 3, 1956

approved 2/16/56

ALASKA CONSTITUTIONAL CONVENTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PROCLAMATION

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

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

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

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

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

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

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

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

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

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

The President declared a short recess.

AFTER RECESS

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

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

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

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

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

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

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

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

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

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

The President declared a short recess.

AFTER RECESS

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

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

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

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

Nays: 0

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

and so the article was adopted.

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

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

AFTER RECESS

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

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

Mr. Johnson inquired whether the rules permitted the introduction of

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

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

The President declared a short recess.

AFTER RECESS

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

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

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

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

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

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

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

and so the motion failed.

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

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

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

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

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

and so the rules were not suspended.

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

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

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

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

AFTER RECESS

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

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

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

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

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

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

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

Strike all the matter enclosed in the quotation marks.

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

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

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

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

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

and so the amendment failed.

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

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

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

The President declared a short recess.

AFTER RECESS

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

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

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

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

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

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

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

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

and so the motion was withdrawn.

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

The President declared a short recess.

AFTER RECESS

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

The roll was called with the following result:

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

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

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

and so the previous question was ordered.

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

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

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

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

and so the amendment was adopted.

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

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

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

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

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

and so the amendment was adopted.

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

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

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

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

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

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

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

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

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

AFTER RECESS

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

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

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

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

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

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

Page 28, Section 2, strike the last sentence.

There being no objection, the changes were adopted.

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

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

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

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

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

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

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

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

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

Page 30, Section 2 approve language as changed.

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

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

There being no objection, the amendments were ordered adopted.

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

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

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

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

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

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

Page 42, change Article XIV to Article XV.

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

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

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

There being no objection, the changes were ordered adopted.

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

Style and Drafting
AFTER RECESS

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

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

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

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

There being no objection, the language was ordered inserted.

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

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

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

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

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

Mr. Beratovich presided in the absence of President Egan.

AFTER RECESS

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

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

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

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

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

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

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

The Preamble and Article I were read.

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

Article II was read.

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

Article III was read.

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

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

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

There being no objection, the rules were suspended.

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

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

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

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

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

and so the amendment was adopted.

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

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

There being no objection the rules were suspended.

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

Article IV was read.

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

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

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

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

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

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

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

and so the rules were not suspended.

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

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

There being no objection the rules were suspended.

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

AFTER RECESS

Mr. McLaughlin asked unanimous consent to withdraw his amendment.

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

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

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

Article V was read.

Article VI was read.

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

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

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

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

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

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

The President declared a short recess.

AFTER RECESS

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

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

AFTER RECESS

resumed
President Egan ~~took~~ the chair.

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

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

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

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

and so the motion failed.

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

Article VII was read.

Article VIII was read.

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

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

AFTER RECESS

Articles IX, X and XI were read.

Article XII was read.

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

AFTER RECESS

Article XIII and XIV were read.

Article XV was read.

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

Page 37, Section 10, strike last sentence.

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

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

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

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

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

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

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

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

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

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

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

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

AFTER RECESS

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

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

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

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

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

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

Mr. Hinckel moved the adoption of the following amendment:

Insert "Done and" before "agreed upon".

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

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

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

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

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

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

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

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

and so the amendment was adopted.

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

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

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

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

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

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

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

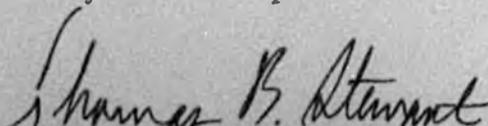
Mr. Sundborg stated that speaking for the Committee he did not believe the Committee on Style and Drafting had worked any harder than any of the substantive committees; that each committee had done a wonderful job, but the Style and Drafting Committee appreciated the kind thoughts of the delegates nevertheless.

