

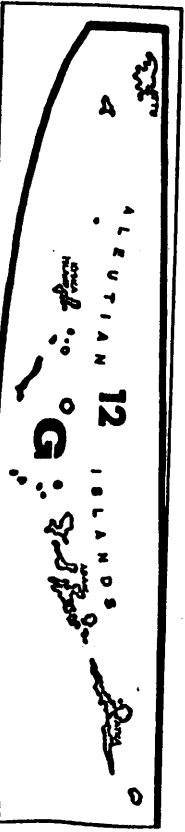
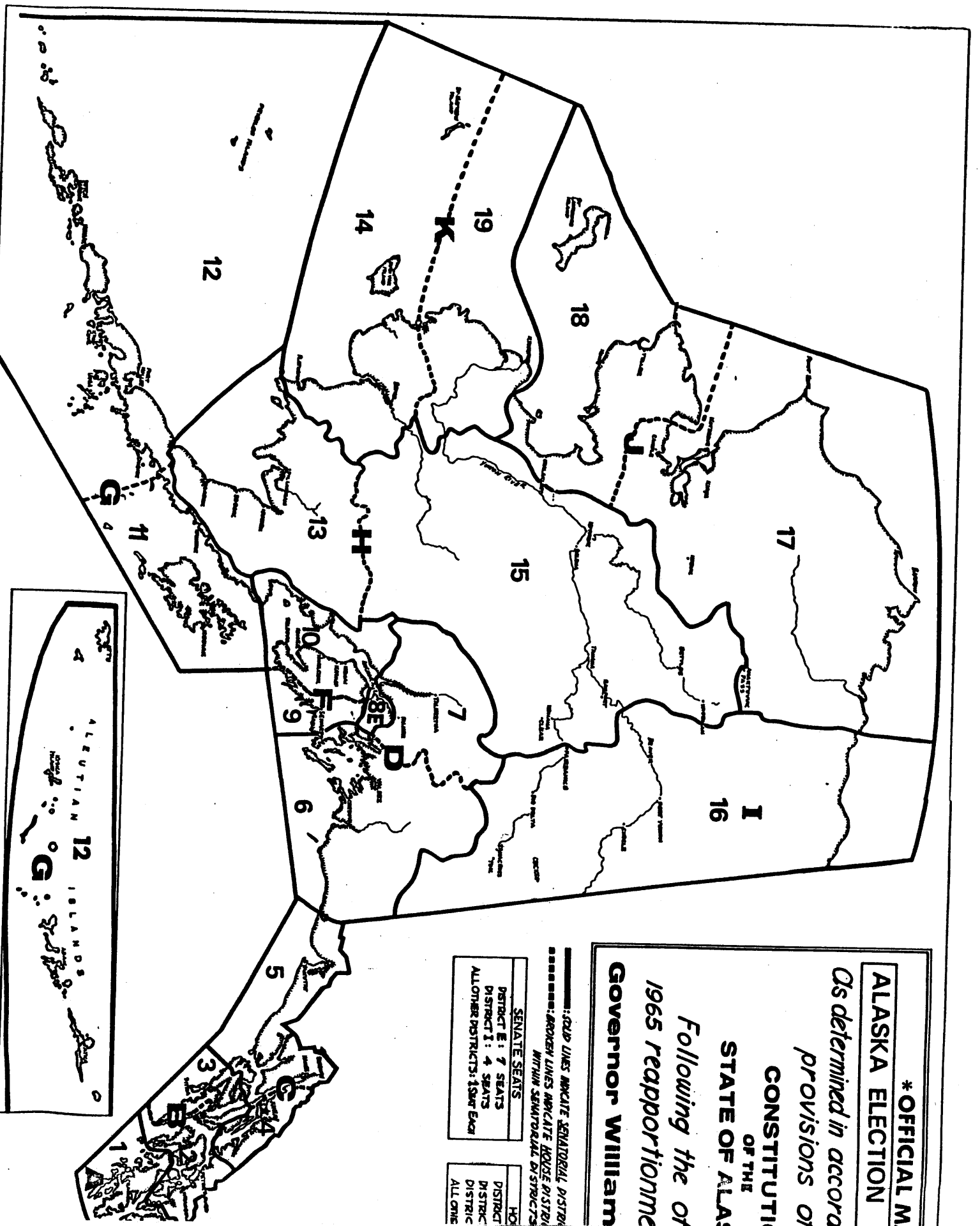
LDIR#163
REAPPORTION-
MENT
1965

*** OFFICIAL M.
ALASKA ELECTION**

As determined in accordance with the provisions of the CONSTITUTION OF THE STATE OF ALASKA

*Following the 1965 reapportionment of the State of Alaska
Governor William Egan*

<p>—————: GOLD LINES INDICATE SENATORIAL DISTRICTS - - - - -: BROKEN LINES INDICATE HOUSE DISTRICTS WITHIN SENATORIAL DISTRICTS</p>	
SENATE SEATS	HOUSE SEATS
DISTRICT E : 7 SEATS	DISTRICT I : 4 SEATS
DISTRICT I : 4 SEATS	DISTRICT II : 4 SEATS
ALL OTHER DISTRICTS: 1 SEAT EACH	ALL OTHER DISTRICTS: 1 SEAT EACH



