

**FOLDER NO.**

**152**

CONSTITUTIONAL CONVENTION  
PUBLIC HEARING  
FAIRBANKS, ALASKA, DEC. 29, 1955

Public hearings are being held throughout the Territory this week by delegates to the Constitutional Convention. The purpose of these hearings is twofold. — First, it will give the Delegates an opportunity to report to the people on the progress of the convention and Second,— It will give the people an opportunity to make known to the Delegates any point or points regarding the Constitution that they think should or should not be included in the Constitution.

The Constitutional Convention convened on November 8, 1955 at the University of Alaska and was called to order by Governor B. Frank Heintzleman. Mrs. Mildred Herman of Juneau was elected temporary Chairman and Mr. John B. Hall, of Fairbanks was appointed Secretary, pro tem. The next two days the Convention was organized and the following permanent officers were elected by the Delegates:

Mr. William A. Egan, Valdez, President

Mr. Frank Peratrovich, Klawok, 1st Vice President

Mr. Ralph J. Rivers, Fairbanks, 2nd Vice President

Mr. Tom Stewart, Juneau, Secretary

Mr. Egan, President of the Convention first appointed a Committee on Committees to assist him in appointing the various standing committees.

A total of fourteen committees was appointed to carry on the work of the convention. Two of these Committees, the Rules Committee and the Administration Committee have work that is indirectly connected with the Constitution. Eleven of the Committees were charged with preparing specific articles or parts of the Constitution and one Committee, Style and Drafting is to be responsible for editing all proposals to avoid inaccuracies, repetitions, inconsistencies or poor drafting. This Committee will also be responsible for the final form of the Constitution.

The various articles of the Constitution were divided among the eleven standing committees so that each committee would have a reasonably equal work load.

Considerable advance preparation was accomplished by the Alaska Statehood Committee which facilitated the early organization of the Convention. They arranged with the Public Service Administration, a non-profit organization, to prepare studies and brochures that would give the Committees important background information and serve as a point of departure for Committee work.

Arrangements were made by the Convention for Consultants from the States to be on hand to assist the various committees in an advisory capacity. (Some of the Consultants that we have had are as follows):

Bartley, Ernest R., Professor of Political Science, University of Florida; Director of Reserch, Florida Board of Constitutional Revision Committee; Author of several staff papers for PAS Alaska constitutional project; "The State Constitution Within the American Political System", "The Constitution and Natural Resources", and "The Judicial Department". Co-Author: American National Government and Administration. Special interest in judiciary, natural resources, and executive branch.

Cooper, Weldon. Associate Director, Bureau of Public Administration and faculty member, University of Virginia. Formerly Executive Assistant to the Governor of Virginia; faculty member at the Universities of Alabama and Texas; official of the U. S. Bureau of the Budget; and conducted research for various bureaus and organizations concerned with local government matter. Author of many articles and several books on the executive branch and on local government including co-author of State and Local Finance in Virginia, and author of Municipal Government in Alabama, and Metropolitan County.

Elliott, Sheldon D. Lawyer and dean of law New York University and Director, Institute of Judicial Administration. Formerly a member of the faculty at the University of Michigan and University of Southern California. Formerly associated with the Los Angeles Legal Aid Foundation; Los Angeles Committee on Reorganization of City Government; California State Constitutional Revision Committee; New York Institute of Judicial Administration; and California State Legislative Council Bureau. Author of California Administrative Law and Cases and Materials on Legislation, and articles in legal journals.

Ostrom, Vincent. Staff, Center for Advanced Study in the Behavioral Sciences, Stanford, California. Formerly associated with various organizations including the Northwest Regional Project in Educational Administration, Social Science Research Council, Wyoming Legislative Interim Committee, Oregon Bureau of Municipal Reserach and Services, and the Haynes Foundation of Los Angeles. Also formerly a member of the faculty at the University of

Wyoming and at Oregon State College. Author: Water and Politics, Water Supply, and articles and studies on natural resource policy and administration, local government, and State and local finance and taxation.

Schedules were drawn up so that each Committee would meet daily for 1½ to 3 hours to prepare their proposals for the Constitution. Many committees held extra evening and Sunday sessions in addition to their regularly scheduled meetings. Most Committees held open public hearings and from time to time invited local people, with a particular knowledge of a subject, to appear before the Committee.

The Committees studied other State constitutions, borrowed some ideas from them, improved on them when they thought it possible and generally tried to adapt them to our peculiar circumstances here in Alaska. In some fields it has been necessary to "break new ground" as there was nothing in other State constitutions that would fit our conditions. By this process the present Committee proposals have evolved.