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

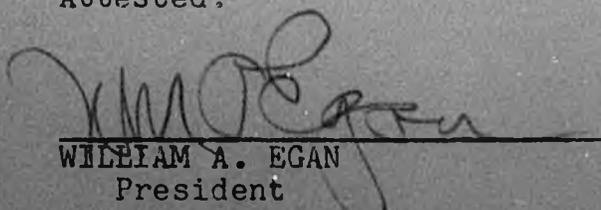
Mr. Coghill announced that the Administration Committee would meet at 11 a.m.

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

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


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President

Constitutional Convention
Journal/62

February 4, 1956

approved 2/16/56

ALASKA CONSTITUTIONAL CONVENTION

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

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

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

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

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

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

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

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

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

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

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

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

The White House
Washington, D. C.

"William A. Egan
Alaska Constitutional Convention

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

/s/ Dwight D. Eisenhower"

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

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

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

There being no objection, it was so ordered.

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

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

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

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

AFTER RECESS

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

The President declared a twenty-five minute recess.

AFTER RECESS

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

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

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

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

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

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

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

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

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

The President called for the final report of the Committee on

Style and Drafting on the constitution.

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

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

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

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

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

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Rosswog, Stewart, Smith, Sweeney, Taylor, VanderLeest, Walsh, White, Wien and Mr. President.

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

Absent: 2 - Robertson and Sundborg.

and so the rules were suspended.

CONSIDERATION OF RESOLUTIONS

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

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

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

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

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

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

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

Nays: 1 - Kilcher

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

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

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

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

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

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

AFTER RECESS

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

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

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

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

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

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

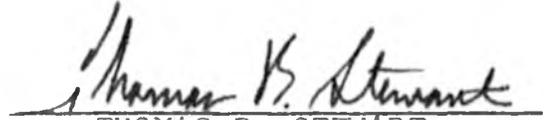
Mr. Collins moved that the convention now consider the adoption of the constitution for the State of Alaska in its present form. Mr. Walsh seconded.

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

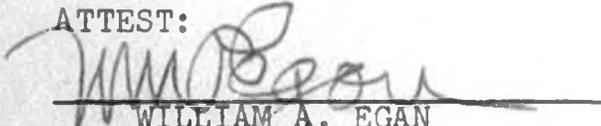
Mr. Davis moved that the previous question be put as previously

agreed upon. Without objection the previous question was ordered.

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


THOMAS B. STEWART
Secretary

ATTEST:


WILLIAM A. EGAN
President

Constitutional Convention
Journal '63
Approved 2/16/56

ALASKA CONSTITUTIONAL CONVENTION

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

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

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

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

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

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

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

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

75th Day, Sunday, Feb. 5, 1956

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

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

"President Egan, Delegates to the Constitutional Convention:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I thank you."

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

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

Yeas: 54 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 1 - Robertson

and so the constitution was agreed upon.

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

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

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

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

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

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

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

President Egan's speech follows:

"Governor Heintzleman, other distinguished guests, fellow Alaskans and delegates. In prefacing my remarks this afternoon, it would seem fitting and proper that the Preamble to Alaska's State Constitution be presented to all Alaskans. Ladies and Gentlemen, the Preamble--

'We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil, and religious liberty within the Union of States, do ordain and establish this constitution for the State of Alaska.'

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AFTER RECESS

The Convention reconvened at 4:35 p.m.

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

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

There being no objection, it was so ordered.

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

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

AFTER RECESS

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

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

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

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

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

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

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

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

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

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

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

Mr. Coghill stated that the Committee on Administration had no more resolutions at this time, but that the resolution on the orderly disposition of the Convention business was in second reading.

The President declared a short recess.

AFTER RECESS

Mr. Marston asked for the privilege of the floor to tell the story behind the jade lamp.

The resolution regarding the orderly disposition of the business of the Convention was considered in second reading.

Mr. Riley moved and asked unanimous consent for the adoption of the following amendment:

Strike Sections 1 and 2 and insert in lieu thereof the following:

on ~~"The President of the Convention with such assistance as he may require from among the delegates~~ of the staff of the Convention be authorized to conclude the unfinished business of the Convention and to expend such funds from the authorized appropriation as may be necessary to complete the work of and carry out the purposes of the Convention."