*** OFFICIAL MAP ***
ALASKA ELECTION DISTRICTS

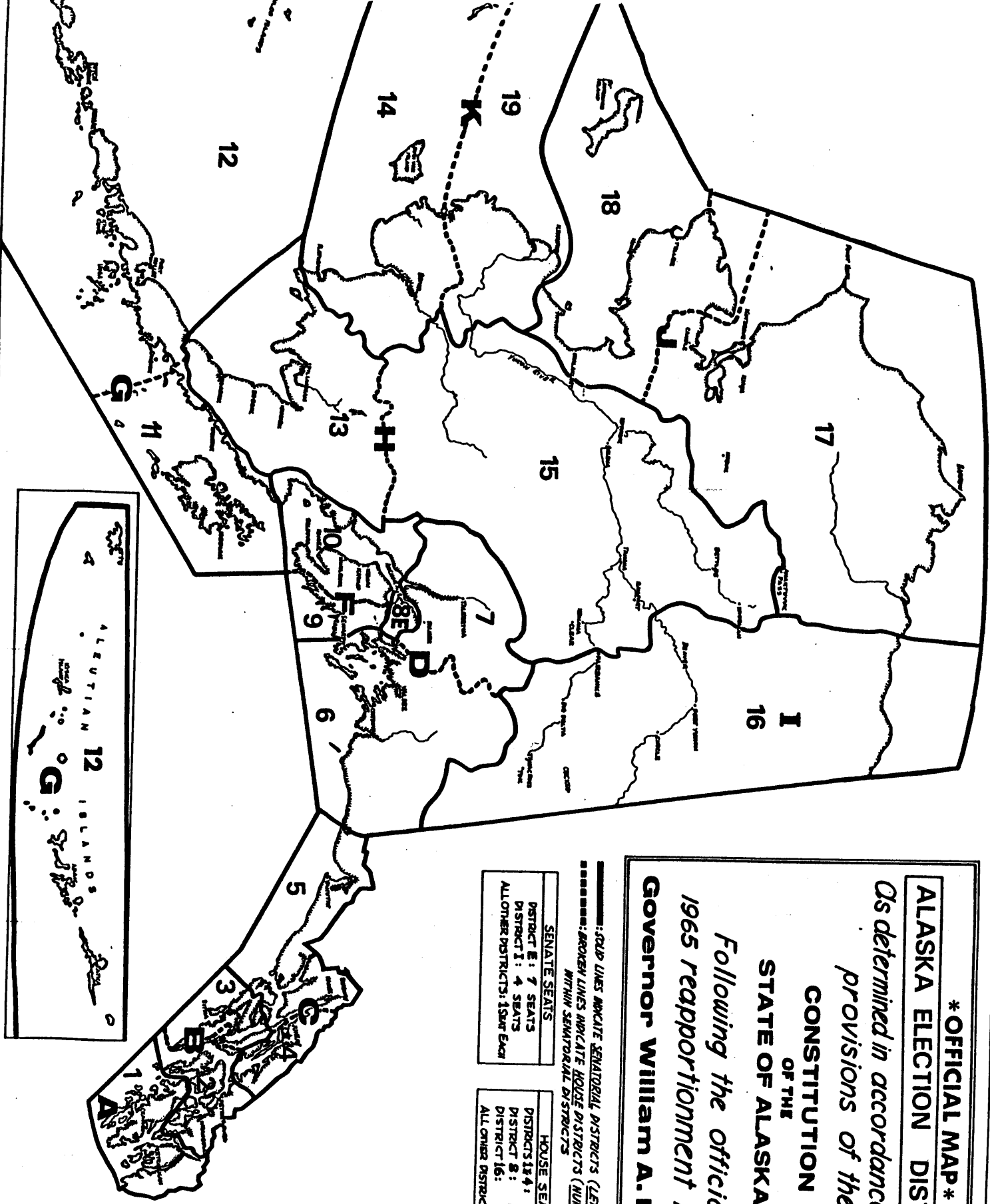
As determined in accordance with provisions of the
CONSTITUTION
 OF THE
STATE OF ALASKA

Following the official
1965 reapportionment by
Governor William A. Egan

—————: **SOLID LINES INDICATE SENATORIAL DISTRICTS (LETTERS)**
 - - - - -: **BROKEN LINES INDICATE HOUSE DISTRICTS (NUMBERS)**
 WITHIN SENATORIAL DISTRICTS

SENATE SEATS
 DISTRICT E: 7 SEATS
 DISTRICT I: 4 SEATS
 ALL OTHER DISTRICTS: 1 SEAT EACH

HOUSE SEATS
 DISTRICTS 14-16: 2 SEATS EACH
 DISTRICT 8: 14 SEATS
 DISTRICT 15: 7 SEATS
 ALL OTHER DISTRICTS: 1 SEAT EACH



File

LEGISLATIVE REAPPORTIONMENT

IN THE STATES

NOVEMBER, 1965



THE COUNCIL OF STATE GOVERNMENTS

1313 East 60th Street

Chicago, Illinois, 60637

RM-385

STATEMENT BY
GOVERNOR WILLIAM A. EGAN
REGARDING
1965 REAPPORTIONMENT PROCLAMATION
SEPTEMBER 3, 1965

First, I want to say that copies of the Proclamation, and other pertinent material were put in this morning's mail to all members of the Legislature and of the Reapportionment Advisory Board.

Making this Proclamation today has not been an easy task for me. My personal feelings and my duties and obligations as Governor under the Constitution of Alaska do not exactly coincide.

Nearly 10 years ago at the Constitutional Convention, I was one of those who worked hard and saw to it that the apportionment of the State Senate would take into consideration factors other than just population. We considered, among other things, geography, socio-economical needs, the relationships of contiguous areas, and the future possibilities of growth.

