

Constitutional Convention

Journal/35

Approved

Jan. 10, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-FOURTH CONVENTION DAY, Thursday, January 5, 1956

The Convention was called to order by President Egan at 9 a.m.

The Invocation was given by Mr. Londborg.

Roll call showed all present except Mr. Armstrong, Mr. Buckalew, Mr. Hellenthal and Mr. Taylor. It was reported that Mr. Hellenthal and Mr. Taylor were absent because of illness. The President declared a quorum to be present.

Mr. White asked unanimous consent that Journals numbered 1, 2, 3 and 4 be approved subject to the following corrections:

CORRECTIONS TO JOURNALS 1. 2. 3 and 4.

November 8, 1955, Journal/1

First paragraph, page 1, change period to comma and add "at 10 a.m."

- Page 1 - insert "the" before Rev.  
- strike "Robert J., Delegate from the Fourth Division,"  
- paragraph 4, strike comma  
- strike "Mildred R." in paragraph 12.  
- paragraph 13, strike "John H." and "William"

- Page 2 - paragraph 1, strike "John S."  
- paragraph 2, strike comma after "place"  
- after roll call insert "And so Mrs. Hermann was elected."  
- paragraph 7, strike "E.B." "R. Rolland" and "W.W." and insert in lieu thereof "Mr."

- Page 3 - paragraph 7, strike comma  
- insert "Mr." before the names of the members of the Committee on Rules, with the exception of Awes and insert "Miss" before her name.

- Page 4 - insert comma after "discussion" in first paragraph.

November 9, 1955, Journal/2

- Page 1 - paragraph 1, strike commas after "President",  
"Hermann" and "Alaska" and strike "Mildred"
- Page 3 - paragraph 4 and 5 strike "#"
- Page 4 - paragraph 1, strike "to be adopted." and insert  
period after "failed".  
- paragraphs 2, 3, 6, 7, and 10 strike "#"  
- paragraph 4, insert "so" after "Sweeney", insert "the"  
after "vote"
- Page 5 - After roll call add "And so the amendment failed."  
- Paragraph 1, strike "#"  
- Paragraph 10, insert "the" before "third"
- Page 6 - Paragraph 3, strike "M. J." and insert in lieu  
thereof "Mr."  
- Paragraph 7, insert comma after "recess"  
- Paragraph 8, strike "According to" and insert in lieu  
thereof "In accordance with".  
- Paragraph 8, insert comma after "adopted"  
- Paragraph 9, strike "Frank" and insert in lieu thereof  
"Mr."
- Page 8 - last paragraph, insert comma and "the" after "vote"
- Page 9 - Second paragraph, change period to comma and add  
"whereupon by unanimous consent and the consent  
of his second Mr. Sundborg withdrew his motion."

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November 10, 1955, Journal/3

- Page 1 - Paragraph 4, capitalize "s" in Secretary.  
- Paragraph 5, strike comma after "Schools"  
- Paragraph 6, insert "as follows" before colon.  
Insert "Mrs." before H. Fischer and Sweeney and  
"Mr." before all other names of Permanent Help  
Committee.
- Page 2 - Paragraph 1, insert "Mrs." before Hermann and "Mr."  
in front of all other names of Permanent Rules  
Committee.  
- Paragraph 3, strike "George" and insert "Mr."  
- Paragraph 5, insert "so" before "moved", change  
period after "moved" to comma; change "S" in  
seconded to lower case "s".