Mr. Londborg objected. Mr. White seconded.

Mr. Coghill asked for a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Londborg withdrew his objection. On voice vote the amendment was adopted.

Mr. V. Fischer moved and asked unanimous consent that Section 3 of the resolution be amended to read as follows:

"That the President of the Convention, or a person designated by him, shall carry out the following duties:"

There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the adoption of the following amendment to subsection (d):

Strike the word "two" on the first line and insert the words "and mimeographed" after the word "typed" on the second line.

Mr. Sundborg objected.

The President declared a short recess.

AFTER RECESS

Mr. Riley moved the adoption of the amendment to get it on the floor. Mr. Knight seconded. Mr. Coghill explained the subsection. Mr. Riley stated that after the explanation he could not support the amendment. On voice vote the amendment failed.

Mr. Johnson asked unanimous consent that under subsection (c) it be understood that each delegate be furnished with ten copies of the printed constitution. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that in subsection (c) the words "at least" be inserted before "5,000".

Discussion of the number of copies to be printed followed and Mrs. Sweeney pointed out that the resolution had been written with the idea that the President and the Secretary and the Chairman of the Administration Committee would decide how many copies were needed.

Discussion regarding the need for the summary followed.

Mr. V. Fischer moved and asked unanimous consent that subsection (c) be amended as follows:

Insert a period after the word "printed" on line 3 and strike the balance of the sentence.

There being no objection, it was so ordered.

Mr. Coghill asked unanimous consent that the resolution as amended be adopted. There being no objection, it was so ordered.

Mr. Johnson moved and asked unanimous consent that the Convention recess until 8 a.m., Monday. Mr. Coghill announced a meeting of the Committee on Administration at 7 a.m., Monday.

There being no objection to the unanimous consent request the Convention recessed at 6:45 p.m. until 8 a.m. Monday.

AFTER RECESS

The Convention reconvened at 8:30 a.m. Monday, February 6, 1956.

The President asked Mr. Londborg to give the Invocation. At the request of Mrs. Hermann and with the unanimous consent of the Convention, the prayer was ordered spread on the journal.

"Our Heavenly Father, we would pause before Thee for a moment this morning as we begin this session. We pray that You would be with us as we conclude the business of this Convention this day. We thank You for Your leading and Your guiding Hand throughout the past days and weeks, that You have brought us to the close of this Convention with what we believe to be a successful constitution. Heavenly Father, we pray that You will be with us now as we bring our deliberations to a close. Bless each of us as we go to our respective homes. We pray that we may look back on this time together with thankfulness in our hearts for having learned to know one another, for having been privileged to work with one another. Bless us we pray as we continue. In Thy name, Amen."

Telegrams from the City of Seward and Will and Anna May Vokacek of Kodiak extending congratulations on a job well done, were read.

Mr. Coghill presented a report on the finances of the Convention.

Mr. Sundborg asked that copies of the financial report be mimeographed and sent to all the delegates. The President stated the report would be mailed.

Mrs. Sweeney reported that the Committee on Administration had authorized the expenditure of funds to supply one large apportionment map to each delegate.

Mr. V. Rivers stated he believed the accounts should be audited before the President closed the records. Mr. Nolan suggested the services of the recently appointed legislative auditor. Mr. Sundborg stated he believed the committee should present a resolution to that effect. The President declared a short recess.

AFTER RECESS

The resolution regarding an audit of the funds expended by the Convention was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution adopted. There being no objection, the resolution was adopted by unanimous consent.

The resolution by the Committee on Administration regarding Operation Statehood was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution be adopted by unanimous consent. Mr. Buckalew objected. Mr. Marston seconded. Mr. Buckalew stated he would object to all resolutions because he felt someone would be forgotten. On voice vote the amendment was adopted. *resolution*

The resolution by the Committee on Administration regarding Convention consultants was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and the resolution be adopted. Mr. Buckalew objected. Mr. Gray seconded. On voice vote the amendment was adopted. *resolution*

The resolution by the Committee on Administration concerning the Convention secretariat was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution be adopted. Mr. Buckalew objected. Mr. V. Fischer seconded. On voice vote the resolution was adopted.