It was my view, as well as a majority of the other delegates, that it was in the public interest to have one house of the Legislature apportioned more by area rather than population, to serve as a check and balance on the other. That is still my view.

However, this is a land ruled by law, not men. The Supreme Court of the United States is our final arbitrator of justice. Our Nation's highest court has ruled that each citizen's vote must count as much as another's, and we must abide as closely as possible by that decision. In this instance it was with reluctance that I

IN THE SENATE

BY THE RULES COMMITTEE

SENATE CONCURRENT RESOLUTION NO. 39

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTH LEGISLATURE - SECOND SESSION

Directing a Legislative Council
study of legislative apportion-
ment.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Superior Court of the State of Alaska has declared void the proclamation of the Governor reapportioning the Senate; and

WHEREAS the Court has directed that a constitutional convention be held or constitutional amendments be proposed by the Legislature and ratified by the people prior to December 1, 1967, the amendment to provide for a valid reapportionment of the Senate in conformity with the rulings of the Supreme Court of the United States; and

WHEREAS if the decision of the Superior Court is affirmed on appeal or otherwise stands the 1967 session of the Legislature will require basic information, alternate proposals, and suggestions regarding legislative reapportionment so that a reapportionment amendment and related amendments affecting the size of the Legislature, districting, methods of apportionment, population differentials, et cetera, may be submitted to the people in 1967;

BE IT RESOLVED that the Legislative Council is directed to proceed with dispatch and give priority attention to gathering information on all facets of the matter of legislative reapportionment to the end that the 1967 session of the Legislature may have all the necessary data and alternatives on hand for consideration



ALASKA LEGISLATIVE COUNCIL

STAFF BACKGROUND REPORT

RECENT LEGISLATIVE APPORTIONMENT DEVELOPMENTS

AS THEY APPLY TO ALASKA

August

1964

OPINIONS ANNOUNCED APRIL 25, 1966

The Supreme Court decided:

ELECTIONS - Legislative Apportionment

Fourteenth Amendment's Equal Protection Clause does not render invalid Hawaii Legislature's interim reapportionment plan based on number of registered voters, rather than total population, so long as distribution of registered voters approximates distribution of state citizens or other permissible population base; multi-member districts that do not result in population disparities are invidiously discriminatory only if they cancel out or minimize voting strength of racial or political elements of voting population; federal district court's finding that only one of state's legislative houses is malapportioned does not permit it to issue order limiting state legislature's consideration to curing of malapportionment in that house. (*Burns v. Richardson*, Nos. 318, 323 & 409) page 4365

GOVERNMENT PROPERTY - Mineral Leasing Act

State, not federal, law governs assignments by private parties of oil and gas leases validly issued under Mineral Leasing Act of 1920. (*Wallis v. Pan American Petroleum Corp.*, No. 341) page 4373

Full Text of Opinions

Nos. 318, 323 AND 409.—OCTOBER TERM, 1965.

John A. Burns, Governor of the
State of Hawaii, Appellant,
318 v.
William S. Richardson et al.

Eduar F. Cravalho et al.,
Appellants,
323 v.
William S. Richardson et al.

Kazuhisa Abe et al.,
Appellants,
409 v.
William S. Richardson et al.

On Appeals From the
United States District
Court for the District
of Hawaii.

[April 25, 1966.]

MR. JUSTICE BRENNAN delivered the opinion of the Court.

This reapportionment case was brought in the District Court of Hawaii by residents and qualified voters of the

Section 4

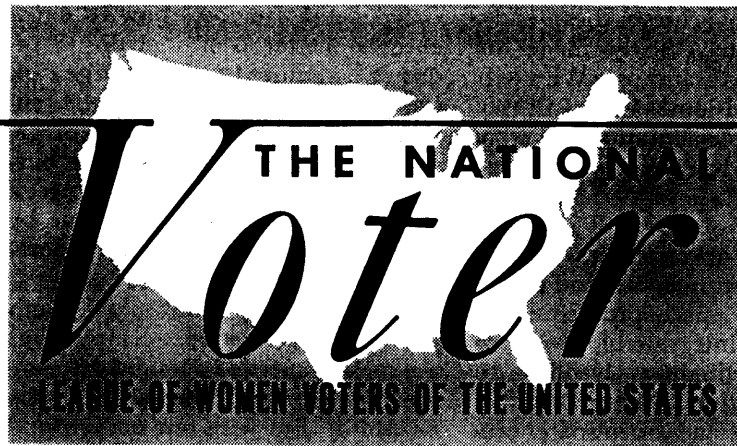
City and County of Honolulu, appellees in each of the three appeals consolidated here. They alleged that Hawaii's legislative apportionment was unconstitutional under our decisions in *Reynolds v. Sims*, 377 U. S. 533, and companion cases.¹ William S. Richardson, Lieutenant Governor of Hawaii, also an appellee in all three appeals, was named defendant in his capacity as the state officer responsible for supervising state elections. John A. Burns, Governor of Hawaii, appellant in No. 318, intervened as a party plaintiff. Members of the State House of Representatives, appellants in No. 323, and members of the State Senate, appellants in No. 409, intervened as parties defendant.

