

Constitutional Convention
Journal/61
February 3, 1956
approved 2/16/56

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SEVENTY-THIRD CONVENTION DAY, Friday, February 3, 1956

The Convention was called to order at 1:50 p.m. by President Egan.

The Invocation was given by Chaplain Ersmund Swaffer of Ladd Air Force Base.

The roll call showed all present except Mr. Taylor who was ill. The President declared a quorum to be present.

Mr. Kilcher introduced his wife who was present in the gallery.

Mr. White asked unanimous consent that the Journal for the 64th Convention day be approved with the follow correction:

Page 6, second paragraph from bottom, strike "it was so ordered" and insert "the amendment was adopted."

Mrs. Hermann asked that the following correction be made in paragraph 6:

Page 19, strike "since she had been absent during the debate".

There being no objection, the Journal was ordered adopted as corrected.

delegates Mrs. Sweeney introduced a resolution by Mr. King and herself extending thanks to the people of Fairbanks and the Tanana Valley for making the stay in the Golden Heart of Alaska so enjoyable. The resolution was read the first time. Mrs. Sweeney asked that all rules be suspended and that the resolution be considered in third reading at this time. There being no objection, the rules were suspended. The resolution was read the third time. Mr. Davis asked unanimous consent that the resolution be adopted. There being no objection, the resolution was adopted.

Mr. Cooper asked that the convention revert to the order of business of communications and that Mr. Ben Potter be extended the privilege of the floor to present a proclamation. There being no objection, it was so ordered.

Mr. Potter presented a proclamation from Acting Mayor Richard J. Greuel of Fairbanks proclaiming February 5, 1956 as Alaska Constitution Day in the City of Fairbanks. The proclamation was ordered made a part of the records of the convention.

61st Convention Day, Fri. Feb. 3, 1956.

PROCLAMATION

WHEREAS, since November 8, 1955 the fifty-five duly elected delegates to Alaska's Constitutional Convention have been working long and diligently in drafting a Constitution for the State of Alaska; and

WHEREAS, it is evident that the fruit of their labors will result in an outstanding Constitution for the State of Alaska; and

WHEREAS, the citizens of Fairbanks have been privileged to have this historic work accomplished in their midst; and

WHEREAS, on Sunday, February 5, 1956, the work of the Alaska Constitutional Convention will culminate in the signing of the completed Constitution of the State of Alaska; and

WHEREAS, said Sunday, February 5, 1956, will become a historic and memorable date in the history of Fairbanks as well as all of Alaska,

NOW, THEREFORE, I, RICHARD J. GREUEL, Acting Mayor of the City of Fairbanks, Alaska, do hereby proclaim Sunday, February 5, 1956 as Alaska Constitution Day in the City of Fairbanks, and do further convey the appreciation and congratulations of the City of Fairbanks to the fifty-five delegates of the Alaska Constitutional Convention for a job well done.

SIGNED in my hand this 3rd day of February, 1956.

/s/ Richard J. Greuel
Richard J. Greuel, Acting Mayor
of the City of Fairbanks, Alaska "

Mr. Hellenthal moved and asked that the following resolution be submitted to the appropriate committee for presentation to the convention: That the Fairbanks Daily News-Miner, its president and publisher, C. W. Snedden, and its staff, and all other papers or agencies that reported the progress of the Constitutional Convention be commended for their honest, objective and courteous reporting of matters dealing with the Convention.

Mr. Coghill stated that the Committee on Administration was working on resolutions and would present them to the Convention later.

The President declared a short recess.

AFTER RECESS

The President referred Mr. Hellenthal's proposed resolution to the Committee on Administration and called the attention of the delegates to the fact that the Administration Committee was preparing resolutions and if any delegate had an idea of a subject which should be covered that they contact the Administration Committee.

A telegram from Robert F. Kennon, Governor of Louisiana appointing Professor J. Kimbrough Owen to serve as his personal representative at the signing ceremonies, was read.

A telegram from G. Mennen Williams, Governor of Michigan, extending best wishes to the delegates on the occasion of the signing of the constitution, and expressing the hope that the occasion may speed the day when Alaska becomes a state of the union, was read.

A letter from Congressman Olin E. Teague of Texas expressing regrets at not being able to attend the signing ceremony, was read.

A letter from Luis Munoz Marin, Governor of Puerto Rico, expressing regrets at being unable to attend the ceremony of the signing of the constitution, was read.