Now a word as to the progress of a proposal through the convention. Any delegate may introduce a proposal for inclusion in the Constitution; there have been 42 delegate proposals introduced to date. Delegate proposals are read in first reading by title and then referred to the proper standing committee. All delegates receive copies of individual delegate proposals. The standing committees act on all delegate proposals and report to the convention:

- (a) Adopted in whole or in part in a Committee proposal.
- (b) Disapproved
- (c) Disposed of otherwise

Committee proposals are read by title only in First reading and then referred to the Rules Committee to be placed on the calendar for second reading. In second reading they are read section at a time and are subject to amendment from the floor by a majority vote at this time. When they have passed second reading they are referred to a special committee on Engrossment and Enrollment

to see that all floor amendments have been added. From this committee they are referred to Style and Drafting Committee where changes may be made to improve construction or grammar but not to change the substance. No proposal shall be declared adopted unless at least twenty eight delegates shall have voted in favor of its adoption. After all proposals have been agreed upon, they are referred 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.

Committee proposal No. 1, Suffrage and Elections, and No. 2, the Judiciary, have been agreed upon by the Convention. All others are in second reading but have not been placed on the Calendar; they are subject to amendment from the convention floor by a majority vote. Some of the Committees may request that their proposals be re-committed after the recess, so that suggestions arising from the recess hearings may be incorporated in the proposals by the Committees.

Before proceeding with the hearing, I would like to introduce the Delegates who are holding this hearing.

(Introduction of Delegates)

A convention rule requires that any one making a statement at a public hearing, shall give his name and state whether he is appearing in an individual or a representative capacity. If the statement is in written form, kindly supply a copy to the Secretary of the Hearing, Mrs. Wien, upon the conclusion of your statement.

We hope that it will not be necessary to limit debate on any subject but since we have so much ground to cover, we can not spend too much time on any one subject. One convention rule will be followed in this connection: "No person shall speak more than twice on one subject, or more than once until persons who have not spoken shall speak, if they so desire." The asking of a question is not considered as speaking on a subject.



We will now take up our first subject on the Agenda.

A G E N D A

1. Preamble and Bill of Rights
2. Judiciary
3. Legislative
4. Executive
5. Local Government
6. Finance and Taxation
7. Lands and Resources
8. Direct Legislation, Amendment and Revision
9. Suffrage, Elections and Apportionment
10. Ordinances and Transitional Measures
11. Resolutions and Recommendations

Before adjourning the hearing I want to take this opportunity to thank the Fairbanks Daily News Miner for printing excerpts of the Committee proposals in advance of the hearing. Also, to thank Judge Vernon D. Forbes for making the District Court Room available for these hearings.

We appreciate the comments and suggestions that have been made here today and assure you they will be placed before the proper committees of the convention for their consideration. Beyond this point they must take the same course as all delegate and committee proposals and that is our Democratic principle of majority rule, for which we can all be thankful.

It is my observation that your Constitutional Convention is made<sup>up</sup> of a hard working group of Alaskans that are primarily interested in drafting a Constitution that will be in the interest of all Alaskans. I am confident that we will have a Constitution that we can all be proud of.

Thank you

# CHAMBER OF COMMERCE

NORTHWARD BUILDING  
FAIRBANKS, ALASKA

Member: U.S. CHAMBER OF COMMERCE  
ALASKA CHAMBER OF COMMERCE  
PACIFIC NORTHWEST TRADE ASS'N

December 29, 1955

Mr. John C. Boswell, Chairman  
Alaska Constitutional Convention Public Hearing  
Fairbanks, Alaska

Dear Mr. Boswell:

The Fairbanks Chamber of Commerce Board of Directors has met and, by majority vote, has authorized me as Vice-President to represent the Fairbanks Chamber of Commerce before this hearing to present the following recommendations which were arrived at after consideration of the committee proposals.

1. Under Committee Proposal I on Suffrage and Elections, we recommend reconsideration of the voting age requirement and change of this to 20 years of age. Also, we recommend that the voting requirement be changed to read as follows: "read and speak the English language."

2. Under Committee Proposal 5 on the Legislative Branch, in regard to the qualifications of members of the legislature, we recommend that the wording be changed so as to require the senators and representatives to reside continuously in the district to be represented for at least one year immediately prior to filing for office.