Under the Hawaii Constitution, adopted in 1950 and put into effect upon admission to statehood in 1959, the State is divided into four counties, referred to in the State Constitution as "basic areas." Each county is made up of a group of islands, separated from each of the other counties by wide and deep ocean waters. The principal island of the City and County of Honolulu, the most populous county, is the island of Oahu. It is the State's industrial center, principal tourist attraction, and site of most of the many federal military establishments located in the State. In 1960, 79% of the State's population lived there. The three other counties, primarily rural and agricultural, are Hawaii County, Maui County, and Kauai County.²

The apportionment article of the State Constitution was framed to assure that the three small counties would choose a controlling majority of the State Senate and that the population center, Oahu, would control the State House of Representatives. Thus, Art. III, § 2 of the State Constitution apportions a 25-member senate among six fixed senatorial districts, assigning a specified number of seats to each. Fifteen senate seats, a controlling majority, are allocated among Hawaii, Kauai and Maui Counties and 10 seats are assigned to Oahu. Alteration of this apportionment is made very difficult by a provision "that no constitutional amendments altering . . . the representation from any senatorial district in the senate shall become effective unless it shall also be

¹ *WMCA, Inc. v. Lomenzo*, 377 U. S. 633; *Maryland Committee v. Taves*, 377 U. S. 656; *Davis v. Mann*, 377 U. S. 678; *Roman v. Sincock*, 377 U. S. 695; and *Lucas v. Colorado General Assembly*, 377 U. S. 713.

² The State's 1960 population of 632,772 was divided among the four counties as follows: Oahu, 500,409; Hawaii County, 61,332; Maui County, 42,855; and Kauai County, 28,176.



1200 17th Street, N. W., Washington, D. C. 20036

LIVELY ISSUES I

NOW IS THE TIME for you, the member, to start thinking about subjects you would like to see on the League's 1966-68 national Program. ● "Lively Issues I" begins a three-part series in THE NATIONAL VOTER on issues lively today. You should not determine your own Program preferences by selecting from subjects treated in the series; you should use the list—if at all—only as a starter in personal consideration and League discussion of many possibilities. The order in which subjects are listed—whether in I, II, III; within I, II, III—indicates no priority. ● If a subject—including any on the 1964-66 Program—is to be considered for the 1966-68 Proposed Program, it must be formally recommended by members through their local, state, or territorial League and, postmarked no later than December 2, 1965, sent to the national Board.

Federal-State Relations

Federalism is a dynamic concept. Old ways of looking at proper rules of state governments and the federal government change—are reevaluated—as urbanism and regionalism flourish and as problems once resolved locally keep spilling over into the national arena. Even the apportionment of state legislatures has become a national issue.

League members, in working on governmental issues at local, state, and national levels, have always had a lively interest in federal-state and regional governmental relationships. In the past, suggestions have been made that we undertake, as a national item, the study of intergovernmental relations per se. Although such an item has failed to muster the votes for adoption, we have become aware, under the domestic items we have adopted in recent years, of the difficulty in sorting out what is appropriate for local, state, regional, or national action.

Some Leagues were frustrated when they could not apply national loyalty-security consensus to state or local programs. In our work on water resources, we took the big step of applying national consensus to regional, state, and local problems, and, under certain conditions, of authorizing action at those levels. And now we recognize that our effectiveness in development of human resources will be measured not only

by whatever work we decide to do on national programs but by our efforts with relation to implementation of programs at other levels.

Are other problems "crying out" for across-the-board treatment by the League—and by government at all levels? What about mass transportation? urban renewal? housing? air pollution? planning? interrelationship of federal-state tax structures and expenditures? Experts say that by 1970 annual state and local expenditures will exceed federal expenditures including defense and foreign aid. State and local employment is rising steeply; state and local debt 1952-62 increased by 170 percent. The costliest programs at state and local levels will continue to be education, road, health and welfare—areas which federal grants-in-aid help finance. Yet state and local governments have had to increase taxes repeatedly while at the federal level we enjoy tax cuts and talk of more to come.

What about proposals to turn back "without strings" to the states a portion of U.S. Treasury receipts? Or should federal grants-in-aid "with strings" be increased? Or should federal taxes be lowered so state taxes can be increased? In addition to providing money for needed pro-

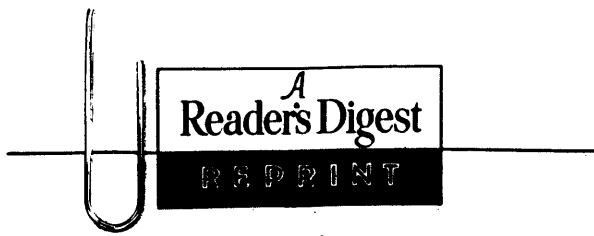
grams, should tax policies be devised to strengthen state governments? How can the states best adapt to today's dynamic federalism? Is regionalism the new "wave of the future"?

Individual Liberties

Civil rights and civil liberties are basic to a free democratic society. Among these rights, the franchise is one of the most vital. The problem of voting discrimination became a subject for federal legislation for the third time in recent years in the provisions of the 1964 Civil Rights Act aimed at eliminating discriminatory registration and voting practices throughout the country. The 1965 Voting Rights bill (which has passed both houses of Congress and is now in conference) would strengthen the federal government's role in preventing discrimination (especially in administration of literacy tests) against citizens who attempt to exercise their right to vote.

Yet there are still many unresolved questions on the voting rights issue. Should there be a federal minimum-residence requirement for voting in federal elections to prevent discrimination due to variations in state laws on registration? Should there be federal poll watchers to ensure that all registered voters are allowed to vote and that their votes are counted? Should there be a criminal penalty against any citizen who is convicted of in-

IF YOU MOVE and wish to continue to receive THE NATIONAL VOTER you must notify your local League of your new address giving your old address at the same time.