- Page 3 - Paragraph 1, change T in "The" to lower case and insert "And so" before "the".
- Paragraph 2, add "There being no objection, it was so ordered."
  - Paragraph 3, insert "A" before "rising" and change "R" in "rising" to lower case.
  - Paragraph 4, insert "A" before "Communication" and change "C" to lower case.
- Page 4 - Paragraph 7, insert "so" after "Riley".
- Page 5 - Paragraph 4, insert quotation marks at end of paragraph after "tie".
- Page 7 - Paragraph 7, insert "p.m." after 1:45.
- Page 9 - Before next to the last paragraph insert in middle of page IN COMMITTEE OF THE WHOLE
- Page 10 - Insert AFTER RECESS in middle of page before paragraph 1.
- Paragraph 2, insert "on Mr. Taylor's motion regarding soundscriting" after "question". Insert "so" before "moved"
  - Paragraph 4, insert comma after "objection"
  - Paragraph 5, change "principal" to "principle" and add at the end of the paragraph the following: "On voice vote, the motion was adopted."
  - Paragraph 6, insert "of" after "Committee"
  - Paragraph 7, insert "for its adoption." after "consent" and strike period
  - Paragraph 13, insert "Mr." before the names of the members of the Select Committee
- Page 11 - At top of page, insert "The telegram was as follows:"
- Paragraph 2, insert "so" before "moved". On line 4, insert after "seconded" the following: "On voice vote the amendment was adopted."
  - After roll call, insert "And so the motion was adopted"
  - Paragraph 4, insert "Mrs." before Nerdale and "Mr." before all other names listed. Strike comma after Barr.
- Page 12 - Paragraph 5, insert at end of paragraph "There being no objection, Mr. V. Rivers' motion was adopted."
- Paragraph 6, strike comma after Coghill.
  - Paragraph 8, insert "a.m." after "9:30".



- Paragraph 9, insert "Friday morning" after "o'clock"
- Paragraph 10, insert "a.m." after "9:30".

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November 12, 1955, Journal/4

- Page 1 - Paragraph 4, strike comma after "considered"
- Paragraph 5, insert "A" before "Letter" and make "L" lower case.
- Paragraph 7, insert "the" after "reported"
  
- Page 5 - Paragraph 9, after "seconded", insert the following sentence: "On voice vote, the previous question was ordered." Insert "Mr. Buckalew's" before "motion".
- Paragraph 11, insert "were" after "report". Insert "the" before "motion" and "was" before "lost".
- Paragraph 12, insert at the end of paragraph the following: "On voice vote, the previous question was ordered. On voice vote, Mr. Sundborg's motion was defeated."
  
- Page 6 - Paragraph 4, change capital "T" in "Investigate" to lower case.
- Paragraph 6, insert "a" after "include"
- Paragraph 7, insert "the" after "vote"
- Paragraph 8, insert at end of paragraph the following: "On voice vote, the previous question was ordered."
  
- Page 7 - After both roll calls, insert "And so the motion was adopted."
- Paragraph 2, strike "proceed and"
- Paragraph 4, make "tape" plural
  
- Page 8 - Last paragraph, strike comma after "o'clock"

There being no objection, it was so ordered.

Mr. Smith asked unanimous consent for the withdrawal of Committee Proposal No. 8 for revision by the Resources Committee. There being no objection, it was so ordered.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 1, had compared the same and found it correctly engrossed and the first enrolled copy correctly enrolled.

Mrs. Sweeney moved that the Rules be suspended and that Committee Proposal No. 1 be returned to second reading for the purpose of rescinding action on the voting age. Mr. Coghill objected. Mr. White seconded.

The President stated that the correct motion would be to suspend the rules and return Committee Proposal No. 1 to second reading. Mrs. Sweeney agreed to the change.

The question being "Shall the Rules be suspended and Committee Proposal No. 1 returned to second reading?", the roll was called with the following result:

Yeas: 22 - Boswell, Cooper, Gray, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Sweeney, Walsh, White, Wien

Nays: 28 - Awes, Barr, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, Smith, Stewart, Sundborg, VanderLeest, Mr. President

Absent: 5 - Armstrong, Buckalew, Doogan, Hellenthal, Taylor

and so the rules were not suspended.

Mrs. Sweeney asked unanimous consent that the report of the Engrossment and Enrollment Committee on Committee Proposal No. 1 be adopted. There being no objection, it was so ordered.

The President referred Committee Proposal No. 1 to the Committee on Style and Drafting.

Miss Awes asked unanimous consent to <sup>revert</sup> refer to Committee announcements. There being no objection, it was so ordered.

Miss Awes announced a meeting of the Committee on Preamble and Bill of Rights on recess.

The President announced a meeting of Committee Chairmen at 12:30 p.m.

#### SECOND READING OF PROPOSALS

Committee Proposal No. 3 was considered again.