3. Under Committee Proposal 5 on the Legislative Branch, Section 7, in regard to salary of members of the legislature, we recommend that the wording be changed to read as follows: "Each member of the legislature shall receive an annual salary NOT TO EXCEED one-third of the salary of the Governor."

4. Under Committee Proposal 6, dealing with Local Government, the Board does not feel it has had enough time to study the proposal, but requests permission to appear at a later date to present a written statement in regard to this proposal. This will be done prior to the time this is brought onto the floor of the convention for second reading.

5. Under Committee Proposal 7 on the Bill of Rights, in reviewing the minority report in regard to wiretapping, we recommend the approval of controlled wiretapping, but qualify this by stating that it should be under legislative control.

In behalf of the Fairbanks Chamber of Commerce I wish to thank the members of the hearing for the opportunity to present our views.

Sincerely yours,

*Jerry Nerland*  
Jerry Nerland, Vice-President

JN:kr

MT. MCKINLEY, 20,300 FT

TO THE CONSTITUTIONAL CONVENTION

Re. Suffrage

It has been pointed out on several occasions that if a man is old enough to fight he is old enough to vote. There are some of us, however, who cannot see the logic in this parallel. We are all aware of the fact that he is not old enough at 18 years of age to be the President of the United States, or a Senator, or a Representative. He is not old enough to be a physician or a dentist or a clergyman.

A young man, or young woman, at 18 years of age is still growing. He is going through a period of adjustment in many ways, and he has yet to learn to set his sights on the moral horizon that he will be able to do at the age of 21, or even 20.

This declaration is, therefore, respectfully submitted:

- (1) It is not that we are all-out opposed to a young man or woman <sup>voting</sup> at the age of 18 years.
- (2) It is that we oppose the possible repercussions which may develop if he is given the suffrage privilege at this early age, namely:
  1. If he is allowed suffrage at 18 years he will likely no longer be considered a minor when he reaches this age.
  2. He will likely be permitted bars and other liquor dispensaries privileges.
  3. Such devices as "peep show" moving pictures, now declared closed to minors, will likely be available for the 18-year-old.
  4. It is not inconceivable to believe that houses of prostitution will cater to this age group where life patterns are easily molded.
- (3) It is that we believe that a youth of 18 years needs all of the moral guidance he can have. He has not yet reached the point where he can trust his own wings. He needs another two or three years as a growing period.
- (4) We are, therefore, respectfully requesting the Committee of the Constitutional Convention to reconsider carefully and prayerfully the matter of voting age of our Alaska youth, and that the age be set preferably at 21, or, as a compromise, at 20.

Rev A G Purnanen



Gleno do Spain  
Tanana Valley Sportsmen  
Assn -

Regulation and Maintenance of Commercial Fisheries and Wildlife, including game fish, shall be delegated to separate commissions under such terms as the legislature shall provide.

Provisions shall be made by the legislature for the appointment of commissioners to staggered terms to provide the necessary continuity of programs and prevent undue political interference with proper management.

In the administration of wildlife resources, license fees and other revenues shall be available without reservation, <sup>ed</sup>dedication to the management of these resources.

7:30-10:00 PM

2:00-5:00 PM

COMMITTEE MEMBERS

- ✓ ✓ Barr, Frank, Fairbanks  
Executive  
Finance and Taxation
- ✓ ✓ Boswell, J. C., Fairbanks  
Resources  
Executive
- ✓ ✓ Collins, E. B., Fairbanks  
Chairman, Direct Legislation, Amendment & Revision  
Rules
- ✓ ✓ Cooper, George D., Fairbanks  
Suffrage, Elections and Apportionment  
Legislative
- ✓ ✓ Cross, John, Kotzebue  
Chairman, Resolutions and Recommendations  
Local Government
- ✓ ✓ Doogan, James P., Fairbanks  
Local Government  
Preamble and Bill of Rights
- ✓ ✓ Hilsher, Herb, Anchorage  
Ordinances and Transitional Measures  
Administration
- ✓ ✓ Johnson, Maurice T., Fairbanks  
Judiciary  
Style and Drafting
- ✓ ✓ Laws, W. W., Nome  
Ordinances and Transitional Measures  
Administration
- ✓ ✓ McLaughlin, George, Anchorage  
Chairman, Judiciary Committee  
Style and Drafting
- ✓ ✓ McNealy, Robert J., Fairbanks  
Chairman, Ordinances and Transitional Measures  
Preamble and Bill of Rights
- ✓ ✓ Nerland, Leslie, Fairbanks  
Chairman - Finance and Taxation  
Resolutions and Recommendations
- Reader, Peter L., Nome  
Resolutions and Recommendations  
Resources