A letter from E. L. Rankin, Jr., private secretary to Governor Luther H. Hodges of North Carolina, acknowledging the invitation to attend the signing of the constitution and expressing regrets at the governor's being unable to attend, was read.

A telegram to George Sundborg from Joseph T. Flakne, Programming Director of the Arctic Institute of North America, congratulating the delegates and thanking them for writing the constitution and expressing the hope that soon Alaska would be a state, was read.

A telegram to Mr. VanderLeest from Louis Middleton of Grand Rapids, Michigan, stating he would be arriving to attend the signing ceremonies was read. Mr. VanderLeest explained that Mr. Middleton had taken over, his drugstore in Grand Rapids in 1908 when Mr. VanderLeest came to Alaska.

A telegram addressed to Mr. Buckalew from Mrs. Buckalew stating that the Dallas Democratic Womens Club had passed a resolution for immediate statehood for Alaska as a result of a speech she made, was read.

The consideration of the calendar was called. Article XII was read the third time. Mr. Davis asked unanimous consent that Article XII, Sections 1 through 14 be considered together at this time. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers asked unanimous consent that the rules be suspended, that Article XII be returned to second reading for the following specific amendment: Section 5, strike the last sentence. There being no objection, the rules were suspended. Mr. V. Rivers asked unanimous consent for the adoption of the amendment. Mr. Robertson objected for information purposes. After explanation by Mr. V. Rivers, Mr. Robertson withdrew his objection. There being no objection, the amendment was ordered adopted.

Mr. V. Rivers then asked unanimous consent to return the Article to third reading. There being no objection, it was so ordered.

After questions by Mr. Robertson/ ^{and} Mr. Coghill which were answered by Mr. Boswell, Mr. White and Mr. Hurley, the question was called. The question being "Shall Article XII, General and Miscellaneous, be agreed upon as part of the Alaska State Constitution?", the roll was called with the following result:

Yeas: 51 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal; Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher; Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog; Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien and Mr. President.

Nays: 0

Absent: 4 - H. Fischer, King, Londborg and Taylor.

and so the article was adopted.

Mr. Riley rose to inquire whether C. P. 17z was ever properly before the Convention.

The President declared a short recess in order to check the journal.

AFTER RECESS

The President stated that C. P. 17z had never been formally offered to the Convention by the Committee.

Mr. McNealy introduced C. P. 17z except that Section 32 be deleted and in lieu thereof a committee amendment inserting a new section 32 be considered in its place.

Mr. Johnson inquired whether the rules permitted the introduction of

a proposal at this late date without suspension of the rules. Mr. Riley, Chairman of the Rules Committee stated there was no limitation on the introduction of committee proposals.

Mr. Coghill made a parliamentary inquiry regarding making a motion that action taken on C. P. 17z the previous day be referred to as action taken today.

The President declared a short recess.

AFTER RECESS

Mr. Coghill moved and asked unanimous consent that the actions already taken on C. P. 17z be confirmed by the Convention as actions taken today.

Mr. Riley objected. Mr. Coghill so moved. Mr. Cooper seconded. Mr. R. Rivers inquired whether it would take a two-thirds vote. The President stated it would be a suspension of the rules and would require a two-thirds majority.

Mr. McNealy inquired whether it was possible to validate an invalid action.

The question being, "Shall the previous actions taken on C. P. 17z be considered as actions of today?", the roll was called with the following result:

Yeas: 34 - Awes, Boswell; Coghill, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson; Kilcher; Laws, Lee, McLaughlin, Metcalf; Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers; Robertson, Rosswog, Sundborg, Sweeney, Walsh, Wien and Mr. President.

Nays: 17 - Armstrong, Barr, Buckalew, Collins, Doogan, Hilscher, Knight; McCutcheon, McNealy, McNees, Marston, Nordale, Riley, Smith, Stewart, VanderLeest and White.

Absent: 4 - H. Fischer, King, Londborg and Taylor.

and so the motion failed.

C. P. 17z was read the first time. Mr. McNealy moved and asked unanimous consent that C. P. 17z be advanced to second reading. Mr.