The President declared a short recess.

AFTER RECESS

Mr. McCutcheon stated he had a request from the gallery for a resolution regarding the faithful wives of the Convention.

Mr. Sundborg asked unanimous consent that the privilege of the floor be granted to Dr. Ernest Patty, President of the University. There being no objection, it was so ordered.

President Egan presented the official gavel and a signed copy of the constitution to Dr. Patty for the University.

Dr. Patty expressed his appreciation for the gifts and for the privilege of having had the delegates at the University during the Convention.

Mr. Sundborg asked unanimous consent to revert to committee reports. There being no objection, it was so ordered.

Mr. Sundborg reported back to the Convention the Style and Drafting Committee report on the resolution "Friendly Relations with Canada" and the resolution "Orderly Transition from Territorial Status to Statehood".

Mr. Sundborg moved and asked unanimous consent that the resolution "Friendly Relations with Canada" be adopted. There being no objection, the resolution was ordered adopted.

Mr. Sundborg moved and asked unanimous consent for the adoption of the resolution "Orderly Transition from Territorial Status to Statehood". Mr. Buckalew and others objected. Mr. Sundborg so moved. Mrs. Fischer seconded. After discussion by Mr. Riley, Mr. R. Rivers, and Mr. McCutcheon, Mr. V. Fischer moved the previous question and asked unanimous consent. Mr. Kilcher objected. Mr. McLaughlin seconded. On voice vote the previous question was ordered. The question being "Shall the resolution be adopted?", on voice vote the resolution failed.

In accordance with action taken February 3rd, the following resolution was ordered spread upon the journal:

"WHEREAS Fairbanks and the Tanana Valley are known throughout the Territory as the "Golden Heart of Alaska"; and

WHEREAS the unfailing courtesy and hospitality shown by the people of Fairbanks and the Tanana Valley to the out-of-town delegates to the Constitutional Convention clearly indicate that the term "Golden Heart of Alaska" is well deserved; and

WHEREAS their kindness, hospitality, and graciousness have greatly contributed to the success of the deliberation of this Convention; and

WHEREAS these delegates will ever remember the kindness and hospitality of the people of the "Golden Heart of Alaska"

NOW THEREFORE BE IT RESOLVED that the delegates to this Convention, from other parts of Alaska, hereby tender to the people of Fairbanks and the Tanana Valley our heartfelt thanks to those who have made our stay in the "Golden Heart of Alaska" so enjoyable; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the journal of the proceedings of the Convention.

DONE at College Alaska this third day of February, 1956 by direction of the Convention."

Mr. Sundborg reported that the Style and Drafting Committee had reported back other resolutions passed by the Convention and asked unanimous consent that the report be adopted. Mr. Boswell objected temporarily to call attention to an error in the resolution concerning the students of the University. There being no objection, the resolutions as reported by the Style and Drafting Committee were adopted.

Mr. White moved and asked unanimous consent that the Convention express its appreciation to the Committee on Administration for a difficult task well done. There being no objection, it was so ordered.

Mr. White asked unanimous consent for the approval of the journal of the 69th day with the following correction: Page 19, third paragraph from the bottom, correct a typographical error in the word "Article". There being no objection, the journal was ordered approved.

Mr. White asked unanimous consent for the approval of the journal of the 70th day subject to the following corrections: Page 1, in the prayer, on the second line capitalize the "t" in "thee"; 6th line, same correction and on the last line capitalize "thy"; third paragraph from the bottom add an "s" to "rule". Page 7, in the first paragraph add "p.m." after "3:30". There being no objection, the journal was ordered approved.

Mr. White asked unanimous consent for the approval of the journals for the 71st and 72nd days as read. There being no objection, the journals were ordered approved.