The motion of Mr. V. Fischer, made the previous day, to amend Section 6 by striking lines 5 and 6 on page 3 being before the Convention, the question was called. On voice vote the amendment was adopted.

Mr. R. Rivers moved the adoption of the following amendment to Section 6: page 3, line 7, strike the period and add "and grounds for recall". Mr. R. Rivers asked unanimous consent.

Mr. V. Fischer objected for the purpose of requesting a recess to draft an amendment concerning the same subject.

There being no objection, the President declared a short recess.

AFTER RECESS

Mr. R. Rivers stated he would withhold his amendment until action had been taken on Mr. V. Fischer's amendment.

Mr. V. Fischer stated that in view of its length he requested permission to have his amendment mimeographed before presenting it. Permission was granted.

Mr. Londborg moved and asked unanimous consent for the adoption of the following amendment: Section 6, page 3, line 3, strike the words "except judicial officers". Mr. McCutcheon objected. Mr. Coghill seconded.

Mr. McCutcheon served notice that if a vote was called on the amendment he would order a call of the assembly.

After Mr. Londborg, Mr. McLaughlin, Mr. R. Rivers and Mr. McCutcheon spoke, Mrs. Sweeney rose to a point of information to inquire into the question of the rules the Convention was operating under as regards the call of the assembly.

The President stated that on this question Robert's Rules of Order would govern.

Mr. McCutcheon stated he would not order a call of the assembly.

After Mr. McNealy, Mr. Doogan and Mr. V. Rivers spoke, the question was called. Mr. Robertson requested a roll call.

The question being "Shall the amendment offered by Mr. Londborg be adopted?", the roll was called with the following result:

Yeas: 7 - Kilcher, Laws, Londborg, Poulsen, Reader, Sweeney, Walsh

Nays: 44 - Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, Victor Rivers,



Robertson, Rosswog, Smith, Stewart, Sundborg,  
VanderLeest, White, Wien, Mr. President

**Absent:** 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment failed.

Mr. Doogan moved and asked unanimous consent for the adoption of the following amendment: Section 6, page 3, line 3, add after "officers" the following "of the Superior and Supreme Courts". Mr. McCutcheon objected. Mr. McNealy seconded. On voice vote the motion failed.

Mr. Smith moved the adoption of the following amendment to Section 3: page 1, line 9, strike the period and insert a comma and add "except as herein provided."

Mr. R. Rivers seconded. After discussion by Mr. Smith, Mr. Sundborg and Mr. R. Rivers, the question was called.

The question being "Shall Mr. Smith's amendment be adopted?", the roll was called with the following result:

Yeas: 33 - Boswell, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Marston, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, White, Wien, Mr. President

Nays: 18 - Awes, Barr, Coghill, Cooper, Cross, Johnson, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Poulsen, Reader, Robertson, Sundborg, VanderLeest

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment was adopted.

Mr. V. Fischer moved and asked unanimous consent for the adoption of the following amendment to Section 6: Insert the following before the last sentence of Section 6:

"Such number of such voters as shall equal twenty percent of the number of votes cast at the preceding general election for all of the candidates for the office held by such official, may by petition, which shall be known as a recall petition, demand his recall. The petition shall contain a statement in not more than 200 words of the grounds for recall. If the official concerned shall not have resigned within 5 days after

the required number of voters have signed a recall petition, a special election shall be ordered to be held within the state or political subdivision as the case may be, not less than 60 nor more than 90 days after such order, to determine whether such official shall be recalled."

Mr. McCutcheon objected. Mr. Kilcher seconded. After discussion by Mr. V. Fischer, Mr. White, Mr. Barr, Mr. McNealy, Mr. Metcalf, Mr. Gray, Mr. Kilcher, Mr. Peratrovich and Mr. Sundborg, the question was called. On voice vote the amendment failed.

Mr. White moved and asked unanimous consent for the adoption of the following amendment to Section 6: Insert before last line of Section 6 "Grounds for recall shall be set forth in a recall petition." Mr. McCutcheon objected. Mr. Gray seconded.