Johnson objected. Mr. McNealy so moved, Mr. Knight seconded. The question being, "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 31 - Awes, Barr, Buckalew, Coghill, Cross Davis, Doogan, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Laws, McCutcheon, Mc Nealy, Mc Nees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, VanderLeest, White and Mr. President

Nays: 20 - Armstrong, Boswell, Collins; Cooper, Emberg, Hellen-thal, Hinckel, Johnson, Lee, McLaughlin, Nerland, Nolan, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh and Wien.

Absent: 4 - H. Fischer, King, Londborg and Taylor.

and so the rules were not suspended.

C. P. 17z was referred to the Committee on Rules for assignment to the calendar.

Mr. V. Fischer asked if the proposal had to take its regular course. The President stated that was correct.

Mr. Cooper rose to a point of inquiry to ask whether it would be in order to take up Sections 30 and 31 of C. P. 17z under a suspension of the rules.

Mr. V. Rivers asked unanimous consent that the convention recess for the purpose of allowing the Rules Committee to set the calendar. Mr. Coghill objected. Mr. V. Fischer seconded. On voice vote the motion carried.

AFTER RECESS

Mr. Riley announced that the Rules Committee had met and placed C. P. 17z in second reading. C. P. 17z was read the second time. Mr. Coghill attempted to make an amendment. Mr. V. Fischer rose to a point of order to state that the proper order of business was for the Chairman of the Committee to give an explanation of the proposal. The President stated Mr. Fischer's point of order was well taken.

Mr. McNealy explained the Committee's position on the proposal. Mr. Coghill attempted to make an amendment.

Mr. White rose to a point of order to state that committee amendments were always considered first. The President stated that Mr. White's point of order was well taken.

Mr. McNealy moved the adoption of the following committee amendment:

Strike Section 32 and insert a new Section 32, as follows:

"If the Alaska-Tennessee Plan is approved by the voters of Alaska and Alaska has not subsequently been admitted as a State of the Union, the Territorial Legislature shall enact such additional measures as in its judgment are necessary and proper to assure attainment of that end."

Mr. VanderLeest seconded. After discussion by Mr. V. Fischer, Mr. White and Mr. Coghill, Mr. Johnson moved to amend the amendment as follows:

Strike all the matter enclosed in the quotation marks.

The President ruled the amendment out of order since it would completely obliterate the proposed amendment.

After further discussion by Mr. Boswell, Mr. McCutcheon, Mr. McLaughlin and Mr. Buckalew, the question was called. The question being, "Shall the Committee amendment to Section 32 of C. P. 17z be adopted?", the roll was called with the following result:

Yeas: 23 - Awes, Barr, Buckalew, Davis, Doogan, Emberg, V. Fischer, Hilscher, Hurley, Kilcher, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Nordale, Riley, V. Rivers, Stewart, VanderLeest, White and Mr. President.

Nays: 26 Armstrong, Boswell, Coghill, Collins, Cooper, Cross; Gray; Harris, Hellenenthal, Hermann, Hinckel, Johnson, Laws, McLaughlin, Metcalf, Nerland, Nolan; Peratrovich, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh and Wien.

Absent: 6 H. Fischer, King, Londborg, R. Rivers, Smith and Taylor

and so the amendment failed.

Mr. Coghill moved to lay C. P. 17z on the table. Mr. McNealy seconded.

Mr. V. Rivers requested a call of the assembly. Mr. Johnson stated that since the rules of the convention did not cover a call of the house, Roberts Rules of Order would apply and a call of the assembly would have to be made by motion.

The President stated that Mr. Johnson's point of order was well taken.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers asked unanimous consent to withdraw his call of the assembly.

Mr. Kilcher moved that the convention recess. Mr. Poulsen seconded.

Mr. V. Rivers rose to a point of order that there was a motion on the floor.

The President stated that a motion to recess was always in order. On voice vote the motion lost and the convention was still in session.

Mr. Coghill asked unanimous consent to withdraw his motion to lay the proposal on the table. Mr. Buckalew objected. Mr. Coghill so moved. Mr. Cooper seconded. The roll was called with the following result:

Yeas: 35 - Boswell, Coghill, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Hermann, Hilscher, Hinckel; Hurley; Johnson; Kilcher; Knight, McLaughlin, McNees, Metcalf, Nerland; Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley; R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, White and Mr. President.

Nays: 16 - Armstrong, Awes, Barr, Buckalew, Collins, Emberg, Harris, Hellenthal; Laws, Lee, McCutcheon, McNealy, Marston, Robertson, Sundborg, Wien.