Reapportionment: Shall the Court or the People Decide?

BY HOLMAN HARVEY
AND KENNETH O. GILMORE

It is more than a power struggle between city-dwellers and country-dwellers. At issue in today's political battles over the makeup of state legislatures are fundamental principles of democratic representation

LIGHTNING STRUCK last June 15 when the Supreme Court handed down its "one-man-one-vote" reapportionment decision. This decree requires both branches of every state legislature to be strictly based on *population only*. It represents the most far-reaching change in American political structure since our Constitution was written 178 years ago.

Few issues in recent times have stirred more controversy or created more confusion. Nearly every state in the nation—from Montana to Maryland, from Alaska to Florida—is struggling to satisfy the federal

judiciary's order. A dozen states have already remapped their legislative districts. Others are desperately trying to meet court-imposed deadlines or to devise delaying tactics. In the meantime, proposals for a constitutional amendment reversing the Court's action are being seriously debated in Congress and in the states.

Make no mistake, we are at a crossroads: our form of government is in a major crisis. What then are the stakes?

Represent the People. "The basic issue," says Robert G. Dixon, Jr., professor of law at George Washing-

an approving vote in the case of the bicameral legislature, to give due consideration to factors other than population alone, and (ii) that such right is in accord with the history of this country and compatible with the basic conception of federalism embodied in our Constitution;

NOW, THEREFORE, BE IT RESOLVED, that the American Bar Association approves and endorses an amendment to the Constitution of the United States to the effect that one house of a bicameral state legislature may be apportioned in part by reference to geography, county and city lines, economic conditions, history, and other factors in addition to population, provided that such a plan of apportionment is approved by a majority of the voters of the State, and

BE IT FURTHER RESOLVED, that the President of the Association or his designee, be authorized to present the views of the Association on such an amendment to the appropriate committees of the Congress.

LAWYERS

AMERICAN BAR ASSOCIATION

It have construed the
acts in both houses of a
population basis with repre-
sently equal population as

stitutional amendment to
Court the power to review
apportionment of state legislatures;
on in August, 1963 voted to
ground that the judicial
ordinate Federal courts

ver, has been to render invalid
a 16 states and to place in
of the legislatures of all
sidered factors other than

It has been customary for the
the Congress under the Con-
stitution alone in the apportion-
ve legislative bodies; and

onment by the states and the
stitution relates to the basic
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ive states and particularly a
have the constitutional right,
cameral legislature, to give due

REAPPORTIONMENT-REDISTRICTING OF THE STATE SENATE

Proclamation of the Governor, September 3, 1965
as upheld by the Alaska Supreme Court, May 20, 1966

<u>District and Name</u>	<u>Composed of House Election Districts</u>	<u>Number of Senators</u>	<u>1966 Terms</u>
A - Ketchikan	1	1	4
B - Wrangell-Petersburg and Sitka	2 & 3	1	2
C- Juneau & Lynn Canal	4 & 5	1	4
D- Cordova-Valdez & Palmer Wasilla	6 & 7	1	2
E- Anchorage	8	7	(4) A 4 (3) B 2
F- Seward & Kenai	9 & 10	1	2
G- Kodiak & Aleutian Islands	11 & 12	1	4
H- Bristol Bay & Yukon- Kuskokwim	13 & 15	1	2
I- Fairbanks	16	4	(2) A 4 (2) B 2
J - Barrow-Kobuk & Nome	17 & 18	1	4
K - Bethel & Wade Hampton	14 & 19	1	2