COMMITTEE MEMBERS

- ✓ ✓ Rivers, Ralph J., Fairbanks  
Judiciary  
Rules
- ✓ ✓ Stewart, Ben D., Sitka  
Ordinances and Transitional Measures  
Resources
- ✓ ✓ Taylor, Warren A., Fairbanks  
Judiciary  
Direct Legislation, Amendment & Revision
- ✓ ✓ Walsh, M. J., Nome  
Suffrage, Elections and Apportionment  
Rules
- ✓ ✓ Wien, Mrs. Ada B., Fairbanks  
Resources  
Preamble and Bill of Rights

## REPORT OF FAIRBANKS CONSTITUTIONAL HEARINGS

Public hearings on the proposed articles of the Alaska State Constitution were held in Fairbanks on December 29, 1955, in the court room of the federal court house. The afternoon session was called to order at 2:00 p.m. by chairman John C. Boswell.

Delegates in attendance were Barr, Boswell, Collins, Cooper, Cross, Doogan, Hilscher, Johnson, Laws, McNealy, Nerland, R. Rivers, Stewart, Taylor, Walsh, and Wien.

Chairman Boswell explained the organization of the convention, gave a resume of work this far accomplished, introduced the delegates present and announced the agenda for the Fairbanks hearing.

The chairman stated that the first topic for discussion would be the Bill of Rights and that questions or comments from the audience in order. Delegate Rivers suggested that someone give a brief explanation of the contents of the Bill of Rights. Delegate Ada Wien gave an outline review of its contents.

Glenn DeSpain, representing self, asked if the right of access was spelled out in this article. Chairman Boswell informed him that it was included in the resources article.

There being no further comment or discussion on this article of the constitution, the chairman announced that the article on the Judiciary open for discussion.



Delegate Ralph Rivers, a member of the Judiciary Committee, gave an explanation and commentary on this article. Mr. Rivers then stated he knew there was some opposition to the method of selection of judges in the proposed article and would like to hear comments from the audience on this section. There was no immediate response. After a brief pause, Delegate McNealy expressed his opposition to selection of judges as set out in the Judicial article. Delegate Johnson called attention to qualification of judges, particularly to the 6 year residence requirement which had been part of the committee proposal when presented to the convention but subsequently amended on the floor. He asked for expression of opinion from the public on the residence requirement.

Julian Hurley, representing self: (more as a citizen than lawyer, he stated) gave a brief statement of his law experience and residence, first in the state of Oregon and then in Alaska. He stated that he believes judges should be elected because by this method the best judges will be secured and that to deprive any lawyer of the right to run for judge is to deprive him of his fundamental right to run for office and also deprives the people of their fundamental right to elect their choice. He further stated that under the system spelled out in the proposed Judicial article it might just as well be stated that the governor appoint the judges because that is in effect what he would be doing, that under the stated system the judges will be of one political party anyway.

He stated the superior court should consist of 6 judges instead of 5, that court of original jurisdiction should be handled under

superior jurisdiction.

Delegate Johnson asked Mr. Hurley how he felt about a residence requirement of five years for judges. He answered that was not too important, that at the end of one or two years of residence in Alaska a person's qualifications would be well known.

Delegate Taylor asked Mr. Hurley if he believed there should be an amendment to the article providing for a non-partisan election of judges. Mr. Hurley answered, yes. Delegate Taylor pointed out first, the difference of selection of judges in the proposed article from the present system and, second, that the legislature could place jurisdiction under any court it saw fit.

Delegate Doogan asked Mr. Hurley if he thought the judicial council should place the judge's names on the ballot. Mr. Hurley stated, no, there should be no judicial council, that any lawyer should be allowed to run for the office of judge.

Delegate Cooper asked Mr. Hurley to state the qualifications of a lawyer to be admitted to the Alaska Bar Association. Mr. Hurley responded briefly with the qualifications.

Delegate McNealy asked Mr. Hurley what his recollection was as to judges remaining in office in the state of Oregon where they are elected on a non-partisan ballot. Mr. Hurley answered that he recalled they remained in office generally for a long period of time and that they did not take part in politics.

Alice Stewart, representing self, asked Delegate Johnson if judges were elected, did he think it as important to have a 5 year residence requirement. Delegate Johnson answered that he felt it

would be just as important.