Absent: 4 - H. Fischer, King, Londborg, Taylor.

and so the motion was withdrawn.

Mr. Coghill attempted to make a motion. Mr. Sundborg stated that the amendment was not in order unless it had been cleared with the Ordinance Committee.

The President declared a short recess.

AFTER RECESS

Mr. McNealy moved to strike Section 30. Mr. Coghill seconded. Mr. V. Fischer asked for an explanation of why the committee chairman wished to strike the section. After Mr. McNealy's explanation, Mr. Hellenthal moved the previous question. Mr. Buckalew seconded.

The roll was called with the following result:

Yeas: 27 - Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Emberg, Gray, Harris, Hellenthal, Hinckel, Hurley, Knight, McCutcheon, McLaughlin, McNealy, Peratrovich, Poulsen, Reader, Riley, Rosswog, Sweeney, VanderLeest, Walsh and Wien.

Nays: 24 - Armstrong, Cooper; Davis, V. Fischer, Hermann, Hilscher, Johnson, Kilcher, Laws; Lee, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, White and Mr. President.

Absent: 4 H. Fischer, King, Londborg and Taylor.

and so the previous question was ordered.

The question being, "Shall the amendment to strike Section 30 be adopted?", the roll was called with the following result:

Yeas: 36 - Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, Gray, Harris, Hellenthal, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Knight, Laws, Lee, McLaughlin, McNealy, Marston, Nordale, Poulsen, Reader, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien and Mr. President.

Nays: 15 Armstrong, Buckalew, V. Fischer; Hermann, McCutcheon, McNees, Metcalf, Nerland, Nolan, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson and White.

Absent: 4 H. Fischer, King, Londborg and Taylor.

and so the amendment was adopted.

Mr. McNealy moved the adoption of the following amendment: Delete Section 31. Mr. Doogan seconded. After discussion by Mr. Hellenthal, Mr. V. Fischer and Mr. McNealy, the question was called.

The question being, "Shall Section 31 be stricken?", the roll was called with the following result:

Yeas: 39 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Knight, Laws, Lee, McLaughlin, McNealy, Marston, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien and Mr. President.

Nays: 12 - Davis, V. Fischer, Harris, Hurley, Kilcher, McCutcheon, McNees, Metcalf, Peratrovich, Poulsen, V. Rivers, White.

Absent: 4 - H. Fischer, King, Londborg, Taylor

and so the amendment was adopted.

Mr. Barr moved that the convention recess until 4:05 p.m. Mr. Kilcher seconded. Mr. McLaughlin announced that there would be a meeting of the Judiciary Committee if the motion carried. Mr. Sundborg announced a meeting of the Committee on Style and Drafting if the motion carried. On voice vote the motion lost and the convention remained in session.

Mr. Johnson moved that C. P. 17z as amended be indefinitely postponed. Mr. McNealy seconded.

The question being, "Shall C. P. 17z be indefinitely postponed?", the roll was called with the following result:

Yeas: 42 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McLaughlin, McNealy, Marston, Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien and Mr. President.

Nays: 10 - Buckalew, Doogan, Kilcher, McCutcheon, McNees, Metcalf, Nordale, Riley, V. Rivers, White.

Absent: 3 - H. Fischer, Londborg and Taylor.

and so C. P. 17z was indefinitely postponed.

Mr. V. Fischer asked whether there would be a resolution from the convention addressed to Congress requesting statehood or calling upon the legislature to take action.

Mr. Gray moved that the convention recess for twenty minutes. There being no objection, it was so ordered.

AFTER RECESS

A telegram from Ernest F. McFarland, Governor of Arizona, expressing regrets at being unable to attend the signing ceremonies, was read.

A telegram from Congressman John P. Saylor of New York, expressing regrets at being unable to attend and sending congratulations for taking another step towards statehood, was read.

Mr. Sundborg presented the report from the Committee on Style and Drafting on the complete constitution.

Mr. Sundborg asked unanimous consent for the adoption of the following changes in the report:

Page 38, strike sections 18 and 19 and renumber the succeeding sections in that article.

Page 39, Section 24, change "voter" to "voters".

Page 28, Section 2, strike the last sentence.

There being no objection, the changes were adopted.

Mr. Hilscher moved that the Committee on Style and Drafting explain the changes made and the rearrangement of sections. Mr. R. Rivers seconded. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the following changes made by the Committee be adopted:

Page 3, Section 16, line 3, insert the words "of twelve".