REAPPORTIONMENT-REDISTRICTING OF THE STATE SENATE

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ALASKA DEPARTMENT OF LABOR
RESEARCH AND ANALYSIS SECTION

CURRENT POPULATION ESTIMATES

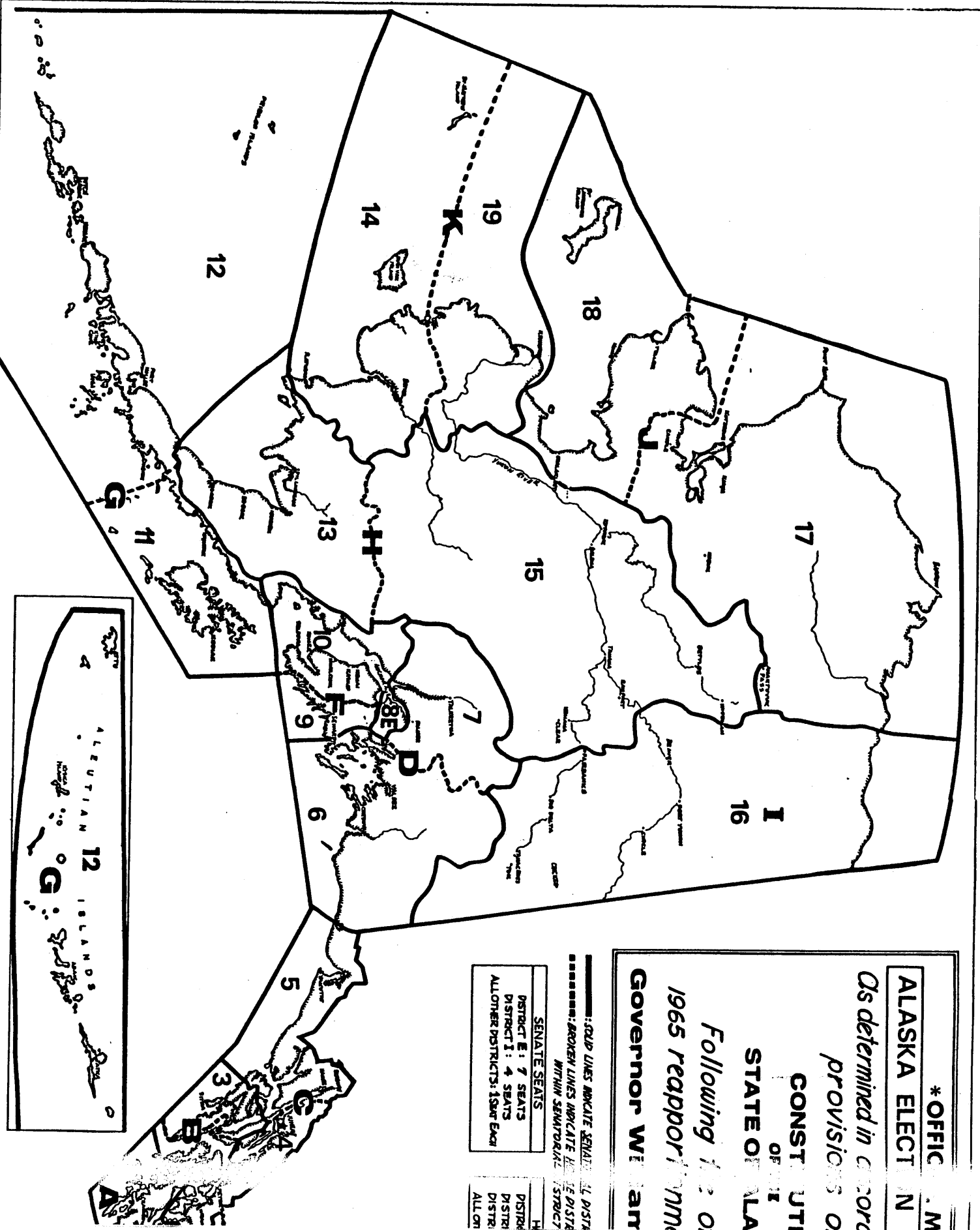
ALASKA, BY ELECTION DISTRICT

July 1, 1964

ALASKA DEPARTMENT OF LABOR

EMPLOYMENT SECURITY DIVISION

RESEARCH AND ANALYSIS SECTION



*** OFFIC . M**
ALASKA ELECT N

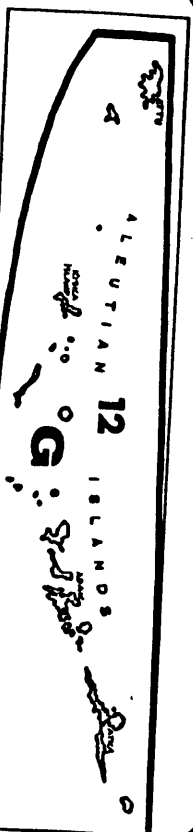
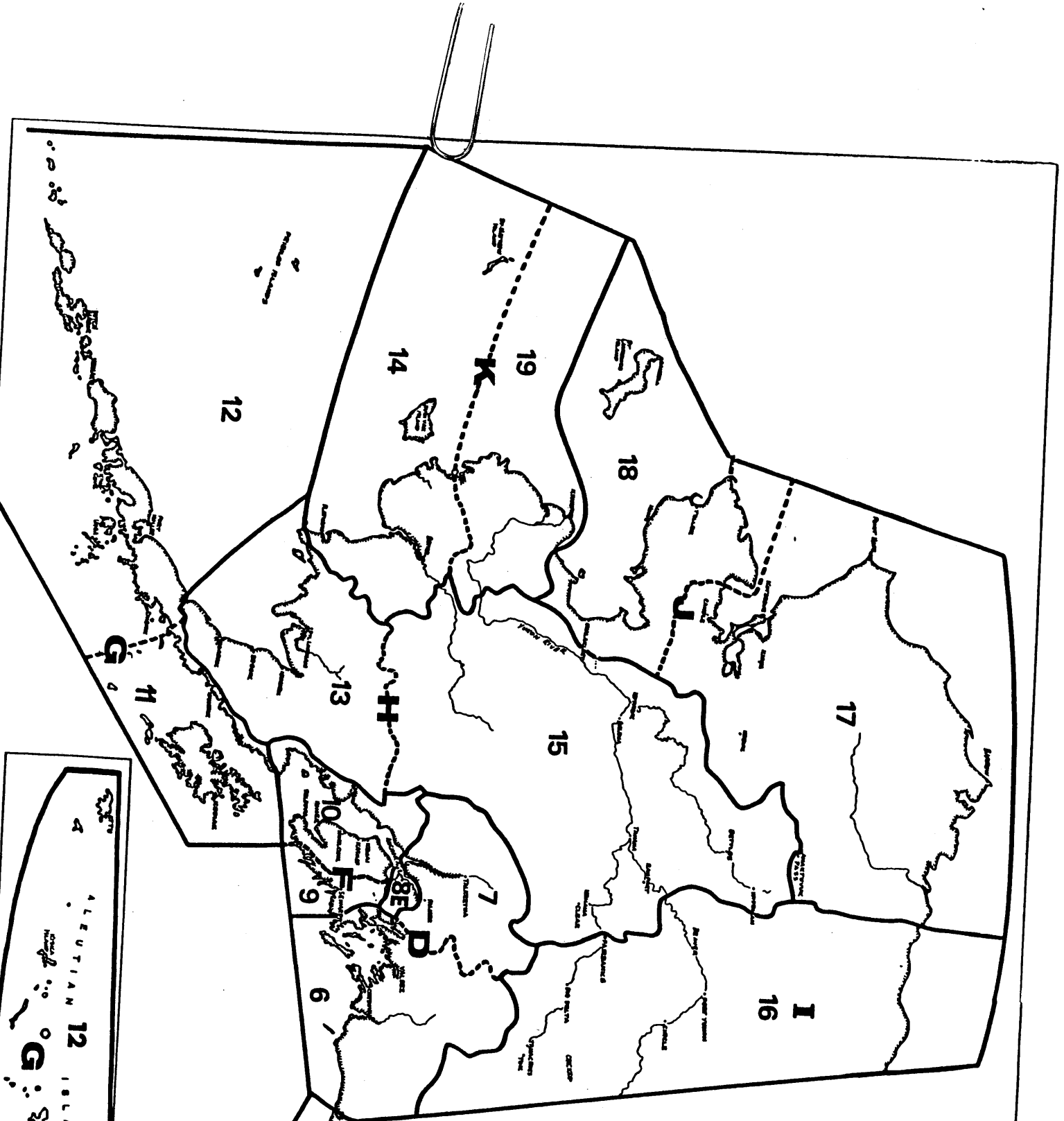
*As determined in accord
 provisions of*