After discussion by Mr. White and Mr. R. Rivers, Mr. Riley requested a two-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

After discussion on the amendment by Mr. White, Mr. Hurley and Mr. McCutcheon, the question was called. On voice vote the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment to Section 6: page 3, line 7, strike the period and add to the end of that sentence "and grounds for recall." Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 39 - Awes, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, Londborg, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President

Nays: 11 - Barr, V. Fischer, Johnson, Kilcher, Laws, McCutcheon, McNees, Marston, Peratrovich, Poulsen, White

Absent: 5 - Armstrong, Buckalew, Doogan, Hellenthal, Taylor

and so the amendment was adopted.

Mr. Barr spoke on a matter of personal privilege.

Mr. Sundborg requested a fifteen-minute recess. There being no objection, it was so ordered.



AFTER RECESS

Mr. Riley asked unanimous consent that the first part of Proposal No. 3 be referred to the Committee on Enfranchisement and Enrollment so that the committee could start processing the amendments.

The President stated that without objection this would be ordered with the understanding that amendments could still be made to the proposal until work had been completed on the whole proposal. There being no objection, it was so ordered.

The Chief Clerk read the Article on Revision and Amendment. ~~of Proposal No. 3.~~

Mr. Cooper moved the adoption of the following amendment to the Article on Revision and Amendment:

Strike Section 1 in its entirety and insert in lieu thereof a new Section 1: "Revision of this Constitution may be adopted by a two-thirds affirmative vote of two successive legislatures, a constitutional convention, or by a three-fourths affirmative vote of the legislature. Amendments to this Constitution may be adopted by the affirmative vote of three-fifths of all votes cast by qualified voters, voting on such amendment."

Section 2, line 5, delete "two-thirds" and insert "three-fourths".

Section 2, line 9, after the word "a" before "majority" insert "three-fifths".

Mrs. H. Fischer objected. Mr. Coghill seconded. After discussion by Mr. Cooper, Mr. Smith, Mr. R. Rivers, Mr. Marston and Mr. Barr, the question was called. Mr. V. Rivers requested a roll call.

The question being "Shall the amendment offered by Mr. Cooper be adopted?", the roll was called with the following result:

Yeas: 5 - Coghill, Cooper, Kilcher, Reader, Rosswog

Nays: 45 - Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President

Absent: 5 - Armstrong, Buckalew, Hellenthal, Hilscher, Taylor

and so the amendment failed.

Mr. Hurley moved the adoption of the following amendment to the Article on Revision and Amendment: Section 1, lines 2 and 3, strike "adopted by two succeeding legislatures, or be", change "proposed" to "adopted" and add "proposed" after "or".

Section 2, strike lines 12, 13, 14, 15 and 16.

Mr. Harris seconded.

Mr. McCutcheon stated that he believed the amendment should be in two parts and would request a division of the question if Mr. Hurley would not do so himself.

Mr. Hurley requested a short recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Hinckel spoke on a matter of personal privilege.

After discussion by Mr. Davis, Mr. Hinckel, Miss Awes, Mr. V. Fischer and Mr. R. Rivers regarding the intent of the Committee, Mr. Davis suggested that action be taken first on the second part of Mr. Hurley's motion.

Mr. Hurley moved and asked unanimous consent that his amendment be amended by striking the reference to Section 1. Mr. Hinckel objected. Mr. V. Rivers seconded. On voice vote the amendment to the amendment was adopted.

After discussion by Mr. Hurley, Mr. McCutcheon, Mr. Sundborg, Mr. Davis, Mr. V. Rivers and Mr. Metcalf, the question was called. Mr. V. Rivers requested a roll call.

The question being "Shall Mr. Hurley's amendment be adopted?", the roll was called with the following result:

Yeas: 33 - Barr, Boswell, Coghill, Cooper, H. Fischer, Gray, Harris, Hilscher, Hurley, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McNealy, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Mr. President

Nays: 18 - Awes, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Hermann, Hinckel, King, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Rosswog, Wien

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment was adopted.

Mr. Johnson moved the adoption of the following amendment to the Article on Revision and Amendment: Section 2, line 7, page 1, strike "may" and insert "shall". Mr. Robertson seconded. Mr. R. Rivers asked unanimous consent. There being no objection, it was so ordered.