Page 6, Section 14, line 4, insert the word "three".

Page 15, change Article XV to read Article XIV in Sections 1 and 2 and on page 16; Section 7 make the same change.

Page 22, Section 8, change 'catastrophes' to "disasters".

Page 35, Election District 23 substitute "That part" for "All".

Page 27, Section 6, ~~change the first sentence into two sentences.~~ *make two sentences out of the first sentence.*

Page 28, Section 5, change commas to parentheses around "or affirm".

Page 30, Section 2 approve language as changed.

Page 37, Section 10, change Article XV to Article XIV two places in the section.

Page 38, Section 17, "subject to applicable acts of Congress" was changed to "except as otherwise provided by law".

There being no objection, the amendments were ordered adopted.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article XV be returned to second reading for the purpose of the following specific amendment: Add new section 24 as follows:

"Section 24. Ordinance No. 1 on ratification of the constitution, Ordinance No. 2 on the Alaska-Tennessee Plan, and Ordinance No. 3 on the abolition of fish traps, adopted by the Alaska Constitutional Convention and appended to this constitution, shall be submitted to the voters and if ratified shall become effective as provided in each ordinance."

There being no objection, the rules were suspended. Mr. Sundborg asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Hellenthal asked unanimous consent to change the "S" in "State" to lower case in Section 25 on page 39. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent to adopt the language used by the Style and Drafting Committee in Section 4 on page 41. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for the adoption of the following changes made by Style and Drafting:

Page 42, change Article XIV to Article XV.

Page 42, Section 15 the reference to Section 27 should be "Section 25".

Article XIII, Section 1, strike the word "general" and insert the word "statewide".

Page 40 typographical error, word "ordinances" should be "Ordinances".

There being no objection, the changes were ordered adopted.

Mr. Smith asked for a two-minute recess. There being no objection, it was so ordered.

Style and Drafting
AFTER RECESS

~~Mr. Davis~~ asked unanimous consent for the adoption of the action taken by the Committee in changing the wording. There being no objection, the language was adopted.

Mr. Sundborg asked unanimous consent for the adoption of the following changes in the report which were merely omissions by the printer:

Page 20, Section 11, after word "permits" insert "leases, and".

Section 11, page 20, strike "s" from "patents".

There being no objection, the language was ordered inserted.

Mr. V. Fischer explained the changes in arrangements made by the Committee on Style and Drafting.

Mr. Sundborg asked unanimous consent for the approval of the order arrangement as suggested by the Style and Drafting Committee.

After discussion the report of the Style and Drafting Committee as to the arrangement of the constitution was ordered adopted.

Mr. Sundborg explained that in order to get the constitution printed and ready for signing on Sunday the corrected copy should be returned to the printer no later than late tonight, and consequently suggested that the constitution be read in full tonight so that corrections could be noted.

Mr. White moved and asked unanimous consent that the Convention recess until 7:30 at which time the Chief Clerk would read the constitution. Mr. Kilcher objected. Mrs. Hermann seconded. On voice vote the convention recessed until 7:30 p.m.

Mr. Beratovich presided in the absence of President Egan.

AFTER RECESS

Mr. White asked unanimous consent for the approval of the journal for the 65th Convention day subject to the following corrections:

Page 1, third paragraph from the bottom, change "consideration" to "reconsideration"; page 1, paragraph 4, strike "s" from "Mr. Kilcher". Page 11, fifth paragraph from the bottom, in the next to the last line after "be adopted" insert "without objection, it was so ordered." Page 13, second paragraph between "substantive" and "phraseology" insert "or".

There being no objection, the journal was ordered approved as corrected.

Mr. White asked unanimous consent for the approval of the journal for the 66th Convention day subject to the following corrections:

Page 1, third paragraph from the bottom, insert "R." before "Rivers". Page 3, paragraph one, second line, change "Miss Sweeney" to "Mrs. Sweeney". Page 13, paragraph five, insert "to Article III" after "amendment".

There being no objection, the journal for the 66th Convention day was ordered approved as corrected.

Mr. Sundborg suggested that the Chief Clerk read the constitution an article at a time so questions and corrections could be made after each article. There being no objection, it was so ordered.

The Preamble and Article I were read.

Mr. Sundborg asked unanimous consent to insert a comma after "opportunities" in Section 1 and after "civil" in the Preamble. There being no objection, it was so ordered.

