

FOLDER NO.

153

REPORT OF THE JUNEAU COMMITTEE.

Members: Chairman Douglas Gray, R. E. Robertson, Rev. R. R. Armstrong, Burke Riley, George Sundborg, Dora M. Sweeney.

Dec. 21. Informal meeting, Baranof Coffee Shop to plan for committee's appearance at Juneau Chamber of Commerce, Dec. 22. Topics assigned and program outlined.

Dec. 22. The committee, with exception of Mr. Riley (weather-bound), spoke to the members of the Juneau Chamber of Commerce: Mr. Gray on purpose of the hearings and on plans made; Mr. Sundborg on the rules and organization of the convention and status of proposals; Mrs. Sweeney on the committee on administration, with particular emphasis on the financial status of the convention; Rev. Armstrong, style and drafting and the general tone of the convention; Mr. Robertson, the committee on resolutions and briefly on Committee Proposal No. 4.

Full attendance of members and guests (55 to 60 persons) and genuine interest shown.

Dec. 22. Mr. Sundborg spoke before the High School Civic Class on invitation of Mr. Dean, teacher.

Dec. 26. Further planning meeting, Baranof Coffee Shop. Schedule for public hearings on Dec. 27 and 28 set up. Radio and newspaper coverage also planned.

Dec. 27. Senate Chamber, 2:00 p.m. Committee Proposal No. 5 was read by Mrs. Sweeney. The only written statement presented was that submitted by Mr. Robert Druzman, copy on file. Mr. Druzman's statement includes comments on other committee proposals also. Comments from the gallery included:

1. Salaries of legislators under this proposal would result in a very high ratio of legislative costs to the total budget of the State.
2. It was suggested that the legislators set their own salary, -- otherwise we would have the highest paid Governor of any state.
3. Perhaps the annual salary is not the best plan.

In addition to his written statement, Mr. Druzman made the following comments:

1. Sec. 8. The last sentence should be deleted so that it would not be possible for either house to recess. Under the present wording there is nothing to prevent one house from recessing for three days, return to work for one or two days, and then recess for another three days, -- throughout the entire time set for the session.
2. Sec. 11. Mr. Druzman favored a Lt. Governor to preside over the Senate.
3. Sec. 16. Mr. Druzman, (as also suggested by William L. Paul, Sr.) believed that the word "favorable" (or similar word) be inserted in line 16, before the word "vote".

Several in the gallery spoke on the question of judicial determination found in Sec. 18, page 7, line 8. Who makes the judicial determination; when? Mr. Jack McKay did state that the legislature could pass a special or local law, and then the validity would have to be tested, which would comprise the judicial determination.

###

Rev. Armstrong read the Bill of Rights proposal. The following points were reviewed, in addition to those in Mr. Druxman's statement:

1. Sec. 13. There was some questions concerning the number of jurors for Courts of Record.
2. Sec. 18. There was some concern as the operation of this section without infringing on other rights. Mr. Paul thought this section belonged in some proposal other than the Bill of Rights.
3. Mr. Frank Marshal wanted to be sure that the regulations were similar to cur present regulations. There arose in his mind a possible danger of the militia being used as a protector of private property against other residents of the State or the United States.

###

Mr. Riley then briefly discussed the background of the Resources Proposal, and then read it.

Mr. Al Anderson, Executive Director, Alaska Resources Development Board, pointed out that lines 21 and 23, page 5, last sentence, makes no provision for mine, milling or refining sites.

Page 6, line 19. Mr. William L. Paul, Sr., suggested that the language could be made stronger by the insertion of the words "it being provided that where one may fish, all may fish" at the end of the paragraph.

Mr. Anderson also questioned the last sentence of Section 11, page 5, lines 8, 9, and 10, asking how, if patent had been issued, could the State withdraw the land.

Senator Marcus Jensen spoke concerning the need to include some language in the constitution on game, game fish, and wildlife management, including the earmarking of license fees and other revenues specifically for the management of these resources. Senator Jensen filed a statement, which is on file.

Since the hour was late, questions and answers and filing of statements on this proposal were set over until 7:30 p.m. Dec. 28.

For the above hearing each committee member read his proposal section by section, and briefly commented on the committee's thinking. The Senate galleries were full, and great interest was indicated by the number of questions asked and the attention given the speakers.

###

Dec. 27. Evening. Chairman Gray was guest speaker at the Douglas Lions Club dinner meeting. He discussed the convention, committee proposals, and solicited the interest of the people of Douglas in the constitution. There were 12 members present.

Dec. 28. Noon. Rev. R. R. Armstrong was guest speaker at the Kiwanis Luncheon meeting. He spoke briefly on Civil Rights, Resources, apportionment, and local government, following this by a question and answer period. There were 28 to 30 present.

Dec. 28. 2:00 p.m. Mr. R. E. Robertson briefly discussed Committee Proposal No. 2. Mr. Druyman's statement comments briefly on this proposal. He stated that his main point is that a Justice should be able to retire earlier without loss of retirement status or other benefits.

###

Chairman Gray discussed the background work culminating in Committee Proposal No. 14 - apportionment. He had prepared maps to show House representation, and a larger map to indicate senatorial districting. There was some criticism of the House districting, particularly as concerns Hoonah, Pelican, and Elfin Cove areas. As to Senatorial districts, many felt that the old judicial division lines should be maintained, while others felt that if the new districting maintained almost the same judicial division lines (as claimed by Mr. Gray), then the Senate Representation should remain the same as before - equal - four from each division. Mr. Curtis G. Shattuck is submitting a written statement.

A short recess was called to permit interested parties to view the maps at closer range, after which Mr. Gray concluded his remarks. Mr. Druyman's statement comments on this proposal also.

###

Mr. Sundborg read Committee Proposals 10, 11, and 12, and made brief comments. Mr. Druyman asked if Sec. 13, page 6, lines 10-12 were in conflict with Sec. 20 in Committee Proposal No. 5, page 7, lines 14-20. Mr. Druyman also commented on other sections of these proposals in his statement. Mr. William Winn believed that Section 11 of Proposal No. 9, beginning on page 3, line 22 and continuing on to page 4, line 8, should be rewritten by a bond attorney for the reason that it is too loosely drawn up. He claims that under this wording obligations could be incurred for special improvements without the vote of the property holders involved. Mr. Winn is submitting statement to clarify his remarks.

###

Mr. R. E. Robertson gave the background which resulted in Proposal No. 4 coming out in its present form. Mr. Felix Toner, speaking for the Juneau Chamber of Commerce emphasized the fact that the proposal should not include any reference to a referendum in the future because this would hold progress and business in Juneau in a stage of suspension during this period. He urged the delegates not to support any referendum provision in the proposal. Mr. Boochever, President of the Juneau Chamber of Commerce, stated he believed that the matter of changing the location of the capital should be left to amendment of the constitution at a later date.