Mr. R. Rivers moved the adoption of the following amendment to the Article on Revision and Amendment: strike Section 1 and substitute the following new Section 1: "Revisions of or amendments to this Constitution may be adopted by the Legislature or by constitutional convention as hereinafter authorized subject to ratification by the people." Mr. Hurley seconded. Mr. R. Rivers requested unanimous consent. Mr. McCutcheon objected. The roll was called with the following result:

Yeas: 38 - Aves, Boswell, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, Marston, Metcalf, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien, Mr. President

Nays: 13 - Barr, Cooper, Doogan, V. Fischer, Kilcher, McCutcheon, McLaughlin, McNealy, McNees, Nolan, Poulsen, Reader, White

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment was adopted.

Mr. Johnson moved to amend Section 2 of the Article on Revision and Amendment as follows: line 10, strike the word "adoption" and insert the word "ratification" and on line 11, strike the word "adopted" and insert the word "ratified". Mr. R. Rivers seconded.

After discussion of whether this could not be taken care of in Style and Drafting, the question was called. On voice vote the amendment was adopted.

Mr. Davis moved the adoption of the following amendment to Section 2 of the Article on Revision and Amendment: line 10, strike the words "tallied on the question" and substitute the words "cast at the election" in lieu thereof. Mr. Johnson requested unanimous consent; Mr. R. Rivers objected. Mr. Riley seconded.

After discussion by Mr. R. Rivers, Mr. Kilcher, Mr. Gray, Mr. V. Fischer, Mr. Rosswog, Mr. Marston and Mr. Hinckel, the question was called. The roll was called with the following result:



Yeas: 25 - Awes, Barr, Boswell, Davis, Gray, Hermann, Hurley, Johnson, Laws, Londborg, McCutcheon, McNealy, McNees, Nerland, Nolan, Nordale, Poulsen, Riley, V. Rivers, Robertson, Rosswog, Sundborg, Sweeney, VanderLeest, Walsh

Nays: 26 - Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McLaughlin, Marston, Metcalf, Peratrovich, Reader, R. Rivers, Smith, Stewart, White, Wien, Mr. President

Absent: 4 - Armstrong, Buckalew, Hellenthal, Taylor

and so the amendment failed.

Mr. Sundborg moved to recess until 1:30 p.m. There being no objection, it was so ordered.

#### AFTER RECESS

A telegram from the Juneau Chamber of Commerce congratulating the Convention on its accomplishments to date and extending best wishes for success, was read and ordered filed.

A letter from Honorable Clair Engle, Chairman of the Committee on Interior and Insular Affairs of the U. S. House of Representatives, commending the Convention on the necessary and important work being done, extending good wishes and sincere and vigorous support toward the final objective, Statehood for Alaska, was read and ordered filed.

Mr. Rosswog asked unanimous consent to revert to Committee announcements. There being no objection, it was so ordered.

Mr. Rosswog announced a meeting of the Committee on Local Government at 8 p.m. at Apartment 19, Alaskan Inn.

Mr. Smith announced a meeting of the Committee on Resources at 7:30 p.m. in the Northward Building lobby.

Mr. Kilcher moved the adoption of the following amendment to the Article on Revision and Amendment:

Page 1, line 18 strike the word "if" and all that follows in the first paragraph of Section 3 through line 3 on page 2, and substitute the following:

"After the lapse of fifteen years during which a constitutional convention has not been convened, delegates to a constitutional convention shall be elected at the next regular election."

Mrs. Hermann seconded. After discussion by Mr. R. Rivers, Mr. Kilcher, Mr. Taylor, Mr. McCutcheon, Mr. V. Rivers, Mr. McNealy and Mr. Hinckel, the question was called. Mr. Kilcher requested a roll call. The roll was called with the following result:

Yeas: 10 - Emberg, V. Fischer, Harris, Hermann, Hurley,  
Kilcher, Londborg, McNees, Peratrovich, Poulsen

Nays: 42 - Awes, Barr, Boswell, Coghill, Collins, Cooper,  
Cross, Davis, Doogan, H. Fischer, Gray, Hilscher,  
Hinckel, Johnson, King, Knight, Laws, Lee,  
McCutcheon, McLaughlin, McNealy, Marston,  
Metcalf, Nerland, Nolan, Nordale, Reader, Riley, R.  
Rivers, V. Rivers, Robertson, Rosswog, Smith,  
Stewart, Sundborg, Sweeney, Taylor, VanderLeest,  
Walsh, White, Wien, Mr. President

Absent: 3 - Armstrong, Buckalew, Hellenthal

and so the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment to the Article on Revision and Amendment: Section 3, page 1, line 18, change "ten-Year" to "twenty-year". Mr. Robertson seconded. On voice vote the amendment failed.