Mr. White announced that the remaining journals would be mailed to the delegates and the committee moved that the President, with the assistance of Mr. Doogan, be authorized to correct any journals which have not been approved. There being no objection, it was so ordered.

Mrs. Hermann asked unanimous consent that thanks be extended to the committee that read the journal day after day. There being no objection, it was so ordered.

Mr. Coghill reported for the Committee on Administration the following recommendation for distribution of the signed copies of the constitution--Secretary of Alaska, Congress, University Museum, Territorial Museum, Territorial Department of Libraries. The Committee also recommended that the copies of the constitution carrying the printed signatures be distributed as follows: the four district courts, the Governor of Alaska, the Delegate in Congress and to the 32 high schools in the Territory.

Mr. Buckalew moved and asked unanimous consent that the President and Mr. Coghill be authorized to distribute the remaining copies of the parchment copies of the constitution.

Mr. Marston suggested that a copy go to the Cook Inlet Historical Society. Mr. R. Rivers suggested that a copy go to each of the consultants. Mr. Harris suggested that the President be authorized to have extra copies printed if necessary.

Mr. V. Fischer asked that Mr. Buckalew amend his motion to include that each high school in Alaska and each public library and the Library of Congress receive a copy of the constitution. Mr. Buckalew accepted the amendment. There being no objection, the amended motion was ordered adopted.

The President declared a five-minute recess.

AFTER RECESS

First Vice-President Peratrovich took the Chair.

Mr. Knight, Mr. Walsh, Mrs. Wien and Mr. Hurley brought in the painting to be given President Egan. Mr. Hurley acted as spokesman for the delegates and his remarks follow:

"Mr. President, I have been selected by the Convention to present our final respects of this Convention to our great loved President, William Egan, for a job well done. It seemed a little strange that I should be chosen for this position, and yet when we think about it, I perhaps represent those of us who are new in this field, and for that reason am perhaps best able to express the greatest appreciation which we have for the way in which our President has brought this Convention to a successful closing. He has maintained an academic atmosphere throughout the Convention and yet has been always willing to accept the practical matters which must come before us. He has carried the whole Convention forward in a way that no one else could possibly have done. I think this occasion is somewhat similar to the group that has been through a major battle. We have earned a respect for our leader that can only come from having gone through all of the trials and tribulations of presenting to the future State of Alaska the document that they will live by for many years. And to Bill we have arranged this present which Mrs. Wien will present in the form of a resolution."

Mrs. Wien read the following resolution:

"WHEREAS for seventy-five Convention days, the Honorable William A. Egan has served as presiding officer; and

WHEREAS in this capacity he has demonstrated to all, his parliamentary skill, his unwavering fairness, his personal friendliness, and his untiring devotion to duty; and

WHEREAS the delegates and officers of this Convention desire to express their gratitude for his outstanding leadership, in a form that will endure along with their admiration, and in a form that will enable them to indicate their gratitude to his charming wife and son, as well as to all other Alaskans;

NOW THEREFORE BE IT RESOLVED that the Honorable William A. Egan, President of the Alaska Constitutional Convention of 1955 be asked to accept, as a token of our thanks, admiration, and affection, a portrait of himself, painted by the distinguished artist Christian von Schneidau on commission from the delegates, and that a copy of this resolution properly inscribed be presented to our esteemed President Egan.

DONE at College, Alaska this sixth day of February, 1956."

Mr. Hurley asked unanimous consent for the adoption of the resolution. Mr. Buckalew stated he would not object to this resolution. There being no objection, the resolution was ordered adopted.

The Chairman stated that the Convention would be at recess while the delegates congratulated President Egan.

AFTER RECESS

President Egan resumed the Chair.

Mr. Londborg asked unanimous consent that the remarks of Mr. Hurley be spread upon the journal. There being no objection, it was so ordered.

Mr. McNees introduced Christian von Schneidau, the artist who had painted President Egan's picture, who was given the privilege of the floor. Mr. von Schneidau spoke briefly.