Mrs. Sylvia Ringsted, representing self, asked if there is not more objection from the audience to the judicial proposal. She stated that for the record she wished to say she feels that there should be a 5 year residence requirement.

Ten minute recess called at 3:00 p.m.

Chairman Boswell, called the meeting to order and then stated discussion on the legislative proposal to be in order.

Mr. Jerry Nerland, representing the board of directors of the Fairbanks Chamber of Commerce, read a letter from that body which contained 5 recommendations. (Copy of letter in committee file)

Delegate Ada Wien asked Mr. Nerland for a clarification for the record of the statement "we recommend the approval of controlled wiretapping but it should be under legislative control". Mr. Nerland answered wiretapping should not be included in any part of the constitution but be recommended for legislative action.

Alice Stewart, representing self, asked why impeachment proceedings provided to start in Senate instead of the house of representatives. Delegate Cooper gave explanation - - general discussion by delegates Taylor and R. Rivers.

Delegate Cooper in answer to requests of the board of directors of the Fairbanks Chamber, pointed out that legal consultants stated the legal interpretation of the word "reside" means actual physical presence. He explained that the committee had purposely tied the salary of the legislators to that of the governor so that it could raise or lower with changing economic conditions, that legislature

sessions would probably be yearly and longer and more frequent during the year and that the committee wanted the salary to be high enough to attract the best qualified candidates.

There being no further discussion of the proposed legislative article Chairman Boswell announced discussion of the proposed executive article in order.

Jim Ryan, representing self, asked whether it was intended the school system be one of the 20 departments provided for in section 14. He explained that if this was so it appeared that the governor would have the control to appoint the executive head of the educational system, both elementary and higher, and that this would put the schools under a political system. He stated that, in his opinion, Alaska has a fine educational system, both elementary and higher, that the territorial system has operated exceedingly well and that he sees no necessity to change that system. Delegates Cooper and Rivers engaged in general discussion. Delegate Rivers assured Dr. Ryan this matter would be given his personal consideration.

John Buckley, representing self, stated that he had the same comment as Dr. Ryan on fish, wild life, that he opposes the appointment of a single political head rather than a commission which would select its own director and that he would like this spelled out in this section of the constitution. Delegate Rivers explained that fish and wild life comes under the term "regulatory and quasi-judicial" and as such was provided for as requested by Dr. Buckley.

Glenn DeSpain, representing Tanana Valley Sportsman Ass'n, stated the association feels that a fish and wild life commission



should be spelled out in the constitution, with commission to appoint its own director and that there should be no political ties in the administration of fish and wild life.

Delegate Johnson asked if the resources committee had considered the member proposal pertaining to a fish and wildlife commission provided for in the constitution. Delegate Boswell, answered that the committee had considered the proposal and planned to draft a resolution to be submitted to the first state legislature recommending that such a commission be established.

Glenn DeSpain further stated that he recognizes that this is not normally constitution subject matter but feels that the legislature cannot be counted upon to act quickly and correctly in this matter, and therefore, the sportsman ass'n would like it written into the constitution.

Delegate McNealy called the attention of the audience to the fact that the governor would be the only elected official, that the candidate for secretary of state who runs jointly with the successful candidate for governor shall be elected secretary of state.

John Holm, private citizen, representing self, registered his disapproval of electing only a governor with secretary of state running on the same ticket. He stated this would put a "lucrative pork barrel" in the hands of the governor, that this system would make it impossible for an independent to run for secretary of state. He stated that he would like to see at least two officers elected independently.

Delegate Rivers stated he feels the attorney general should be

elected. He asked Mr. Holm to define how far he would go in electing state officers. Mr. Holm answered that he feels a governor and lieutenant governor could run on one ticket, that a secretary of state should be elected separately and possibly the attorney general also.

Delegate Barr explained the committee thinking in not providing for the election of a lieutenant governor.

Mr. Holm reaffirmed his belief that the secretary of state should be elected independent of the governor.

Bob Simon, representing self, questioned if residence requirements would preclude hiring of qualified specialists in various departments or, more specifically, in fish and wild life. Delegate Boswell explained that this requirement applied only to higher bracket state officers and did not apply to commissions or their directors.

Delegate Taylor asking for opinions on provision for attorney general being appointed by the governor. Delegate Barr stated that he felt he should be independent of the governor. Delegate Taylor agreed with Delegate Barr.