**CONSTITUTION
 OF THE
 STATE OF ALA**

*Following the 1965
 reapportionment*
**Governor and
 Commissioner**

LEGEND
 ■■■■■: SENATE SEATS
 ■■■■■: GOVERNOR AND COMMISSIONER DISTRICTS
 ■■■■■: SENATORIAL DISTRICTS
 ■■■■■: DISTRICTS WITHIN SENATORIAL DISTRICTS

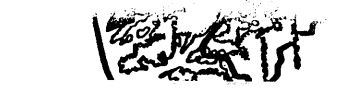
SENATE SEATS	DISTRICTS WITHIN SENATORIAL DISTRICTS
DISTRICT E: 7 SEATS	DISTRICT I: 4 SEATS
DISTRICT J: 4 SEATS	ALL OTHER DISTRICTS: 1 SEAT EACH



*** OFFICIAL ALASKA ELECTIONS**
As determined in accordance with provisions of the Alaska State Constitution
 Following the 1965 reapportionment
Governor William Egan

SENATE SEATS
 DISTRICT 1: 4 SEATS
 ALL OTHER DISTRICTS: 1 SEAT EACH

HOUSE OF REPRESENTATIVES SEATS
 DISTRICT 1: 4 SEATS
 ALL OTHER DISTRICTS: 1 SEAT EACH



PROCLAMATION OF REAPPORTIONMENT
AND REDISTRICTING

WHEREAS, the United States Supreme Court in the case of Reynolds v. Sims, and in other companion cases decided in June of 1964, held that under the Equal Protection Clause of the United States Constitution both houses of a state legislature must be apportioned on a population basis and that a state is required to make an honest and good faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable;

WHEREAS, it does not appear that the Alaska State Senate is apportioned on a population basis within the meaning of the Supreme Court decisions;

WHEREAS, the Constitution of the State of Alaska (Article VI) and the minutes of the Alaska Constitutional Convention clearly contemplate that the Governor shall have the sole responsibility for legislative reapportionment;

WHEREAS, the mandate of the United States Supreme Court can be carried out in a manner consistent with the manifest intent of the Constitution of the State of Alaska only by reapportionment by the Governor with the advice of the Advisory Reapportionment Board;

WHEREAS, I, William A. Egan, Governor of the State of Alaska, pursuant to Article VI of the Constitution of the State of Alaska, issued a Proclamation on March 6, 1965, directing the Advisory Reapportionment Board to submit a plan that would meet the requirements of the Supreme Court decisions and those provisions of the Constitution of the State of Alaska that are not in conflict with those decisions;

WHEREAS, the Advisory Reapportionment Board convened pursuant to my order and on June 8, 1965, submitted to me a plan for reapportionment and redistricting;

WHEREAS, the Governor is required by law to issue a proclamation of reapportionment and redistricting within 90 days after receipt of the recommendations of the Advisory Reapportionment Board;

NOW, THEREFORE, I, WILLIAM A. EGAN, Governor of the State of Alaska, do proclaim the following plan of reapportionment and redistricting:

STATEMENT BY
GOVERNOR WILLIAM A. EGAN

Reference Library
LEGISLATIVE AFFAIRS AGENCY
POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

REGARDING
1965 REAPPORTIONMENT PROCLAMATION
SEPTEMBER 3, 1965

First, I want to say that copies of the Proclamation, and other pertinent material were put in this morning's mail to all members of the Legislature and of the Reapportionment Advisory Board.

Making this Proclamation today has not been an easy task for me. My personal feelings and my duties and obligations as Governor under the Constitution of Alaska do not exactly coincide.

Nearly 10 years ago at the Constitutional Convention, I was one of those who worked hard and saw to it that the apportionment of the State Senate would take into consideration factors other than just population. We considered, among other things, geography, socio-economical needs, the relationships of contiguous areas, and the future possibilities of growth.

