

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SECOND CONVENTION DAY, November 9, 1955

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

Roll call showed all delegates present except Mr. Peratrovich.

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

Mr. Londborg gave the invocation.

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

AFTER RECESS

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

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

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

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

"President pro-tem
Alaska Constitutional Convention

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

Chapter I - Convention Officers

Rule 1.

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

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

Rule 2.

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

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

Rule 3.

The President pro-tem shall first entertain nominations for President of the Convention, shall recognize in order all who seek the floor, shall receive and state all nominations made, and shall allow ample time for all who seek recognition to be recognized and heard before entertaining a motion to close nominations.

Rule 4.

A nominee may decline nomination only while nominations are open, but may withdraw from consideration for election at any time after the first ballot is taken.

Rule 5.

Voting shall be by secret ballot and balloting shall continue by successive ballots until one candidate shall have received at least 28 votes: PROVIDED, however, that in the event no candidate receives as many as 28 votes in either the first or second balloting process, the low man (or, if there be a tie in low position as to votes received, those so tied) shall be removed from consideration on the third ballot and succeeding ballots; and, following the third and succeeding ballots wherein no nominee receives at least 28 votes, the low man or those so tied shall each time be eliminated from further consideration.

Rule 6.

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

Rule 7.

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

Chapter III - General

Rule 8.

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

RECOMMENDATIONS:

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

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

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

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

Mr. McLaughlin objected to Rule #8.

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

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

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

AFTER RECESS

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

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

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

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

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

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

the AFTER RECESS

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

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

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

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

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

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

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

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

Absent: 1 - Peratrovich

and so the amendments failed

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

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

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

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

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

Miss Awes and Mr. King were appointed tellers.

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

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

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

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

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

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

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

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

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

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

The President called for nominations for First Vice-President.

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

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

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

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

AFTER RECESS

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

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

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

The President called for nominations for Second Vice-President.

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

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

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

The President called for nominations for the office of Secretary.

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

AFTER RECESS

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

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

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

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

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

AFTER RECESS

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

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

AFTER RECESS

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

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

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

"A PRAYER FOR CONVENTION DELEGATES

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

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

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

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

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

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

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

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

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

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

Absent: 1 - Peratrovich

Not Voting: 1 - Mr. President

and so the motion carried.

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

the

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


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

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

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

John B. Hall
Temporary Secretary

Attested:



WILLIAM A. EGAN
President