Suffrage, election and apportionment was announced open for discussion. Hubert Gilbert, attorney, representing self, asked why the voting age should be lowered at all, since a person does not have all the responsibilities of full citizenship until age 21. He declared himself in favor of 21.

Delegate Cooper explained committee thinking and proposal on the subject and related subsequent action taken on the floor of the

convention.

Delegate McNealy asked Mr. Gilbert if he thought the voting age should be left at 19. Mr. Gilbert stated that if the voting age were to be lowered to 19, a person should then also receive full emancipation at that age.

Mrs. Selda Eidem, representing self, stated that experts feel young people today are two years advanced in mentality ~~over~~ past generations and that she favors lowering voting age to 19.

Delegate Nerland asked Mr. Gilbert how he felt about voting qualifications of "read and/or write". Mr. Gilbert answered that he felt there are people here in Alaska capable of voting intelligently who can speak or write the English language.

Delegate Laws asked Mrs. Eidem if she thought a 19 year old would be qualified to run for the legislature. Mrs. Eidem answered that she would rather be governed by some 19 year olds than by many adults she knows.

Don Eyinck, representing self, stated that he believes the voting age should be lowered to 19, at least. He pointed out that because Alaska is a territory of young people, we have a limited electorate, young people have more responsibility, their earning power is greater at an earlier age, they are taxed more and earlier and they should be freed as soon as possible from taxation without representation.

Mrs. Fay Hurley, representing self, said that since young people are so mentally ahead of yesteryear perhaps there should be a physicaitric test for all voters at 12 years. She stated that of course this is a rediculous suggestion expressed to call attention

to the fact the whole subject of voting age is arbitrary.

Delegate Johnson asked Don Eyinck what he believes qualifications of voters should be relative to "read and/or write". Mr. Eyinck said he agrees with the directors of the Fairbanks Chamber of Commerce that the wording should be read and write but that he feels there should be further specification in the constitution as what wordage a prospective voter should read and write.

Glenn DeSpain, speaking for self, stated that he feels too much is being left out of the constitution and up to future legislatures.

Delegate Barr stated that recently he talked before two High School classes, that he had taken the opportunity to request a show of hands on what they believed should be the voting age. In one class only two members favored 18 years, the other class only one member favored 18. The age 19 won by a small majority in one class and the age 20 won by a large majority in the other class.

Ten minute recess.

Chairman Boswell called the hearing to order and announced that Delegate Cooper would now explain committee proposal and thinking on apportionment. Mr. Hugh Gilbert and Delegate Taylor asked for clarification on 4th division representation and committee thinking on Senator selection. Delegate Cooper stated that the 4th division had not had its representation cut in number but under the system provided in the proposed article would represent all economic and social areas, on a population basis. He further stated that the senate would be chosen on a strictly geographic basis.

Alice Stewart, representing self, asked for clarification on



duties of apportionment board. Delegate Cooper answered that the board makes apportionment determination and the governor makes the declaration.

At 5:00 p.m. Delegate M. Johnson moved and asked unanimous consent that the hearings stand adjourned until 7:30 p.m.

There being no objection, the chairman declared the meeting adjourned until 7:30 p.m.

Hearings called to order at 7:30 p.m. Delegates in attendance were: Barr, Boswell, Collins, Cross, Doogan, Hilscher, Johnson, Laws, McNealy, Nerland, Rivers, Stewart, Taylor, Walsh, and Wien.

Chairman Boswell gave a brief explanation of the work accomplished by the convention to date and reviewed articles which had been covered in the afternoon hearing session. He then introduced delegates present and named the committees on which each was a member.

Glenn DeSpain was granted permission by the chairman at this time to submit an idea in writing from the Tanana Sportsman Association which the organization wished incorporated in the constitution - - possibly in the executive article. (Copy of statement in committee hearing file)

Chairman Boswell declared discussion on the proposed local government article in order.

John Holm, appearing as an official of Golden Valley Electric Association and the Alaska Rural Electric Association voiced objection to Section 5, of the local government article. He stated wordage therein indicated the cities or the most populated areas would have

the balance of power in a borough. He felt that the balance of power should be on an area basis rather than a population basis. He stated that most features of the article were commendable but improved and changed wordage could correct objectionable sections. He further stated that it would be impossible for a utility district to function under bars as set up in the article.

Delegate Ralph Rivers explained that committee thinking was to avoid numerous districts with overlapping functions. He reviewed borough operation as set forth in the proposed local government article.

Mr. Holm's final statement was that a borough should be administered by a council chosen on an area basis preferably, or at least on an area plus population basis.