Article II was read.

Mr. Hurley asked unanimous consent to insert the following commas: after "elected" in Section 5; after "going to" in Section 6; after "secretary of state" in Section 5; after "revising" in Section 13. There being no objection, it was so ordered.

Article III was read.

Mr. Hurley asked unanimous consent to insert commas as follows: Section 6, after "the state"; Section 10, after "resigns"; Section 14, after "duties"; Section 16, after "duty" and after "department"; Section 21, after "commutations"; Section 22, after "powers" and "quasi-judicial".

Mr. McCutcheon asked unanimous consent that the rules be suspended that the constitution be returned to third reading and then to second reading for the purpose of a specific Legislative Committee amendment as follows:

Page 6, Section 12 of Article II, at the end of line 4, delete the period after "members" and add "and may expel a member with the concurrence of two-thirds of its members."

There being no objection, the rules were suspended.

Mr. McCutcheon moved the adoption of the amendment. Mrs. Nordale seconded. After discussion by Mr. McCutcheon, Mr. Johnson, Mr. Gray, Mr. Doogan, Mr. Coghill, Mr. V. Rivers, Mrs. Nordale, Mr. R. Rivers, Mr. Kilcher, Mr. Barr, Mr. Cooper, Mrs. Sweeney and Mr. Lee, the question was called.

The question being "Shall the amendment to Section 12 of Article II be adopted?", the roll was called with the following result:

Yeas: 27 - Armstrong, Awes, Boswell, Buckalew, Coghill, Doogan, Emberg, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Laws, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Sundborg, and Walsh

Nays: 18 - Barr, Cooper, Gray, Harris, Hurley, Johnson, Kilcher, Knight, McLaughlin, Nerland, Nolan, Poulsen, Rosswog, Stewart, Sweeney, VanderLeest, White, and Wien

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and Mr. President

and so the amendment was adopted.

Mr. V. Rivers asked unanimous consent for the suspension of the rules to return the constitution to second reading for the purpose of offering a specific Executive Committee amendment to Section 12 of Article III as follows:

Substitute the word "office" for the words "the state" in the first sentence.

There being no objection the rules were suspended.

Mr. V. Rivers asked unanimous consent for the adoption of the amendment. Mr. Harris objected. Mr. V. Rivers so moved. Mr. Buckalew seconded. Mr. Harris withdrew his objection. There being no objection, the amendment was ordered adopted.

Article IV was read.

Mr. Hurley asked unanimous consent to insert a comma in Section 14, after "the State". There being no objection, it was so ordered.

Mr. R. Rivers asked unanimous consent to suspend the rules to return the constitution to second reading for the purpose of the following specific amendment:

Section 4, line 3, insert "resident" between "and" and "of".

Mr. Harris objected. Mr. R. Rivers so moved. Mr. V. Rivers seconded. The question being "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 34 - Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hilscher, Hinckel, Hurley, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, VanderLeest, Walsh, and White

Nays: 11 - Armstrong, Harris, Hermann, Johnson, Kilcher, Knight, Laws, Lee, Metcalf, Sweeney, and Wien

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and Mr. President

and so the rules were not suspended.

Mr. McLaughlin moved and asked unanimous consent that the rules be suspended and the constitution be returned to second reading for the purpose of the following specific amendment:

Section 6 of Article IV, line 3, after the word "ballot", insert "in the manner provided by law".

There being no objection the rules were suspended.

Mr. McLaughlin asked unanimous consent for the adoption of the amendment. Mr. Johnson objected. Mr. McLaughlin moved and Mr. Metcalf seconded. After discussion by Mr. McLaughlin, Mr. V. Fischer, Mr. McLaughlin, and Mr. Hurley, Mr. Cooper requested a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McLaughlin asked unanimous consent to withdraw his amendment.

Mr. McLaughlin asked unanimous consent to return the constitution to second reading for the purpose of the following specific amendment:

Section 6, Article IV, after the word "shall", insert ",in the manner provided by law,".

There being no objection, the rules were suspended. Mr. McLaughlin asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Article V was read.

Article VI was read.

Mr. Sundborg asked unanimous consent that the following typographical error be corrected in Section 1 of Article VI: word "Under" should be "Until".

Mr. R. Rivers asked unanimous consent for the suspension of the rules to return the constitution to second reading for the purpose of the following specific amendment:

Section 10, at end of section change period to a comma and add "and thereafter until changed."