###

7:30 p.m. RESOURCES hearing, continued:

Mr. A. W. Boddy, speaking for the Alaska Sportsmen's Council, the Territorial Sportsmen, and himself, read statements relative to a section on game, game fish and wildlife, which he urged the delegates to include in the constitution. Mr. Clarence Rhode (Fish & Wildlife Service) speaking for himself, expressed his agreement with Mr. Boddy's statement, but stated he would like to have the proposed section

include directives as to selection of commissioners for the management department, and stronger language limiting the use of funds collected to the management of this resource only. Mr. Boddy filed statements, which are on file.

Also speaking were Mr. Arthur Skinner for the Territorial Sportsmen and himself, and Mr. Urban P. Nelson, Fish & Wildlife Service, for himself. All witnesses were emphatic in their belief that the game fish and commercial fisheries should be managed by separate departments, and that funds collected from license fees, and taxes on firearms, fishing rods, and ammunition should be earmarked for management of game fish, game, and wildlife department.

Mr. Al Anderson suggested that Sec. 1, first sentence, read "utilization, balanced development, and conservation" rather than as now written. He believed some changes should be made in Section 7, one of them being line 4, changing the word "State" to "Alaska", deleting the period and inserting the word "until" and going on with the sentence following. Mr. Anderson also stated that the leasing provisions were not acceptable to the mining industry. Mr. Anderson, as an individual, was concerned as to the cost of the government which was being set up, and asked if the convention had a committee on finance which could determine what the costs are expected to be.

###

Mr. Armstrong then briefly reviewed the "Tennessee Plan" with one or two comments from the gallery.

10:20 p.m. There being no further business, the public hearings adjourned.

Members of the committee express their appreciation to the following for their help during these hearings:

Mrs. Irene Carlson, Clerk
Pages: Allison Armstrong,
Rosemary Sundborg
David Gray
Pierre Sundborg
George Sundborg, Jr.

ALASKA CONSTITUTIONAL CONVENTION

Attendance at Juneau hearing

December 27, 1955

- Jesse A. Parks
- Elton Engstrom
- Ruth G. Mulcahy
- Alfred E. Lundstrom
- Delip Jones
- W. J. Mantley
- Label Miller
- Mrs. Marcus Jensen Douglas
- Mrs. Clayton T. Kelly
- Senator Marcus Jensen
- JOHN H. DIMOND
- Dermot O'Flanagan
- Dan H. Halston
- Donna Spragg
- Bob James
- Erik Larson
- Ernst Alaman
- Hugh J. Wade

ALASKA CONSTITUTIONAL CONVENTION

Attendance at Juneau hearing

December 27, 1955

Chas. Fryer
Mrs. Douglas Gray
Mrs. Leonard Johnson
Mrs. Chas. G. Burdick
Chas. G. Burdick
Mrs. Urban C. Nelson
Mrs. Roy M. Fremming
Roy W. Fremming
Fred Seeshin
E. J. Hing
Frank Marshall
C. J. Dreyer
Katherine J. Alexander
How M. Stoebe
W. Anderson

Attendance at Juneau hearing

Afternoon, December 28, 1955

Ch. Freyler

J. Shields

Sue E. Shields

Mr. Roy W. Fremming

Mrs. Douglas Gray

Marshall Erwin

Chris Hennings

Rolf W. Fremming

Berneice Gair

Kath G. Shields

R. Brochev

Mrs. J. M. Gray

Lou Stabe

Wang E. Henderson

Ruth G. Shields

James G. Brown

Mrs. Susan Gray

Harold E. Anderson

ALASKA CONSTITUTIONAL CONVENTION

Attendance at Juneau hearing

Afternoon, December 28, 1955

G. O. Parks

Engineer P. Sumas

Anna Spragg

Julius J. Toner

William Wynn

DON COOLIDGE

Reuben G. Metcalf

Will Trimble

Ely Trimble

S. Miller

Yudresenlin

Lynn Roberts

Vern Metcalf

Rev. John Scotty

Robert M. Scott

Mrs. Signione

ALASKA CONSTITUTIONAL CONVENTION

Attendance at Juneau hearing Evening, December 28, 1955

Bonnie J. Gaudy (miss)

Rolf W. Tremming

Magbelle V. Freymont (Mrs. Rolf W.)

Mrs. Douglas Gray

Miss Charlotte Davis

Zed Lillingham

Douglas Babcock

C. Swanson

Dan H. Ralston

L. E. Whitel

Ed. Zigler

Jack Buller

Al Anderson

Robert W. Duesman

Paul A. Neumas

Arthur Skinner

A. W. Boddy

Mrs. R. Rowland Armstrong

Mrs. E. S. Merrill

Clarence Rhode, USFWS

ALASKA CONSTITUTIONAL CONVENTION

Attendance at Juneau hearing Evening, December 28, 1955

Phil R. Holdsworth

W. H. Kerns

Crowder Carey

Fred Sobier

G. W. Greeley

Delegates Make First Report

[Juneau Empire, 12/23/55]

On Constitutional Convention

The first report from Juneau delegates to the Constitutional Convention, made yesterday before the Chamber of Commerce, added up to this:

1. There's no good reason to worry about Juneau losing its position as capital of Alaska for a long time to come, possibly for all time.

2. Public hearings scheduled here Dec. 27 and 28 are designed expressly for the receiving of opinions, suggestions and criticism on the Constitution now being drafted.

3. By Jan. 3, the end of the Christmas recess, half of the \$262,000 left from the \$300,000 originally appropriated by the legislature of the convention will have been spent.

4. Juneau delegates unanimously believe the attitude of the 55 delegates, and the atmosphere of the Convention itself, are such that the best possible Constitution will be drafted and offered to the people for ratification.

5. The remaining days of the convention should produce proposals and ideas from the delegates more reflective of the thinking of the people of Alaska—the result of the recess—hearings authorized throughout Alaska by the convention.

These are some of the thoughts expressed before the chamber yesterday by Delegates Douglas Gray, George Sundborg, Dora Sweeney, R. Rolland Armstrong and R. E. Robertson. Three other Juneau delegates, H. R. Vanderleest, Mildred Hermann and Katherine Nordho, will not be in town for the hearings next week. Two are spending the holidays in the states and Mrs. Hermann is conducting hearings in Nome.

Gray, who will act as moderator, said the purpose of the hearings is three-fold: (1) to get a grass-roots report on public thinking, (2) give the people an opportunity to state their ideas and recommendations, and (3) to give the delegates themselves a rest and a chance to "recollect their reserve."

Robertson, discussing the controversial question of including in the Constitution the site of the capital of the state of Alaska, assured the people of this area Juneau has every opportunity of continuing as the capital—at least until a referendum is held on the subject.

Robertson said there is a good chance of passage of Resolution

No. 4, the first paragraph of which provides that Juneau be the capital for 10 years after Alaska becomes a state, after which time the Legislature would be required to provide from a study of those communities in Alaska which express a desire to become the capital.

"There is little if any opposition to Juneau being the capital," Robertson said. "But there seems to be a feeling among most of the delegates that the people of their areas would like a chance to vote on it."

Mrs. Dora Sweeney, chairman of the enrollment and engrossment committee, and also a member of the committee on administration, discussed the convention's finances. She reported on some of the expenses of the convention and on how the funds are being spent.