Mr. Johnson moved the adoption of the following amendment to the Article on Revision and Amendment: Add a new Section 4. "No amendment to this Constitution shall alter the republican form of government established by it or abolish its bill of rights." Mr. Cooper seconded. After discussion by Mr. Taylor, Mr. Johnson, Mr. Gray and Mr. Stewart, the question was called. On voice vote the amendment failed.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment to the Article on Revision and Amendment: Section 3, page 1, line 18, strike "ten-year" and insert in lieu thereof "sixteen-year". Mr. Taylor objected. Mrs. Fischer seconded. Mr. V. Rivers requested a roll call. The roll was called with the following result:

Yeas: 20 - Boswell, H. Fischer, Harris, Johnson, Laws, Londborg,  
McNealy, Nerland, Nolan, Nordale, Reader, Riley,  
R. Rivers, V. Rivers, Robertson, Sundborg, Sweeney,  
Walsh, Wien, Mr. President

Nays: 32 - Awes, Barr, Coghill, Collins, Cooper, Cross, Davis,  
Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher,  
Hinckel, Hurley, Kilcher, King, Knight, Lee,  
McCutcheon, McLaughlin, McNees, Marston, Metcalf,  
Peratrovich, Poulsen, Rosswog, Smith, Stewart,  
Taylor, VanderLeest, White

Absent: 3 - Armstrong, Buckalew, Hellenthal

and so the amendment failed.

Mr. Kilcher moved the adoption of the following amendment to the Article on Direct Legislation:

Amend Section 1, line 2, to add after the first word "laws", the words "and amendments to this constitution" and add after the second word "laws" the words "and amendments to this constitution".

Add a new section to be numbered Section 7 and to read as follows:

"Section 7. An initiative petition proposing a constitutional amendment shall be signed by twenty per cent of the number of votes cast for governor in the next preceding general election in which the governor was chosen. Initiative petitions proposing constitutional amendments shall be filed with the attorney general. If the proposed constitutional amendment, in substantially this form in which it was submitted, is not presented by the Legislature to the voters for their approval or rejection by the next regular session of the Legislature, the proposed constitutional amendment shall be submitted to the voters for their approval or rejection at the next general election, and be enforced, if sixty-five per cent of the votes cast are in favor of the amendment."

Mr. V. Rivers seconded. After discussion by Mr. Kilcher, Mr. Hinckel and Mr. Robertson, the question was called. On voice vote the amendment failed.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to the Article on Revision and Amendment: Section 3, page 1, line 21, after the word "Convention" insert before the question mark the words "for the purpose of revising the Constitution of the State of Alaska". Mr. Doogan objected. Mrs. Hermann seconded. Mr. Doogan withdrew his objection. After discussion by Mr. Hurley, Mr. Sundborg, Mr. Kilcher, Mr. Cooper, Mrs. Hermann, Mr. Londborg and Mr. Taylor, Mr. R. Rivers moved and asked unanimous consent to amend Mr. Sundborg's amendment by inserting after the word "revising" the words "and amending". Mr. Taylor objected. Mr. Londborg seconded.

The President declared a short recess.

#### AFTER RECESS

The question being "Shall Mr. R. Rivers' amendment to Mr. Sundborg's amendment be adopted?", the roll was called with the following result:



Yeas: 26 - Awes, Boswell, Coghill, Cross, Davis, H. Fischer, V. Fischer, Gray, Hermann, Hinckel, Kilcher, Laws, Londborg, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Walsh, Mr. President

Nays: 24 - Barr, Collins, Cooper, Doogan, Emberg, Harris, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Riley, Rosswog, Sweeney, Taylor, VanderLeest, Wien

Absent: 5 - Armstrong, Buckalew, Hellenthal, Hilscher, White

and so the amendment to the amendment was adopted.