Mr. V. Fischer objected. Mr. R. Rivers moved. Mr. Metcalf seconded.

Mr. R. Rivers asked to explain the amendment. There being no objection, Mr. R. Rivers was allowed to speak on the amendment. Mr. V.

Fischer asked to be allowed to explain his objection. There being no objection, Mr. V. Fischer was allowed to speak.

The President declared a short recess.

AFTER RECESS

Mr. R. Rivers asked unanimous consent to withdraw his request for a suspension of the rules. There being no objection, it was so ordered.

Mr. Poulsen moved and asked unanimous consent that the Convention recess for twenty minutes. There being no objection, it was so ordered.

AFTER RECESS

resumed
President Egan ~~took~~ the chair.

Mr. Knight moved and asked unanimous consent to expunge from the record of the previous day's journal all reference to Committee Proposal No. 17z, since it was never formally introduced the previous day. Mr. Hellenthal objected. Mr. Knight so moved. Mr. Buckalew seconded. After discussion by Mr. Hellenthal, Mr. Kilcher, Mr. Rosswog, Mr. McNees and Mr. R. Rivers, the question was called. The question being "Shall all reference to C. P. 17z be expunged from yesterday's journal?", the roll was called with the following result:

Yeas: 7 - Awe, Buckalew, Knight, Nordale, Riley, Smith, and White

Nays: 38 - Armstrong, Barr, Boswell, Coghill, Cooper, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and VanderLeest

and so the motion failed.

Mr. Marston advised that he had received information from Dr. Patty that the Board of Regents of the University of Alaska had voted at their November 30th meeting that the name of the Student Union Building would be changed to "Constitution Hall".

Article VII was read.

Article VIII was read.

Mr. Hurley asked unanimous consent that on page 18, Section 3, a comma be inserted after "wildlife". There being no objection, it was so ordered.

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

AFTER RECESS

Articles IX, X and XI were read.

Article XII was read.

Mr. Sundborg requested a short recess so that the Committee on Style and Drafting could meet to draw up an amendment for Article XV. There being no objection, it was so ordered.

AFTER RECESS

Article XIII and XIV were read.

Article XV was read.

Mr. Sundborg asked unanimous consent for a suspension of the rules to return the constitution to second reading for the purpose of the following specific committee amendment:

Page 37, Section 10, strike last sentence.

Page 37, Section 11, strike section and substitute the following:

"Terms of Section 11. The first state legislators shall hold
First State office for a term beginning with the day on which
Legislators they assume office and ending at noon on the fourth
Monday in January after the next general election,
except that senators elected for four-year terms
shall serve an additional two years thereafter. If
the first general election is held in an even-numbered
year, it shall be deemed to be the general election
for that year."

There being no objection, the rules were suspended. Mr. Sundborg moved the adoption of the amendment. Mr. V. Rivers seconded. Mr. V. Fischer explained the necessity for submitting the amendment and asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Sundborg asked unanimous consent to return the constitution to second reading for the purpose of a specific committee amendment:

Section 9 of Article XV, third line, strike the word "qualify" and substitute the words "assume office".

There being no objection, the rules were suspended. Mr. Sundborg asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

The President stated that the record should show that since there had been no objection the constitution had been automatically returned to third reading after the rules had been suspended for the specific amendments.

Mr. Sundborg asked unanimous consent to correct a typographical error in Section 16 of Article XV as follows: Insert a comma after "filled", strike the "and" and strike "is appointed, he". There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent to make the following correction on page 40 under "Alaska-Tennessee Plan": change period to a colon at the end of Section 1.

Mr. Sundborg asked whether the delegates would accept the type used in the heading of the constitution. After discussion, Mrs. Hermann moved that the type remain as shown. Mr. Knight seconded. On voice vote the motion was adopted.

Mr. Sundborg asked for the opinion of the delegates as to centering the Article titles over the sections or as they were, on the middle of the page. Mr. V. Fischer moved that the titles be centered over the sections. Mr. Barr seconded. On voice vote the motion failed.

Mr. Sundborg requested a recess for the purpose of having the Style and Drafting Committee bring in a recommendation for the phrase to be inserted just before the signatures. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg submitted the following suggestion of the Committee on Style and Drafting:

"Agreed upon by the delegates to the Alaska Constitutional Convention at the University of Alaska, this fifth day of February, in the year of Our Lord one thousand nine hundred and fifty-six, and of the Independence of the United States, the one hundred and eightieth."