Mr. Marston moved and asked unanimous consent that Dr. Patty be asked to take greetings from the Convention to Dr. Bunnell, President-Emeritus of the University, who was ill. There being no objection, it was so ordered.

Mr. McNealy asked that the delegates give a standing ovation of thanks to Mr. Stewart, Convention Secretary, for making the Convention a success from its inception.

Mr. Armstrong reported that the committee to write the bequest to Alaska's children had not finished its work and moved and asked unanimous consent that the President be authorized to complete the matter. There being no objection, it was so ordered.

Mr. Sundborg asked that the privilege of the floor be granted to Mrs. Florence Douthit. There being no objection, it was so ordered. Mr. Sundborg presented Mrs. Douthit with a gift of appreciation for the fine news coverage given by her of the Convention.

Mr. Armstrong asked if the President had received any communication from Mr. Robertson regarding a resignation. The President stated that he had received nothing and that as far as the Convention was concerned Mr. Robertson was merely absent.

Mr. McNealy asked that Mr. Reader take a bow and be acknowledged since he had not spoken one word during the entire Convention.

Mr. Collins spoke briefly and introduced Mrs. Hermann who was asked to make the final motion for adjournment.

Mrs. Hermann moved that pursuant to a motion already made by the Convention, that adjournment be in honor of two great Alaskans who pioneered the statehood movement--Judge James Wickersham and Judge Anthony J. Dimond--that the Convention now adjourn sine die. Mr. Harris seconded the motion.

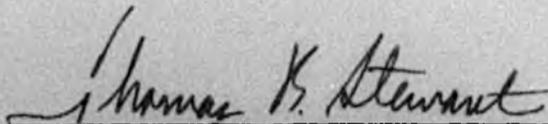
The question being "Shall the Constitutional Convention of Alaska adjourn sine die?", the roll was called with the following result:

Yeas: 54 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 0 -

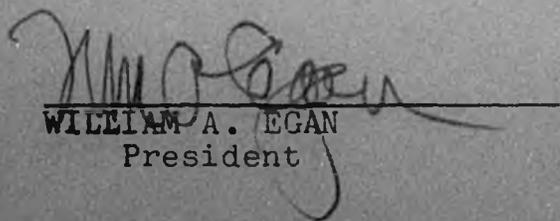
Absent: 1 - Robertson

and so the Constitutional Convention adjourned sine die at 10 a.m. February 6, 1956.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President

ALASKA CONSTITUTIONAL CONVENTION

SUPPLEMENT TO THE JOURNAL - February 6, 1956

The President appointed the following as the committee to act with him on the orderly completion of the business of the Convention: Mr. V. Fischer, Mr. Riley, Mr. Coghill, and Mr. Barr.

Letters from Governor Joe Foss of South Dakota, Governor Norman Brunsdale of North Dakota, Governor Leo A. Hoegh of Iowa, Governor Robert E. Smylie of Idaho, Governor Edwin C. Johnson of Colorado, Governor Robert F. Kennon of Louisiana, Governor George N. Craig of Indiana, Congressman Ralph O. Gamble, Delegate Elizabeth R. Farrington of Hawaii, Governor LeRoy Collins of Florida, and Major General James F. Collins, Commanding General, U. S. Army, Alaska, expressing regrets at being unable to be present at the signing ceremony, were received.

A letter from Mr. Al Anderson, Executive Director of the Alaska Resource Development Board, acknowledging receipt of the enrolled copy of the resource article and the statement regarding the fish and wildlife resources prepared by the Resources Committee, was received.

A telegram from Mary Lee Council, Margery Smith and Florence Thompson (secretaries to Delegate Bartlett) extending congratulations and best wishes, was received.

A telegram from Senator Earle C. Clements expressing regrets at being unable to attend ceremony for the signing of the constitution and stating that February 5, 1956 is another memorable date in the chronology of American liberty, was received.

A telegram from Crystal Snow Jenne of Juneau, extending congratulations and stating Alaskans have again demonstrated ability to manage their own affairs by delegates' manifestation of statesmanship, was received.