She said \$160,000 was allotted for expenses of the delegates, which includes salary, per diem, travel and social security. The secretariat was allotted \$74,000, and \$25,000 for consultants.

Tape recording the entire plenary sessions was provided for with an \$8,000 allotment. The tapes, she said, will have historical value, help in research and judicial study, which will provide a good method for learning later what the specific intent of the drafters was behind the formulations of each article.

Sundborg explained the operation of the convention itself and told about the amount of work—and dedication to it—of the delegates. Sundborg is chairman of the style and drafting committee which passes on the final wording of

each article.

Armstrong, member of the bill of rights committee and also of Sundborg's committee, explained the tortuous route each proposal must pass before it finally comes to rest with the style and drafting committee.

Armstrong had a complimentary word about the cooperation the convention has received from radio, press and television in Fairbanks, and especially of University of Alaska President, Dr. Ernest Patty and his staff.

Public hearings will begin at 2 p.m. Dec. 27 in the Senate chambers in the federal building, and open at the same time the following day.

Gray urged all those who might want to submit written statements to the convention to submit them at these hearings. They will be made part of the record, Gray said, and duly considered by the convention committees when sessions reopen Jan. 3.

Crowds Pack Gallery to Hear Delegates Explain Articles

Disregarding comments and queries from the packed gallery, only two persons appeared to offer formal statements before the six constitutional convention delegates who opened hearings here yesterday to sound out public opinion on their work so far.

Robert Druxman, Juneau realtor and Sen. Marcus Jensen of Douglas, were the only persons to offer formal statements on proposed articles presented in preliminary draft.

Most of the three-hour session in the Senate chambers was taken up reading each section of committee reports on articles dealing with legislative powers and duties, bill of rights and resources. Druxman offered suggestions on the first two proposals, Jensen on the wildlife aspects of the resources article. Other comments came from the gallery.

More testimony will be taken on the resources proposal this evening at a special hearing called by Chairman Douglas Gray. This hearing will begin at 7:30 p.m. and will run until all interested persons are heard.

A second hearing is scheduled for 2 p.m. this afternoon on articles dealing with the state judiciary, direct legislation, suffrage, appointment, executive, finance, local government and ordinances.

Druxman yesterday objected to the limitation of the size of the state legislature. Committee proposal No. 5 limits the Senate to not more than 20 members, the House to not more than 40 members.

Druxman suggested that such a limitation may work undue hardship on individual legislators because of the pressure of committee work. His point was that as the state grows in population this growth should be reflected in the legislature. Such an increase in membership would give legislators more time to devote to his assigned committees, which would be less in number than otherwise be the case.

Gray observed that there are five other states limiting their senates to about 20 members and that this has worked well.

Both Druxman and William Paul, grand president of the Alaska Native Brotherhood, who commented from the gallery, objected to Section 14 dealing with the manner of removing civil officers for causes less serious than those calling for impeachment.

Paul objected to absence of a provision entitling the accused officer to see the charges against him before they come up before the legislative houses. He also asserted that the accused should be entitled to face witnesses against him.

"This section," declared Druxman, "is dangerous and could result in serious political and financial damage to the state."

Druxman also questioned the provision entitling the state to sue for damages in the event of a disaster, and suggested that the word "damages" be inserted before the word "institution."

Druxman suggested that the word "damages" be inserted before the word "institution."

Druxman suggested that the word "damages" be inserted before the word "institution."

Druxman suggested that the word "damages" be inserted before the word "institution."

Druxman suggested that the word "damages" be inserted before the word "institution."

to spell this out might prevent the state from appropriating funds for such institutions as the Sheldon Jackson School at Sitka, which gets funds to support certain students, or St. Ann's Hospital, to care for welfare cases.

Section 23, dealing with native lands, Druxman said, is so worded as to limit the state of Alaska from ever asking for more land than it received from the federal government at the time it became a state.

Comments on the bill of rights article, which was read and explained by Delegate R. Rolland Armstrong, dealt mainly with rights of a person not to testify against himself.

Dimond and Delegate R. E. Robertson were concerned about the failure of the article to stipulate clearly a person's right of jury trial in all instances—courts of record and not of record, civil and criminal.

Robertson commented about the failure of the article to spell out the number of jurors for criminal cases—that is, to clearly indicate an intention to preserve the 12-man jury system.

Frank Marshal, a local labor union official, was concerned with the section dealing with the right to establish a militia. He wondered whether the militia would have the right to step in in the case of a strike. Marshal made his comment from the gallery, as did Dimond and Paul.

Absence of wording guaranteeing labor the right to bargain or right to work elicited several comments. Armstrong explained that they were left out because one was in direct conflict with the other. The committee, he said, voted to send the article to the floor of the convention without spelling out these rights, leaving it up to the delegates to thrash out the problem.

Druxman suggested the insertion of wording specifically prohibiting employees of the state or its political subdivisions from striking against it. He also suggested that wiretapping be permitted through issuance of a warrant, which is not covered in the committee proposal.

Jensen's testimony suggested provision be made in the constitution for the financing of the management of wildlife resources which he said has become one of Al-

aska's foremost from the point of income. He said last year \$14 million was spent by hunters from the states. He also asked that wildlife and fisheries be managed independently of each other. More testimony will be taken on resources this evening. Delegates holding the public hearing, in addition to Gray, Armstrong, Robertson and Mrs. Sweet are George Sundborg and Burke Riley of Haines. Riley is a member of the Resources Committee.

Press - Juneau

L

CONSTITUTIONAL CONVENTION
Public Hearings -- Juneau

December 1955

Public Hearings
Open on Drafting
Of Constitution 12-27-55

Public "grass roots" hearings on the Constitutional Convention opened in the Senate chambers this afternoon. A second session will be held beginning at 2 p.m. tomorrow.

Chairman of the hearings to give the public a chance to be heard on the drafting of the constitution is Delegate Douglas Gray. Other delegates sitting in are Mrs. Dora Sweeney, R. E. Robertson, George Sundborg and R. Rolland Armstrong.

No transcripts of the hearings are being taken. Gray announced, however, that persons desiring to insert written statements into the record may do so. These statements will be presented in full to the appropriate convention committee, Gray said.

Juneau EMPIRE, Dec. 29, 1955

Resources Management, Capital's Location Discussed at Hearing

Testimony on the management of Alaska resources, the question of Juneau's position as the capital and the setting up of the method for determining Senate representation highlighted the concluding two hearings held here yesterday by the Juneau delegation to the Constitutional Convention.

Chairman Douglas Gray and Delegates Dora Sweeney, R. Rolland Armstrong, R. E. Robertson, George Sundborg and Bertha Riley of Juneau listened up the hour of hearing expressions by local citizens at 7:30 last night. They will report to Fairbanks today to convene their work during the convention on the floor of the Alaska State Capitol.

Constitution to stipulate two things:
1. That fish and wildlife shall be managed by two public commissions, each independent of the other.