The question being "Shall Mr. Sundborg's amendment as amended be adopted?", Mr. V. Rivers requested a roll call. The roll was called with the following result:

Yeas: 17 - Boswell, Coghill, H. Fischer, Hinckel, Kilcher, Laws, Londborg, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Stewart, Sundborg, Sweeney, Walsh, Mr. President

Nays: 33 - Awes, Barr, Collins, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Riley, Robertson, Rosswog, Smith, Taylor, VanderLeest, Wien

Absent: 5 - Armstrong, Buckalew, Hellenthal, Hilscher, White

and so the amendment failed.

Mr. Kilcher requested a short recess in order to prepare an amendment. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. McNees and Mr. Kilcher presented the following amendment to the Article on Revision and Amendment: page 2, line 3, add "If 20 years should lapse during which a constitutional convention has not been convened, delegates to a constitutional convention shall be elected at the next regular election specifically for the purpose of amendment and revision." Mr. McNees moved the adoption of the amendment and asked unanimous consent. Objection was heard. Mr. Kilcher seconded. On voice vote the amendment failed.

Committee Proposal No. 3 was referred to the Committee on Engrossment and Enrollment.

Committee Proposal No. 7 was read the second time.

After a general discussion and questioning of the Chairman of the Committee on Bill of Rights regarding the intent of the Committee, amendments were called for to the Preamble.

Mr. Harris moved to recess for fifteen minutes. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Taylor moved and asked unanimous consent for the adoption of the following amendments to Section 1: page 1, line 10, after word "persons" insert "are created equal and". Mr. Cooper objected. Mrs. Hermann seconded.

After discussion by Mr. Taylor, Mr. Harris and Mr. Cooper the question was called. On voice vote the amendment failed.

Mr. Taylor moved the adoption of the following amendment to Section 1: page 2, line 1, strike words "are equal and". Mr. Gray seconded. After discussion by Mrs. Nordale, Mr. Robertson, Mr. Johnson and Mr. Hinckel, Mr. Taylor asked unanimous consent to withdraw the amendment. There being no objection, it was so ordered.

Mr. Robertson moved the adoption of the following amendment to Section 1: strike the second word "are". Mr. Hurley asked unanimous consent. There being no objection, it was so ordered.

Mr. Rosswog moved and asked unanimous consent for the adoption of the following amendment to Section 3, line 11, after the word "color" insert the word "sex". Mrs. Wien objected. Mr. Cooper seconded.

Mr. R. Rivers moved and asked unanimous consent to amend Mr. Rosswog's amendment by inserting the word "sex" on line 10 after the word "of". There being no objection, it was so ordered.

The question being "Shall Mr. Rosswog's amendment as amended be adopted?", the roll was called with the following result:

Yeas: 15 - Barr, Coghill, Cooper, Cross, Davis, H. Fischer, Harris, Kilcher, Metcalf, Nolan, R. Rivers, Robertson, Rosswog, Sundborg, Mr. President

Nays: 37 - Awes, Boswell, Collins, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley,

V. Rivers, Smith, Stewart, Sweeny, Taylor, VanderLeest,  
Walsh, White, Wien

Absent: 3 - Armstrong, Buckalew, Hellenthal

and so the amendment failed.

Mr. V. Fischer moved the adoption of the following amendment to Section 3: page 2, line 10, after "civil" insert comma and add the word "economic". Mr. Coghill objected. Mr. White seconded. After discussion by Mr. Davis, Mr. V. Fischer, Mr. Johnson, Mrs. Nordale, Mr. Coghill, Mr. Cooper, Mr. McNealy and Mr. Taylor, the question was called. On voice vote the amendment failed.

Mr. Robertson moved the adoption of the following amendment to Section 4: page 2, line 18, after the word "department" insert "bureau, agency or subdivision". Mr. Kilcher objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 22 - Boswell, Coghill, Cooper, Cross, H. Fischer, Harris, Johnson, Knight, Laws, McNealy, Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Sweeney, Taylor, VanderLeest, Mr. President

Nays: 30 - Awes, Barr, Collins, Davis, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nordale, Riley, Rosswog, Smith, Stewart, Sundborg, Walsh, White, Wien

Absent: 3 - Armstrong, Buskalew, Hellenthal  
and so the amendment failed.