Delegate Doogan stated the committee planned to rewrite sections of the proposal before it would be considered in second reading. Jim Ryan, as a private citizen, asked if this article provides for a single collecting and assessing agency within the area.

Delegate Doogan answered in the affirmative.

Jim Ryan stated that one evil in Alaska today is the overlapping of duties and taxes.

Edgar Philleo, speaking for self, asked if the entire territory would be covered by boroughs in the proposed article.

Delegate Doogan answered in the affirmative.

Delegate McNealy asked why the committee chose to call

counties boroughs.

Delegate Doogan stated that Black's Law Dictionary defines borough as a "place for local government purposes" and county "as far as one can drive in day time by horse and buggy".

Discussion on finance and taxation article was declared in order by chairman Boswell.

Delegate Nerland, chairman of the finance committee, gave a resume report on the proposed article.

Lee Gardner, representing self, stated there should be no provision to hold native in ward status and that there should be taxes on all private property.

Delegate Taylor stated there is a federal law that as soon as natives are given fee simple title to land, it is taxable. He further stated that by the purchase treaty with Russia, certain lands, particularly those held by the Russian church, are forever tax exempt.

Jim Ryan, representing self, stated that many states provide that no appropriation bill be passed in the legislature before the governor's general appropriation bill has been passed. He asked if such a provision is included in the proposed article. Delegate Nerland answered in the negative. Section 18 of the Legislative article was presumed to take care of this matter.

John Buckley, representing self, stated that in most states license money is earmarked and that he would oppose prohibition of earmarked funds.

Glenn DeSpain, representing T.V.S.A. stated he wanted game

license and fee moneys earmarked for fish and wildlife.

Ten minute recess called.

Chairman Boswell called the meeting to order and announced discussion on the proposed land and resources article in order.

John Buckley, representing self, stated that the proposed article appeared to him to be an outstanding document as far as a general policy statement. He expressed hope that it could be read and explained.

Upon request of the chairman, Ada Wien read the article, section by section. Where he deemed necessary, Delegate Boswell, vice-chairman of the resources committee, gave a detailed explanation of the article.

Glenn DeSpain, representing self, stated that in section 13 "and meandered lakes" be included after the word "waters" in the first line.

Delegate Johnson stated he believed "and meandered lakes" is included in "navigable waters".

Delegate Boswell stated he believes this to be more completely covered in section 9.

Delegates Taylor and Rivers suggested that section 17 include wordage describing Alaska's boundaries as described in any enabling legislation.

Glenn DeSpain, representing self, requested that wordage "public access and recreational areas" be included.

Delegate Boswell suggested that perhaps such wording should more properly be added to section 6. After further discussion



it appeared to be mutually agreed that the word "recreational" added to section 6 would accomplish the desired result.

Edgar Philleo, speaking for self, stated that the word "meander" is not a description until land surveyed and suggested the word "area" be used in stead of "meandered".

John Simon, representing self, stated that a lake of 25 or more acres is called a meandered lake.

Edgar Philleo, stated in this case the word should be "meanderable".

There being no further discussion of the proposed resources article, the chair declared discussion on direct legislation, amendment and revision in order.

Delegate Collins, chairman of that committee read the committee proposal as it had been when it went into second reading. He then read it in its revised form since floor amendments and called for comments from the audience.

Alice Stewart, representing self, asked if the committee had considered constitutional amendment by initiative.

Delegate Taylor declared that as read tonight it was not considered in the initiative or referendum.

Chairman Boswell declared discussion on ordinances in order.

Delegate McNealy explained the work of this committee dealt mostly with transitional measures which are no permanent part of the constitution. He opened discussion and explanation of the proposed Tennessee Plan and then requested further explanation and discussion by Delegate Hilscher.



There were no questions or comments from the audience.

Secretary Wien read a letter from A. E. Purviance objecting to lowering of voting age. (Letter in committee hearing file)

Alice Stewart questioned the financial ability of the state to maintain itself.

Chairman Boswell expressed the appreciation of the hearing committee to the Newsminer for its excellent coverage and to Judge Vernon Forbes for the use of the court room for the hearings. He assured the audience that committee appreciated its' comments and that all would be submitted to the convention for consideration.

Delegate Johnson moved and asked unanimous consent the hearing be adjourned. No objection. Meeting adjourned.