2. That the Constitution stipulate that revenues from hunting and fishing licenses be spent only for management of these resources and that the state shall forever be prevented from diverting this money to other purposes.

Felix Toner, speaking for the Juneau Chamber of Commerce, fully opposed including in the Constitution provision for holding of a referendum of the capital site 10 years from the date Alaska becomes a state.

"Having such a referendum would mean that the state would have to wait 10 years before it could determine the location of the capital," Toner said. "It is better to have the capital location determined now than to have a referendum 10 years from now."

statement in the Constitution placing the capital at Juneau, period. Either that, or no mention of the capital at all.

Boochaver and Toner explained that the mandatory referendum would cause anyone who might be interested in investing in capital construction here to shy away from doing so because a referendum casts doubt about the permanence of Juneau as the capital.

Chairman Gray, a member of the suffrage, elections and apportionment committee, explained the principle which will guide the redistricting of population areas for House representation. The House, slated to be composed of 40 members, will be made up of members selected according to a strict mathematical formula applying in equal proportions to population.

That is the system, Gray said, will be in determining the method of representation to the Senate. The constitution, he said, has already been passed before it. The

(Continued on Page Five)

SHATTUCK AGENCY

ESTABLISHED 1888

INSURANCE · BONDS

TELEPHONE 249

Juneau, Alaska

ALLEN SHATTUCK
CURTIS G. SHATTUCK

January 4, 1956

Dora Sweeney, Delegate
Constitutional Convention
Constitution Hall
College, Alaska

Dear Dora:

Just a note to accompany the attached original and several copies of my thinking relative to the apportionment in the Senate as has been proposed in the committee report. I don't think it needs any enlargement from me and I hope you may find some of its ideas useful.

Sincerely,

By: 

Curtis G. Shattuck
Box 259

*June Hearing file
Shattuck*

The contemplated apportionment for the Senate follows very closely the lines of the present four Judicial Divisions--so closely that the only apparent justification for any change is to make mandatory the selection of Senators from some of the more isolated and sparsely populated areas.

The insistence of this latter theory can be dangerous. It de-emphasizes merit as the basis for selection of Senators. It eliminates the possible selection of potentially good Senators because they happen to be from the same area, and makes necessary the possible selection of poorly qualified Senators in areas which at one time or another may not have qualified men who will file for the Senate.

The greater the apportionment breakdown in either house, the more chance there is for eliminating some meritorious Legislators. While this could be used as an argument against selection of either house on the basis of population districts, the fact remains that the U. S. bicameral Congress represents a nice compromise in this respect. It recognizes the necessity of proportional representation in the lower house even at the cost of eliminating some qualified men in that body; and then it provides an offset in the Senate by not following proportionate population.

The Senate is not known as the "Upper House" for nothing. It is harder to get elected to the Senate, and in general the members of the Senate are men of greater experience, background and ability. This is a natural result of elections of the two houses on a different basis. The national Senate has far more members in proportion to its total who are nationally known and recognized as Statesmen.

The same thing has been true to considerable extent in Alaska, where an advance from the House to the Senate has been a natural move for many Legislators who have been popular representatives of the people.

The proposed departure from the present selection of Senators by division-at-large is a departure from a system which is well-established and considered by most to be satisfactory. It may well result in a substantial additional number of voters choosing to reject the Constitution.

The four Judicial Divisions constitute four separate economic units. This has not been by design, but a rather unusual result of natural development of the Territory. It is well-recognized by those in Alaska familiar with its political science that the present Divisional setup for the Senate gives a nice balance for the Territory in most legislative matters.

The record indicates, too, that qualified men and women from small communities can get elected to the Senate. Because of population distribution, it is only natural that more Senators come from urban areas because there are more qualified candidates in these areas largely because there are more people there, i.e., there are only so many qualified men per thousand of population.

In 1953 the Senate included James Nolan from Wrangell, Doris Barnes from Wrangell, Percy Ipalook from Wales, Gerrit Snider from Wasilla and William Egan from Valdez.

Senators Barnes, Nolan and Egan also served in 1955 and in addition there were Marcus Jensen from Douglas and J. H. Werner from Seward. The selection of such men as Senator Snider, Senator Egan and Senator Werner is particularly noteworthy because of their being subject to election in the same Division as Anchorage, which, with its large population, would appear to make such election unlikely. It is further indication, if any is needed, that the basis of selection of Senators under our present system is merit, not locale.

Matanuska Valley Sportsmen's Association
University of Alaska Wildlife Club
Sitka Sportsmen's Association
Alaska Range Association
Anchorage Sportsmen
Outboard Club

Tanana Valley Sportsmen's Association
Stikine Sportsmen's Association
Territorial Sportsmen, Inc.
Haines Rod & Gun Club
Alaska Bowmen

Alaska Sportsmen's Council

BOX 761 - JUNEAU, ALASKA

December 27, 1955

Members of Resources Committee
and
Delegates to Alaska Constitutional Convention

At this time, I would like to remind you that prior to the Constitutional Convention, we furnished you with information prepared by the Alaska Sportsmens Council on what was felt that should be included in Alaska's constitution to adequately provide for the management protection and perpetuation of her wildlife, sports fish and commercial fish resources.

We received many letters regarding this proposal. Not all agreed entirely with the council's thinking, but a real interest was shown which is most encouraging. One of the principal purposes in the affiliation of the group's comprising the Alaska Sportsmen Council was to be in a position to sponsor legislation to provide proper management and administration of Alaska's Wildlife and Fishery resources, when they pass from Federal to State Control. We, as a group, have studied this for over two years. We believe Alaskan's are aware of the need for a safe guard in the constitution for our wildlife and fishery resources.

At this time, I believe it would be proper to make known to you some of the sources of information which we used in making our recommendation. They included the Wildlife Management Institute headed by Dr. N. Gaborilson, probably the foremost authority in the field of wildlife management, and the National Wildlife Federation. Men from this organization who have assisted us included Charles Callison, Carl Shoemaker, Bill Eishmyer of the Sports Fishing Institute, another very outstanding man in this field, Dr. Paul Herbert, Division of Conservation, Michigan State College, Mr. Al Reigel of Montana, Mr. Bob Miller of Spokane, Washington, Vice President of the National Wildlife Federation, Mr. Segiurd Olson, currently of the University of Pennsylvania and National Park Service, Dr. John Buckley of the University of Alaska and many others who have made Wildlife and Fisheries their life work. While attending the annual meeting of the National Wildlife Federation and the Wildlife Management Institutes last year, I had the opportunity to talk with all of the above mentioned and many more from all parts of the United State, Canada and Mexico. In all cases, I found these men very much interested in Alaska and in Alaska's wildlife and fishery resources. All were quite concereded about the future held for these resources. As will be brought out later, they are now keeping a close watch to see what type of management, what safe guards will be provided in our constitution.



MEMBER NATIONAL WILDLIFE FEDERATION

During these talks and discussions, it became quite evident that they all considered the state of Missouri to have the most efficient Game and Fish Department of any of the states. "The Reason": they have safe guards in their constitution assuring the continuity necessary for proper management.