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However, this is a land ruled by law, not men. The Supreme Court of the United States is our final arbitrator of justice. Our Nation's highest court has ruled that each citizen's vote must count as much as another's, and we must abide as closely as possible by that decision. In this instance it was with reluctance that I

STATEMENT ACCOMPANYING PROCLAMATION
OF
REAPPORTIONMENT AND REDISTRICTING

I have adopted the excellent and well-considered recommendations of the Advisory Reapportionment Board with two exceptions, neither of which increases or decreases the numerical representation allotted by the Board to any area.

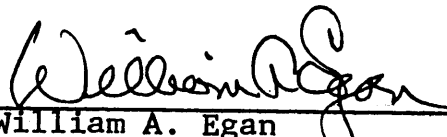
Under the Board's recommendation District 8 would be divided into four House Districts. Under my Proclamation all House Districts, including District 8, remain exactly as they were designated in the Proclamation and Redistricting of December 7, 1961.

Under the Board's recommendation District 8 would also be divided into four Senate Districts (E, F, G and H), with a total of 7 senators assigned to the four districts. I have changed the Board's recommendation so that the 7 senators assigned to District 8 will all run at large in that district which will be designated Senate District E. This will eliminate Senate Districts F, G and H from the Board's proposal, and all other Senate Districts have been re-lettered accordingly in the Proclamation.

It would be unwise and unfair to attempt to divide District 8 into more than one legislative district on the basis of the 1960 census figures. These figures became obsolete with the March 27, 1964, earthquake which devastated large, heavily populated areas in and around Anchorage and resulted in radical population dislocation and movement of unknown proportions. Therefore, any reapportionment plan based on the 1960 census which would split District 8 into several legislative districts could result in over-representation of districts which have lost a considerable part of their population and under-representation of districts which gained substantially in population as a result of the earthquake and subsequent dislocation.

Furthermore, Anchorage has traditionally been a multi-member district with all of its candidates for the Legislature running at large. This system has proved workable and fair in the past, and is the most equitable one which can be devised under existing circumstances.

Dated September 3, 1965.



William A. Egan
Governor

SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

JAMES NOLAN, ROBERT H. ZIEGLER,
HOWARD BRADSHAW, FRANK PERATROVICH,
ALFRED OWEN, HAROLD Z. HANSEN,
ROBERT J. McNEALY, JOHN B. HALL,
YULE F. KILCHER, DAVID C. HARRISON,
GRANT H. PEARSON, ROBERT R. BLODGETT,
NEAL W. FOSTER, PEARSE M. WALSH, and
EBEN HOPSON, on behalf of themselves
and all other persons similarly
situated,

Plaintiffs,

vs.

HUGH J. WADE, SECRETARY,
STATE OF ALASKA,

Defendant.

FILED in the Superior Court
State of Alaska, First District
at Juneau

APR 11 1966

D. V. Dungan, Clerk

By *D. V. Dungan* Deputy

Civil Action No. 66-30

MEMORANDUM OPINION

von der Heydt, Superior Court Judge

For the first time, in either State or Federal Court in Alaska, this suit raises the question of the valid apportionment of the State Senate. The plaintiffs sue in their own behalf and as members of the class of which they are representative and interested in the common questions arising in the case. All are taxpayers residing in the State of Alaska.

Hugh J. Wade, defendant, is the Secretary of State of the State of Alaska and by statute, AS. 15.15.010, is vested with the responsibility of general administrative supervision over all statewide elections.

The issues of this case are in all probability the most complex inherent to a democratic society, for they raise questions concerning the necessity for, and manner in which all citizens may be assured of an adequate voice in the processes of government. Until 1962, the courts took no part in the resolution of these issues, for it was consistently held

THE SUPREME COURT OF THE STATE OF ALASKA

HUGH J. WADE, SECRETARY OF STATE,
STATE OF ALASKA,

Appellant,

v.

JAMES NOLAN, ROBERT H. ZIEGLER,
HOWARD BRADSHAW, FRANK PERATROVICH,
ALFRED OWEN, HAROLD Z. HANSEN,
ROBERT J. McNEALY, JOHN B. HALL,
YULE F. KILCHER, DAVID C. HARRISON,
GRANT H. PEARSON, ROBERT R. BLODGETT,
NEAL W. FOSTER, PEARSE M. WALSH, and
EBEN HOPSON, on behalf of themselves
and all other persons similarly sit-
uated.

Appellees.

File No. 731

O P I N I O N

[No. 346 - May 20, 1966]

Appeal from the Superior Court of the State of
Alaska, First Judicial District, Juneau.
James A. von der Heydt, Judge.

Appearances: Warren C. Colver, Attorney General,
Michael M. Holmes, Deputy Attorney General,
Theodore E. Fleischer, Assistant Attorney
General, Juneau, for Appellant. Avrum M.
Gross, Faulkner, Banfield, Boochever &
Doogan, Juneau, for Appellees.

Before: Nesbett, Chief Justice, Dimond and
Rabinowitz.

NESBETT, Chief Justice.

The principal question presented by this appeal is
whether the Governor of Alaska was authorized by the Alaska

THE SUPREME COURT OF THE STATE OF ALASKA

HUGH J. WADE, SECRETARY OF STATE,
STATE OF ALASKA,

Appellant,

v.

JAMES NOLAN, ROBERT H. ZIEGLER,
HOWARD BRADSHAW, FRANK PERATROVICH,
ALFRED OWEN, HAROLD Z. HANSEN,
ROBERT J. McNEALY, JOHN B. HALL,
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uated,

Appellees.

File No. 731

O P I N I O N

[No. 346 - May 20, 1966]

Concurring Opinion of Justice Rabinowitz