Respectfully submitted,

Ada B. Wien, Secretary of hearing

Note: During the 15 day recess from the convention, Delegate Barr appeared before two high school classes to discuss and give information on the constitution. Delegate Cooper appeared on a T. V. program to give information on apportionment, Ada Wien appeared on the Chamber of Commerce T. V. program with manager R. A. Derr to discuss the work of the convention and to urge townspeople to attend the hearings. Delegate Cooper appeared at a Board of Directors of the Fairbanks Chamber of Commerce meeting to discuss and explain the local government article, Delegates Nerland and Wien also appeared before the same group to answer questions and discuss the proposed articles of the constitution.

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FAIRBANKS CHAMBER OF COMMERCE  
Northward Bldg.  
Fairbanks, Alaska

December 29, 1955

Mr. John C. Boswell, Chairman  
Alaska Constitutional Convention Public Hearing  
Fairbanks, Alaska

Dear Mr. Boswell:

The Fairbanks Chamber of Commerce Board of Directors has met and, by majority vote, has authorized me as vice-President to represent the Fairbanks Chamber of Commerce before this hearing to present the following recommendations which were arrived at after consideration of the committee proposals.

1. Under Committee Proposal 1 on Suffrage and Elections, we recommend reconsideration of the voting age requirement and change of this to 20 years of age. Also, we recommend that the voting requirement be changed to read as follows: "read and speak the English language."
2. Under Committee Proposal 5 on the Legislative Branch, in regard to the qualifications of members of the legislature, we recommend that the wording be changed so as to require the senators and representatives to reside continuously in the district to be represented for at least one year immediately prior to filing for office.
3. Under Committee Proposal 5 on the Legislative Branch, Section 7, in regard to salary of members of the legislature, we recommend that the wording be changed to read as follows: "Each member of the legislature shall receive an annual salary NOT TO EXCEED one-third of the salary of the Governor."
4. Under Committee Proposal 6, dealing with Local Government, the Board does not feel it has had enough time to study the proposal, but requests permission to appear at a later date to present a written statement in regard to this proposal. This will be done prior to the time this is brought onto the floor of the convention for second reading.
5. Under Committee Proposal 7 on the Bill of Rights, in reviewing the minority report in regard to wiretapping, we recommend the approval of controlled wiretapping, but qualify this by stating that it should be under legislative control.

In behalf of the Fairbanks Chamber of Commerce I wish to thank the members of the hearing for the opportunity to present our views.

Sincerely yours,

Jerry Nerland /s/

Jerry Nerland, Vice-President

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TO THE CONSTITUTIONAL CONVENTION

Re. Suffrage

It has been pointed out on several occasions that if a man is old enough to fight he is old enough to vote. There are some of us, however, who cannot see the logic in this parallel. We are all aware of the fact that he is not old enough at 18 years of age to be the President of the United States, or a Senator, or a Representative. He is not old enough to be a physician or a dentist or a clergyman.

A young man, or a young woman, at 18 years of age is still growing. He is going through a period of adjustment in many ways, and he has yet to learn to set his sights on the moral horizon that he will be able to do at the age of 21, or even 20.

This declaration is, therefore, respectfully submitted:

- (1) It is not that we are all-out opposed to a young man or woman voting at the age of 18 years.
- (2) It is that we oppose the possible repercussions which may develop if he is given the suffrage privilege at this early age, namely:
  1. If he is allowed suffrage at 18 years he will likely no longer be considered a minor when he reaches this age.
  2. He will likely be permitted bars and other liquor dispensaries privileges.
  3. Such devices as "peep show" moving pictures, now declared closed to minors, will likely be available to the 18 year olds.
  4. It is not inconceivable to believe that houses of prostitution will cater to this age group where life patterns are easily molded.
- (3) It is that we believe that a youth of 18 years needs all of the moral guidance he can have. He has not yet reached the point where he can trust his own wings. He needs another two or three years as a growing period.

(4) We are, therefore, respectfully requesting the Committee of the Constitutional Convention to reconsider carefully and prayerfully the matter of voting age of our Alaska youth, and that the age be set preferably at 21, or, as a compromise, at 20.

Rev. A. E. Purviance



Regulation and Maintenance of Commercial Fisheries and Wildlife, including game fish, shall be delegated to separate commissions under such terms as the legislature shall provide.

Provisions shall be made by the legislature for the appointment of commissioners to staggered terms to provide the necessary continuity of programs and prevent undue political interference with proper management.

In the administration of wildlife resources, license fees and other revenues shall be available without reservation, dedicated to the management of these resources.

Glenn DeSpain  
Tanana Valley Sportsman Association