The question as to advisability of having separate commissions for Wildlife, Sports Fisheries and Commercial Fisheries was also discussed with the above mentioned leaders. They had very emphatic opinions that there should be separate commissions, many of them having had experience in this field. Mr. McKernan, director of the Commercial Fisheries in Alaska at the present time has submitted a brief to the resources committee on this matter. It is hoped that this excellent brief will be given serious consideration by the committee and the delegates.

We have at this time prepared a set of recommendations for your consideration. With your permission, I would like to submit the same for your consideration.

Sincerely yours,

A. W. "Bud" Boddy

A. W. "Bud" Boddy
President Alaska Sportsmen Council
President Territorial Sportsmen, Inc.

Recommendations to Constitutional Delegates

Juneau, Alaska - December 27, 1955

It is our feeling the prime reason for a Constitution is to provide guidelines or limits of authority for the Legislative, Judicial, and Executive branches of the State. It fails of its purpose if it does not accomplish this. The proposed article on resources seems to deal only in broad philosophy without providing guidelines or suggesting how the principal resources are to be managed. We feel this should not be left to chance -- they are too important to all Alaskans.

We believe Alaska should benefit by the experiences of the various states in the matter of resource management. Many of them have amended their Constitution to provide for Game administration -- others have handled the matter by Initiative or Referendum, because they found it necessary to do so. There are compelling reasons why some provision for management of wildlife should be included in the Constitution. Among the most important ones are:

1. Wildlife and game fish are more important to Alaskans than they are to any of the states. Their management has an impact on a very substantial part of the population.

2. The wildlife administration, through license sales to sportsmen, trappers, guides, and trophy fees, will be self sustaining. As in no other Department, there will be attempts to withhold funds or divert them from the purpose intended by the license buyer. If any diversion occurs, Federal Aid funds will be lost and the whole program will be in jeopardy. The program is extremely vulnerable to political manipulation.

3. There is a widespread interest in wildlife management throughout the states. They insist provisions must be definite in Alaska to provide for good administration. National organizations are watching the situation closely. They can be expected to oppose Statehood or transfer of management responsibility or acceptance of the Constitutional provisions by the Congress -- unless guidelines for wildlife management are set forth. They know what has happened in many states and they feel a direct interest in these resources.

4. Alaskans are in agreement these resources shall not become a political football or be dominated by pressure groups. For well established reasons they want separate Commissions for wildlife and commercial fisheries and they do not want these programs to lapse or be controlled by selfish groups.

The Territorial Sportsmen believe the Missouri state constitutional provision is the best in the U. S. and this is endorsed by leaders in the conservation field. They would like to see a modified form adopted for Alaska. As an absolute minimum they believe nothing less than the following will be acceptable:

"Regulation and management of the commercial fisheries and of the wildlife including game fish, shall be delegated to separate commissions under such terms as the Legislature shall provide. Provision shall be made by the Legislature for 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 to the commission without reservation and dedicated to management of these resources."

Above minimum provisions can be added to Section 2 of the proposed Article on Resources. Hunters and fisherman as well as commercial fishery interests strongly support this provision.

This would leave to the Legislature the job of setting up these departments, specifying the manner, terms of appointment, and number of commissioners, and delegations of authority and duties. Appointment of a Director can be provided as the Legislature sees fit. A provision will need be provided to set forth the terms under which the Director may select personnel and for a Civil Service or Merit system to attract qualified and competent personnel. This, also, will be a job for the Legislature. Without above provisions it is evident to everyone that no guidelines will exist and the Constitution will have failed to provide for the establishment of proper administrative machinery to safeguard these all important resources.

There is no evidence at hand to indicate a need for such action with regard to minerals, forestry, or other similar types of resource management. Obviously there is nothing to prevent the Legislature from creating like administrative units for them when or if the need shall sometime arise. The unique importance of both wildlife and the commercial fisheries in the future of Alaska should receive this special consideration.

Sincerely yours
A W "Bud" Boddy
President Territorial sportsmen
President Alaska sportsmen's council

SENATOR MARCUS JENSEN
FIRST DIVISION

COMMITTEES
* HEALTH AND HOUSING
STATEHOOD AND FEDERAL
RELATIONS
FINANCE
LABOR AND MANAGEMENT
MINING AND MANUFACTURING
PERMANENT HELP
* CHAIRMAN

Senate
ALASKA LEGISLATURE

TWENTY SECOND SESSION

JUNEAU, ALASKA

December 27, 1955

RESIDENCE
BOX 937
DOUGLAS, ALASKA

Committee on Natural Resources
Constitutional Convention
College, Alaska

Gentlemen:

Attention: Mr. Burke Riley, Chairman

I would like to endorse the proposal as set forth by the Territorial Sportsmens Association, in regard to the commercial fisheries and wildlife. The recommendation should be left intact except for perhaps minor changes, as I believe personally it is important to set up separate commissions as the scope of the fisheries and wildlife are very different in their application. This recommendation I quote as follows:

"Regulation and management of the commercial fisheries and of the wildlife including game fish, shall be delegated to separate commissions under such terms as the Legislature shall provide. Provision shall be made by the Legislature for 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 to the commission without reservation and dedicated to management of these resources."

Few people realize the enormous economic value of our wildlife resource. I believe it is significant that during the last year 45,000 hunting and fishing licenses were issued. The Territory of Alaska is approximately one-fifth the size of the United States and practically all of this area has some form of wildlife available.

As a registered guide I know that Alaska is thought of as the last frontier in the field of good hunting. If we are to perpetuate the travel between the states and Alaska for hunting and fishing it will be necessary to have a very active Commission and department watching over this resource.

The economic value to Alaska the past year was approximately 15 million dollars diverted into transportation, lodging, food and services, also personal purchases. This does not take into account the value of game meat that supplemented the lockers of many Alaskans, which also run into the millions of dollars.

I strongly urge the delegates at the Convention to give this problem their serious consideration, so that Alaska can look forward to continued prosperity in this field.

Sincerely yours

Marcus F. Jensen

Marcus F. Jensen

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

104 891 - TELEPHONES - 364
422 FRONT STREET JUNEAU, ALASKA



December 27, 1955

Mr. Douglas Gray, Chairman
Special public hearings
Alaska Constitutional Convention
Juneau, Alaska

Dear Mr. Gray:

Attached hereto please find my written statements covering Alaska Constitutional Convention Committee Proposals/2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13 and 14 to be included in the record of the special public hearings you are conducting at Juneau.

These statements, while reflecting the opinions of many others, are my own and do not officially represent the viewpoints of any group with which I am affiliated except by coincidence.

At the same, please extend my warmest commendation to the members of the Convention for their quite evident hard work during the past few weeks. While it is premature, at this time, to state that the proposed Constitution is a perfect document, I am happy to observe that serious consideration is being given to each word and I am confident that the results of your endeavors will be beneficial to all of the people of Alaska.

Congratulations to all of you and many thanks for the opportunity that you have given me to express my own ideas on the subject in which we are all so vitally interested.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert N. Druxman".

Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

¹⁰⁴
~~432~~ FRONT STREET 891 - TELEPHONES - 364
JUNEAU, ALASKA



December 27, 1955

TO: Special public hearings
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Judiciary Committee, Proposal/2

Examining this proposal, I can offer only the recommendation that, in Section 15, the retirement provisions be amended to allow voluntary retirement at age 60.

The mandatory age 70 retirement provision is excellent but it is my feeling that a person reaching the age of 60 should have the right to retire at that age if he so desires. This will permit a man, who has served his state with honor, to relax and enjoy his remaining years in peace, comfort and ease as compensation for his outstanding service to his fellow citizens.

Early retirement will also permit clearing the way for Alaska's younger people to attain high honors without waiting until they get too old to enjoy them. This, of course, helps to keep other citizens busy filling the vacancies left by those who have been advanced thus partially relieving any possible employment problems.

Sincerely,

A handwritten signature in cursive script that reads "Robert N. Druxman".

Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

104 891 - TELEPHONES - 364
123 FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special public hearings
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Direct Legislation
Committee Proposal/3

While the intent of making possible the referendum and initiative vote constitute an ideal, experience of other states has demonstrated that this custom is not practical nor satisfactory.

Direct legislation is inefficient and expensive and, although theoretically to the contrary, actually represents a small minority viewpoint, in practice, which has been whipped up through the use of emotional and irrational stimulation.

Such legislation serves only to tie the hands of either or both the legislative and executive branches more than is good for the best operations of government. This type of legislation is exceedingly difficult to amend, repeal or change in any way.

At the same time, provisions should be made for the Legislature to ask the electorate to ratify legislative action or give an opinion if the Legislature so desires.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert N. Druxman".

Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

¹⁰⁴ 891 - TELEPHONES - 364
~~125~~ FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special public hearings
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Ordinances and Transitional Measures
Committee Proposal/4

There are many admirable features of the so-called Tennessee Plan in which two U. S. Senators and one member of the U. S. House of Representatives would be elected by the Territory prior to Statehood BUT it seems to me that the disadvantages more than outweigh any benefits which might possibly accrue to the people of Alaska.

This is probably the most controversial issue yet raised at the Constitutional Convention and has aroused so much feeling that it is entirely possible that, if it were placed on the same ballot as the Constitution even though not part of it, the entire Constitution could be defeated. This one factor might mean rejection depending, of course, on how it would be handled. The delegates must decide if this feature is worth the risk of losing everything they have worked for.

Many people hold the opinion that such a plan would be considered a highly presumptuous act in the eyes of Congress and could seriously impair Alaska's very chances of achieving statehood thus defeating the purpose for which the plan was conceived. Others feel that this would represent an unjustifiable, unnecessary and heavy expense to duplicate the present efforts of both the Alaska Statehood Committee and the Delegate to Congress from Alaska.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert N. Druxman".

Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

104 891 - TELEPHONES - 364
122 FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special public hearings
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on the Legislative Branch
Committee Proposal/5

Section 1. It seems unwise to limit membership in the State Legislature to 20 Senators and 40 Representatives even though this is more than the membership of the present Territorial Legislature. Several valid reasons have been advanced by this Committee for arriving at such a limit but it does not allow for the future expansion we hope will come to Alaska nor for better physical Legislative efficiency.

Most present Legislators will admit their personal difficulties in partaking physically and intelligently in all of their assigned Legislative duties. There are 12 standing committees in the House and 16 in the Senate, each with a distinct and separate function. In order to distribute the committee workload more efficiently, more Legislators are needed. This is necessary if the committee system is to be preserved and if it is desired to ease the committee burden of the individual legislator. If this is done, each person would have more time for all of his assignments. Under the present system, it is not unheard of for a committee to actually consist of only one person by reason of the default of the other members. That is a far from desirable situation.

Section 5. In the second sentence, lines 15 and 16, I believe that the phrase "services have been terminated" should be more clearly defined to avoid any possible legal confusion in the future.

Section 8. For obvious and historical reasons, I think that the phrase "for a period not longer than three days" should be stricken. Otherwise, the intent here could easily be circumvented by continual recesses every three days.

Section 11. Due to the customary smaller number of Senate members, it seems best that the Lieutenant Governor be the presiding officer of the upper house as is customary in most other states.

Section 13. For the very reason given by the Committee in its explanatory paragraph accompanying this proposal, the Senate, rather than the House, should be the body for trying cases of impeachment, as is the example set forth in the Federal Constitution. The Senate is less subject to political whims by virtue of its more stable membership and is thus less liable to impeach for partisan political reasons instead of just cause.

Section 14. This section is not nearly specific enough and is actually dangerous

in its present form. This provision could quite conceivably be easily used to satisfy partisan political ambitions and, if it is the intention of the delegates to retain this provision, it should be rewritten more clearly than the present language suggests.

Section 15. As now written, this section would defeat the need of a bicameral legislature and would subject the Senate to the will of the House by virtue of its larger numerical strength. If the bicameral system is to be used, the Constitution should be consistent throughout in directing the proper procedures.

Section 16. This should provide clearly that an affirmative vote by a majority of the membership be required for passage of legislation. Otherwise, as written now, it would require only a majority of the members voting provided that a majority of the members of the body took part in the vote. In other words, 26% of the membership of each house could control the Legislature as this provision now stands.

Section 17. Having seen several previous Legislatures enact bills with an emergency clause which clause was either unnecessary or unworkable, I would strongly urge that a three-fourths majority be required for future adoption of the emergency provision.

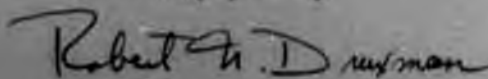
Section 19. The present wording here is too limited. For example, at the present time, the Territorial Department of Public Welfare is paying various privately operated institutions, sectarian and otherwise, for boarding certain kinds of cases under its jurisdiction. This system is popularly believed to be economical and efficient and of benefit to all people of Alaska but it would be eliminated by this section. New wording should be sought to express the Committee's views yet preserve current practices.

Section 21. The intent of making possible the referendum and initiative constitute an ideal but the experiences of other states have demonstrated that this custom is neither practical nor satisfactory. Direct legislation is inefficient and expensive and usually represents a small minority viewpoint, in practice, which has been whipped up through the use of artificial emotional and irrational stimulation even though it is intended to represent just the opposite kind of thing.

Such legislation serves only to tie the hands of either or both the Legislative and Executive branches more than is good for the best kind of government. This type of legislation is exceedingly difficult and almost impossible to amend, repeal or change in any manner. At the same, provisions should be made for the Legislature to request the electorate for its opinion on matters or to ratify legislative action if the Legislature so desires.

Section 23. Although the present Congressional enabling act requires the new state to disclaim future rights to any lands not specifically granted to by that act, strong efforts should be made either to get that provision eliminated from the act or to seek more public lands for the new state. Percentagewise, the proposed land grant is far from satisfactory to assure a sound financial basis of operations for the state.