Mr. White moved and asked unanimous consent for the adoption of the following amendment to Section 4: page 2, line 18, strike the first four words. Mr. Taylor objected. Mr. Kilcher seconded. On voice vote the amendment was adopted.

Mr. Davis moved the adoption of the following amendment to Section 7: page 3, lines 11 and 12, strike the words "or information, which shall be concurrent remedies" and insert the following in lieu thereof: "unless indictment be waived by the accused. If right to indictment be waived, proceedings may be by information." Mrs. Nordale seconded.

Mr. Taylor requested a three minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Davis asked unanimous consent that Section 7 be passed over



at this time until Mr. Buckalew and Mr. Hellenthal could be present. There being no objection, it was so ordered.

Mr. R. Rivers moved the adoption of the following amendment to Section 10: page 4, line 3, delete last sentence commencing on line 3 and substitute the following: "The administration of criminal justice shall be founded upon the principle of reformation as well as upon the need to protect the public." Mr. Knight seconded.

After discussion by Mr. R. Rivers, Mr. McLaughlin, Mr. Doogan, and Mrs. Hermann, the question was called. On voice vote the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment to Section 11: page 4, line 12, after the word "siezed", insert the following sentence: "That the legislature shall provide by law for penalties for officers of the state or any subdivision thereof violating the right of the citizens under this section." Mr. Kilcher seconded. After discussion by Mr. Taylor, Mr. Metcalf, Mr. Peratrovich, Mr. Davis, Miss Awes, Mr. Doogan, and Mr. R. Rivers, the question was called. On voice vote the amendment failed.

Mr. Robertson moved and asked unanimous consent for the adoption of the following amendment to Section 12: line 15, page 4, remove period and insert "of twelve, except". Change capital "I" to small letter "i" in the word "in".

Mr. Johnson asked if the Convention could be at ease for a few minutes. There being no objection, it was so ordered.

#### AFTER RECESS

There being no objection to Mr. Robertson's request for unanimous consent, the amendment was ordered adopted.

Miss Awes asked unanimous consent to insert the word "that" after the word "except" in Mr. Robertson's amendment. There being no objection, it was so ordered.

Mr. Taylor asked unanimous consent for the adoption of the following amendment to Section 12: line 17, strike the period following the word "persons" and insert "with the consent of the accused." Miss Awes objected. Mr. Taylor so moved. Mr. VanderLeest seconded.

Mr. R. Rivers suggested an amendment to Mr. Taylor's amendment.

The President declared a short recess.

AFTER RECESS

Mr. Taylor asked unanimous consent to withdraw his amendment to Section 12. There being no objection, it was so ordered.

R. Mr. Taylor moved the adoption of the following amendment to Section 12: line 15, after second word "jury" insert "with the consent of the accused." Line 16, strike "not more than 12 nor less than". Mr. Rivers seconded. After discussion by Mr. V. Fischer, Mr. R. Rivers, Mr. McNealy, Mr. Londborg, Mr. Cross, Mr. Hurley, Mr. Taylor, Mr. Sundborg and Mr. McLaughlin the question was called. On voice vote the amendment failed.

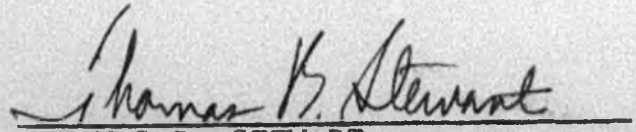
Mr. Gray moved to adjourn until 9 a.m. Friday.

Before putting the question, the President reminded the delegates of the invitation from Pan American World Airway to attend the opening of their new offices this date.


The President requested the delegates to prepare amendments in advance of the plenary session as much as possible.

Mrs. Hermann reminded the delegates to read the Public Administration Service studies on the articles before the proposals come up for amendment.

Mr. Gray asked unanimous consent that the Convention adjourn until 9 a.m. Friday. There being no objection, it was so ordered.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President