A telegram from the Kiwanis Club of Palmer extending congratulations for a job well done and inviting delegates to attend the Matanuska Minstrels in Palmer on April 6 and 7, was received.

A letter from Mr. Robertson dated February 3, 1956, submitting his resignation as a delegate to the Constitutional Convention was received February 6, 1956.

A message from the Charles Lechner family of Seward, sending good wishes and thanks for a job well done, was received.

The record being incomplete as to the journals for the 7th, 35th and 60th convention days, Mr. Doogan, pursuant to the motion adopted the 75th Convention day, reported the following journals:

7th Convention Day, November 14, 1955

Page 1, paragraph 1, strike "o'clock" and insert "A.M."

Page 1, paragraph 2 insert "The" before "Rev."

Page 1, paragraph 7, strike "that" on third line.

Page 4, first paragraph, insert "part of" after "as".

Page 5, first paragraph and fifth paragraph, insert "part of the" before "permanent".

Page 7, paragraphs 1 and 2 after "Rule 19" insert "part of the" before "permanent".

Page 8, paragraph 6, insert "said he"

Page 8, paragraph 7, strike "be changed" on line 4.

Page 8, paragraph 8 insert "part of" before "the permanent".

Page 9, first paragraph after Rule 23, insert "part of the" before "permanent".

Page 12, first paragraph after Rule 38 insert "part of the" before "permanent."

Page 13, third paragraph, strike "that" on line 2.

Page 14, last paragraph insert "part of the" before "permanent."

Page 17, first paragraph after Rule 51 insert "part of the" before "permanent".

Page 18, second paragraph and first paragraph after Rule 53 insert "part of" before "the permanent."

Page 19, first paragraph insert "part of the" before "permanent".

Page 19, fifth paragraph from the bottom, first line, strike "to" and insert "for".

Page 22, second paragraph from the bottom, strike "Chairman" and insert "Chairmen".

Probable date: 2/16/56 - It is likely that approval of the journal of the 60th day (1/21/56) is implied with no corrections.

35th Convention Day, December 12, 1955 -- Journal No. 27

- Page 1, end of third paragraph, insert "The President declared a quorum present."
- Page 1, paragraph 6, insert "Mr." before "Walter".
- Page 7, next to last paragraph from bottom, strike "be" and insert "by".
- Page 8, third paragraph, insert after "matter" "of whether 'ex-officio' needed to be spelled out by adding 'voting',"
- Page 11, insert before paragraph beginning "Mr. V. Rivers moved that the Convention adjourn" -- "Mr. V. Rivers asked whether Committee Proposal No. 2 would still be in second reading."

The President stated he believed the Proposal would be in second reading through the Committee on Engrossment and Enrollment."

73rd Convention Day, February 3, 1956 - Journal No. 61

- Page 1, paragraph beginning "Mrs. Sweeney" insert "delegates" before "stay" on third line.
- Page 2, paragraph beginning "Mr. Hellenthal" fourth line, strike first "and" insert a comma after "staff".
- Page 3, paragraph 7 insert a comma after "America".
- Page 4, paragraph 3, strike comma after "Robertson" and insert "and ".
- Page 10 insert "AFTER RECESS" before next to the last paragraph on bottom of page
- Page 11, under changes made by the Committee, strike the matter after Page 27, Section 6, and insert "make two sentences out of the first sentence."
- Page 12, next to the last paragraph, second line, insert "Style and Drafting" before "Committee".
- Page 13, insert "Mr. Peratrovich presided in the absence of President Egan" after "AFTER RECESS".

Page 17, first paragraph, after second "AFTER RECESS" change "took" to "resumed."

74th Convention Day, February 4, 1956 -- Journal No. 62 ✓

Approved as read.

75th Convention Day, February 5, 1956 -- Journal No. 63 ✓

Page 13, paragraph 8, second line of amendment strike "of" and insert "or".

Page 16, paragraphs 2 and 4, strike "amendment" and insert "resolution".