Sincerely yours,



Robert H. Drusman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

¹⁰⁴
~~123~~ FRONT STREET 891 - TELEPHONES - 364
JUNEAU, ALASKA



December 27, 1955

TO: Special public Hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Local Government
Proposal/6

Section 3. Perhaps this could be clarified. As written, it is my understanding that the provision for a minimum number of boroughs could be interpreted as restrictive and limiting resulting in an undesirable freezing of the subdivision of the state at the minimum level. For instance, this could also prevent upgrading through the implication that there must always be three boroughs of each class.

Section 4. This section is also not clear to me and could perhaps be more clearly defined. Is it the intention of the Committee that municipalities and boroughs be synonymous in the narrowest sense and does it also mean that a first class borough may not include residents and areas outside the municipal limits?

Section 5. It might be better to provide in this section that the assembly shall consist of persons other than city councilmen to represent the municipal area. Our local city councilmen are greatly overworked, at present, and it is asking too much civic service for patriotic citizens to serve in both of these bodies, at low or no pay, with their abundance of responsibilities and duties.

General Comments. Some provision should be made placing a limit on taxes to be levied and debt which can be incurred by any municipality or borough.

There should also be a provision for the borough to provide certain services to the municipality in which equal taxes shall be levied on each taxpayer to support such service and where the authority of the borough government in such cases would be supreme. This would apply, for instance, to schools.

If the Constitution establishes categories or classification of boroughs, it should likewise set forth the classification of municipalities.

Sincerely yours,

Robert N. Druxman

Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

891 - TELEPHONES - 364
~~104~~
~~125~~ FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special public hearing
 Alaska Constitutional Convention
 Juneau, Alaska

SUBJECT: Report of the Committee on Preamble and Bill of Rights
 Committee Proposal/7

Section 8. To assure absolute and pure civil rights, the word "criminal" should be stricken from the second sentence of this section. This would prevent any person from being compelled to testify against himself at any time unless he so desired. Anything less is, in my opinion, just half a loaf. In recent years, we have seen some honest liberals sent to jail for contempt of Congress because of their strong convictions on this matter. It is admitted that others were jailed on the same charge who should have been jailed but many people believe that it is better to let a dozen criminals go free than jail one innocent person.

Section 13. Juries have been found in the past to have delivered wrongful verdicts in some cases. They are made up of legally inexperienced humans, subject to error, and, lowering the voting requirements to reach a verdict, would just increase the opportunity for more errors.

Hellenthal Section. This section might be included if it contained two additional provisions. First, that each person shall have the right to work if he so chooses and, second, that no person may strike against the state government or any of its political subdivisions.

HEALTH, EDUCATION AND WELFARE

Section 1. In order to completely clarify the intent of the convention, the word "educational" should be inserted between the words "private" and "institution" in the last sentence of this section. This follows my recommendations for Section 19 of Proposal/5.

Sincerely yours,

Robert N. Druxman

Robert N. Druxman

Robert N. Druzman and Associates

Insurance - Real Estate - Appraisals

104 891 - TELEPHONES - 364
425 FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special public hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Resources
Committee Proposal/8

Section 9. This section should include appropriate language which clearly specifies that the Legislature shall establish the procedures for making sales or grants in addition to other safeguards.

Section 12. To avoid misunderstanding, the word "municipal" in line 6 should be changed to read either "public" or "public drinking".

Sincerely yours,

A handwritten signature in cursive script that reads "Robert N. Druzman".

Robert N. Druzman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

104 891 - TELEPHONES - 364
423 FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special Public Hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Finance and Taxation
Committee Proposal/9

Section 4. The exemption provisions should be extended to include fraternal, veterans, social and other non-profit organizations not engaged in business activities which are competitive with taxpaying enterprises. However, cooperative or other groups which are engaged in a commercial activity should pay taxes on the same basis as their individually, corporately or otherwise privately operated competitors.

Section 8. Rather than prohibiting the earmarking of public funds except as provided, it would be better to forbid the levying of special group taxes for support of the general fund, except in certain instances such as luxury, tobacco and liquor taxes.

Special activity or industry taxes should be used only for the regulation and development of that activity or industry. Fish taxes should be used to regulate and develop the fisheries; game taxes for the game program; liquor taxes for policing the liquor industry, curing the alcoholics, etc. and partial support of the police department; road and gasoline taxes for road construction and maintenance and partial police department support; mining taxes to develop that industry; and so forth.

General fund obligations should be raised only through equitable taxation levied on all classes of taxpayers who would each pay his fair share without favoritism or discrimination. At the same time, nothing should prevent use of general fund monies for regulation or development of a non-self-supporting group or activity.

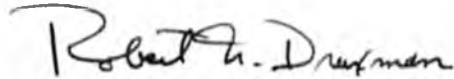
Control of both earmarked and general funds can still rest in the hands of the Legislature through budget approval. It should be possible for the Legislature to regulate the spending and raising of earmarked funds even though it should not be permitted to divert them to other purposes.

If this is not done, it is entirely possible that a politically unpopular industry could be literally taxed out of existence. No group should be taxed unfairly or unequally in comparison with other taxpayers. Each group

should pay its fair share of taxes through general tax levies applicable to all taxpayers. These are the principles of fair play with equal treatment for all citizens in the eyes of the law.

General. This article should also include limitations on the debt and the taxing ability of the state.

Sincerely,

A handwritten signature in cursive script that reads "Robert N. Druxman". The signature is written in dark ink and is positioned above the printed name.

Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

104
~~422~~ 891 - TELEPHONES - 364
FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special public hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Executive Branch
Proposal/10/11

I feel that the second elective official on the same ballot as the Governor should be a Lieutenant Governor as is the case in most other states. The public does not readily accept the fact that a Secretary of State is also the second in command as witness present circumstances in Alaska where the Secretary of Alaska currently fills that position but comparatively few realize it. This adds extra dignity to the office which can still perform the functions assigned to it. The Lieutenant Governor should also preside over the Senate as is the case in most states as well as in the Federal Government. It may be that, in the future when Alaska becomes more populated, it will be desirable for the Governor to include in his appointed Cabinet a separate Secretary of State. At the present time, with statehood, it would still be necessary for the Governor to do considerable travelling outside of the state and for the second in command to take over. His status should thus be more clearly defined in his title.

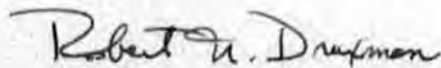
This article should also provide for the election of one other state official...the Attorney General. His acts have the effect of law and his decisions should be free of being influenced by possible loss of his appointive position. He should not be under the control of the Governor who could then possibly force tailor-made decisions to suit his personal partisan political views. He should be responsible and answerable only to the wishes of the people.

Similar to that provision contained in the Judiciary article, it should also be specified here that all rules and regulations of any Executive branch officer, agency, board or commission be subject to review of the Legislature and that the Legislature can repeal any such rule or regulation if it so chooses. There is no such provision under existing Territorial law and there have been many resulting abuses of Executive powers.