Mrs. Hermann moved that the recommendation of the Style and Drafting Committee be adopted. Mr. Hilscher seconded. Mr. Buckalew asked unanimous consent. Miss Awes and Mr. Johnson objected.

After discussion by Mr. R. Rivers, Miss Awes, Mr. Johnson, Mr. Kilcher, Mrs. Hermann, and Mr. Barr, Mr. Kilcher moved that the sentence be amended by inserting "and done" after "agreed upon". Mr. R. Rivers seconded. After discussion by Mr. Kilcher, Mr. V. Fischer and Mr. Johnson, the question was called. On voice vote the amendment to the motion failed.

Mr. Johnson moved to amend the sentence by striking the words "agreed upon" and substituting the word "done". Mr. McNealy seconded. On voice vote the amendment failed.

Mr. Nerland moved to strike "the" and substitute "these" on the first line. Mr. McCutcheon seconded. After hearing from Mrs. Hermann, Mr. Nerland asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. Hinckel moved the adoption of the following amendment:

Insert "Done and" before "agreed upon".

Mr. R. Rivers seconded. On voice vote the amendment failed.

Mr. McCutcheon moved the previous question. Mr. Buckalew seconded. On voice vote the motion failed.

Mr. V. Rivers moved the adoption of the following amendment:

Strike "to the Alaska" and insert "in" and insert "assembled" after "Convention".

Mr. Barr seconded. The roll was called with the following result:

Yeas: 32 - Armstrong, Awes, Barr, Boswell, Coghill, Doogan, Emberg, Gray, Harris, Hinckel, Hurley, Johnson, Kilcher, Laws, McCutcheon, McNealy, McNees, Marston, Nerland, Nolan, Peratrovich, Poulsen, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Nays: 13 - Buckalew, Cooper, V. Fischer, Hellenthal, Hermann, Hilscher, Knight, Lee, McLaughlin, Metcalf, Nordale, Riley, and Rosswog

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and VanderLeest

and so the amendment was adopted.

The question being "Shall the proposed language offered by the Style and Drafting Committee as amended be adopted?", on voice vote the language was adopted.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting as concerned the final language of the Alaska State Constitution be accepted and that the changes made in the document as they have been agreed upon be adopted. There being no objection, it was so ordered.

Mr. White reported that the Chief Clerk reading in a "dignified" manner had read the Constitution in one hour and 26 minutes.

Mr. Riley asked that in view of Rule 50 the constitution should be ordered to the Committee on Style and Drafting.

The President referred the constitution to the Committee on Style and Drafting for a final report.

Mr. Barr moved that the Convention adjourn until 1:30 p.m.

Mr. R. Rivers asked that before adjournment he would like to move to extend a vote of gratitude to the Committee on Style and Drafting for a diligent, brilliant and valiant service. There being no objection, it was so ordered.

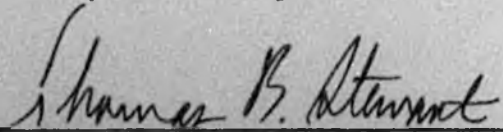
Mr. Sundborg stated that speaking for the Committee he did not believe the Committee on Style and Drafting had worked any harder than any of the substantive committees; that each committee had done a wonderful job, but the Style and Drafting Committee appreciated the kind thoughts of the delegates nevertheless.

Mr. Barr asked unanimous consent that the Convention stand adjourned until 2 p.m.

Mr. Coghill announced that the Administration Committee would meet at 11 a.m.

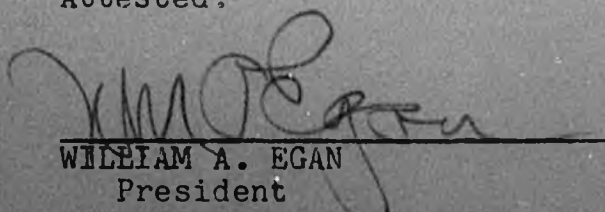
Mr. White announced that two planeloads of Anchorage residents sponsored by Operation Statehood would arrive in Fairbanks Saturday morning to visit the Convention and witness the signing ceremonies.

There being no objection to the unanimous consent request the Convention adjourned at 1:15 a.m. Saturday until 2 p.m.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President