The convention might also well consider a "conflict of interests"

provision in the Constitution. This involves a basic philosophical matter of conduct and ethics which would seem essential to such a document. If the Convention feels that this should be included, it must also decide to what extent it must be followed. For example, should members of the various professional boards also be allowed to practice at the same time that they are sitting in judgement on their fellow practitioners and prospective fellow practitioners? It has already been specified in the Judiciary article that a judge may not practice law while serving on the bench. It is not uncommon at the present time to hear some kind of an accusation at certain of our existing Territorial boards or commissions which have jurisdiction over the admission of new practitioners. There is no doubt but that this is a Constitutional issue as it involves a basic right of the individual to have interests conflicting with that of the State and it should be decided in this document on how it should be solved.

Sincerely,



Robert N. Druxman

Robert N. Druxman and Associates

Insurance - Real Estate - Appraisals

¹⁰⁴
~~123~~ FRONT STREET 891 - TELEPHONES - 364
JUNEAU, ALASKA



December 27, 1955

TO: Special public hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Location of the State Capitol.
Proposal/13

The provision for referendum on location of the State Capitol should be deleted for several reasons. If the people of the state wish the location changed, it can be accomplished through the simple and less expensive process of an amendment to the Constitution.

If the capitol is to be originally located at Juneau, additional money must be invested either by the State or by private citizens to provide more building space for the State government offices. If done by the state, this money would be wasted by a move. If done by private citizens, it would discourage investment because of the threat of a move hanging over their heads. This would also discourage the construction of additional necessary housing for State employees by private interests until a definite decision is reached.

The new State government and its employees certainly deserve to have more definite assurances of their future so that they can get off to a good start with confidence and not have to worry about housekeeping problems which can be destructive to employee morale and government operations.

Sincerely,

A handwritten signature in cursive script that reads "Robert N. Druxman".

Robert N. Druxman

Robert N. Druyman and Associates

Insurance - Real Estate - Appraisals

891 - TELEPHONES - 364

~~104/122~~ FRONT STREET JUNEAU, ALASKA



December 27, 1955

TO: Special Public Hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Suffrage, Elections and Apportionment
Proposal/14

Section 2. As now proposed, the traditional concept of equal representation in the Senate from each area has been overlooked. Such equal representation in the Senate is followed in every state as well as in the government of the United States and it is not fair or wise to start the new State of Alaska off on such a basis. Population differences should be recognized in the House but never in the Senate.

Sincerely,

Robert N. Druyman



THE AMERICAN LEGION

DEPARTMENT OF ALASKA

POST OFFICE BOX 2561

JUNEAU, ALASKA

December 27, 1955

Mr. Douglas Gray, Chairman
Special public hearings
Alaska Constitutional Convention
Juneau, Alaska

Dear Mr. Gray:

Attached hereto please find my written statements covering Alaska Constitutional Convention Committee Proposals/1, 7 and 12 to be included in the record of the special public hearings you are conducting at Juneau.

These statements reflect the official viewpoint of The American Legion, Department of Alaska, as it has been expressed through resolutions and other actions at National and Department Conventions and Executive Committee Meetings of The American Legion and through statements of various American Legion officials and publications from time to time. These opinions also coincide completely with those of my own.

The American Legion is pleased also to commend the members of the Convention for the results they are achieving which we feel will be of benefit to all Alaskans. Our organization is dedicated to "the principles of Justice, Freedom and Democracy" and to "inculcate a sense of individual obligation to community, state and nation." These quotations are from the preamble to the constitution of The American Legion and are given here to illustrate our very vital interest in the final outcome of your deliberations.

Thank you for the opportunity that you have given us to express our ideas. I hope that we have been of service to you and we wish you continued success in your very worthy efforts.

Sincerely yours,

Robert H. Druxman, Chairman
Department Americanism Committee
The American Legion
Department of Alaska



THE AMERICAN LEGION

DEPARTMENT OF ALASKA

POST OFFICE BOX 2561

JUNEAU, ALASKA

December 27, 1955

TO: Special public hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Suffrage
Committee Proposal/1

If a young man of 18 years is old enough to be drafted into the armed forces of the United States and to lose his life in that obligation, he deserves the right to have a voice in the selection of those who have decided his fate for him. He is also old enough to be employed, to pay taxes and to be married. To a large extent, the conditions under which he is employed, the amount and kind of taxes he pays and the general success of his well being is determined by his government. Again, he is entitled to say who shall represent him and what kind of a government he shall have to guide his everyday life.

A large number of today's juvenile delinquents are between the ages of 18 and 21 mainly because they are more or less betwixt and between. They have not yet been given full citizenship although they must pay its price without having a voice in its direction. By giving them the vote they deserve, they will become better citizens, not only at an earlier date, but their chances of becoming good citizens permanently are increased because they have been given the opportunity to be good before they have had too long to turn bad.

Some of our most elder citizens never possess mature judgement while many young people attain good sense at an early age. Maturity does not seem to be determined by age alone.

Let's bring our young people into government early and thus pay them for their obligations to us. Giving them this responsibility will make them better citizens in every way and give us more representative government.

Sincerely,

Robert N. Draxman, Chairman
Department Americanism Committee
The American Legion
Department of Alaska



THE AMERICAN LEGION

DEPARTMENT OF ALASKA

POST OFFICE BOX 2561

JUNEAU, ALASKA

December 27, 1955

TO: Special public hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Preamble and Bill of Rights
Proposal/7

Section 3. This section might be simplified by striking out the phrase "civil or political" in the second line. Some feel that an enumeration of such specific rights as civil or political, the possibility will always exist that a future judicial interpretation may place a limiting definition on this language even though it is the intent of the delegates to make it all inclusive.

Section 12. In the last line of this section, the word "to" should be changed to "shall" in order to make sure that justice prevails at all times. This would require counsel for the defense rather than make it optional. In the past, many innocent persons have been convicted of crimes they did not commit because there was no counsel to represent and guide them or because they did not know their rights and how to protect them and defend themselves.

Section 16. The definition of "treason" should also include the phrase "advocating the overthrow of the state government by force or violence."

Section 10 - Minority Report. Many wellknown authorities have advanced a solution to this problem which should be answered in the Constitution on the same basis as searching any premises without permission of the owner. Wiretapping or other mechanical means of obtaining evidence should most certainly be permitted IF an order is obtained from a court of competent jurisdiction first. The courts will not issue such an order without reasonable cause as is the case now for a search warrant.

Sincerely yours,

Robert H. Drapman, Chairman
Department Americanism Committee
The American Legion
Department of Alaska



THE AMERICAN LEGION

DEPARTMENT OF ALASKA

POST OFFICE BOX 2561

JUNEAU, ALASKA

December 27, 1955

TO: Special public hearing
Alaska Constitutional Convention
Juneau, Alaska

SUBJECT: Report of the Committee on Executive Branch
Proposal/12

Section 4. In the first line, after "officers" and before the comma, the phrase "and employees" should be inserted. It would also be wise to include the full oath now required of Territorial employees.

General. All state officers should be required to be citizens of the United States and, with certain exceptions, to be determined by the Legislature, employees should also be citizens.

Sincerely yours,

Robert N. Druxman, Chairman
Department Americanism Committee
The American Legion
Department of Alaska