

Jan. 18, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTIETH CONVENTION DAY, Wednesday, January 11, 1956

The Convention was called to order by President Egan at 9:00 a.m.

The Invocation was given by Reverend James Gamble of the Pentacostal Holiness Church.

Roll call showed all present except Mr. VanderLeest, who was absent because of illness.

The President declared a quorum present.

Mrs. Sweeney suggested that the delegates wait and arise after the full introduction of the minister giving the Invocation. The President asked the delegates to keep the suggestion in mind.

Mr. Doogan asked unanimous consent for the approval of the Journal of the 45th day, with the following correction: page 4, after the words "After Recess", insert the following paragraph: "Mr. Hellenthal asked unanimous consent to withdraw his amendment. There being no objection it was so ordered."

The President referred Committee Proposal No. 7 to the Committee on Engrossment and Enrollment since the reconsideration votes had not been called the previous Convention day.

Mrs. Hermann submitted the report of the Nome hearings which would be placed on file.

President Egan called for amendments to Committee Proposal No. 5, Section 15.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to Section 15, page 5: strike all of line 21 and the first two words on line 22 and insert in lieu thereof the words "although vetoed". Strike all of lines 24 and 25 on page 5; lines 1, 2 and 3 on page 6 and the word "entitled" on line 4 of page 6. Seconded by Mr. Kilcher.

After discussion by Mr. Sundborg, Mr. White, Mr. McCutcheon and Mr. V. Rivers, the President called for the question. The question being "Shall the proposed amendment as offered by Mr. Sundborg be adopted?", on voice vote the amendment failed.

50th Day, Wednesday, Jan. 11, 1956

Mr. Barr presented the following amendment:

Section 15, line 17, after the word "Legislature" and the period, strike the rest of line 17 and all of lines 18, 19 and line 20 except the last word "Bills" and substitute the following: "within five days after vetoing a bill, the governor shall return it to its house of origin for further action, and if passed by a two-thirds majority, it shall be transmitted to the other house for its consideration, and if like action is taken it shall become law." Line 23, strike the words "the state" and substitute the words "each house". Page 6, line 3, strike the words "the state" and substitute the words "each house".

Mr. McNees rose to a point of order to state he thought this amendment similar to one voted on at the previous meeting.

Mr. McCutcheon stated it was similar but with enough of a change possibly to make a new amendment. The President stated he was not entirely clear on the similarity, and called a short recess to refer the matter to the Rules Committee.

AFTER RECESS

Mr. Davis reported that the Rules Committee believed Mr. Barr's amendment in effect was the same as one made and defeated at the previous session and consequently the point of order was well taken.

The President stated that the ruling of the Rules Committee would be the ruling of the chair.

Mr. Barr asked unanimous consent for the withdrawal of his amendment. There being no objection it was ordered.

Mr. Barr gave notice that he would make a motion to rescind the action.

Mr. Davis stated that Mr. Barr should make clear the action he was talking about.

Mr. Barr stated he planned to make a motion to rescind the action on Mr. Johnson's amendment to Section 15.

Mr. McLaughlin asked unanimous consent for the suspension of the rules so that he could make a motion.

Mr. McLaughlin moved that the Rules Committee be instructed to report out this evening at 7:30 p.m., any recommendations they might have for the purpose of expediting the proceedings of this Convention. Mr. Cooper seconded.

Mr. Davis reported the Rules Committee was not ready and would not be ready by 7:30 p.m.

Mrs. Hermann rose to a point of order to state that the motion was out of order since the rules provide that fourteen people have to request a committee to bring out a report.

The President stated that this motion was in order since it was a suspension of the rules request.

Mr. V. Fischer rose to a point of information to ask Mr. McLaughlin to change his motion to read "as soon as possible" instead of "7:30 p.m.".

Mr. McLaughlin agreed to amend his motion to read "as soon as possible".

Mr. Buckalew asked Mr. McLaughlin to withdraw his motion since Mr. Davis had reported that the Rules Committee would not be ready by 7:30 p.m.

Mr. McLaughlin withdrew his motion.

Mr. Davis announced a meeting of the Rules Committee during the morning recess.

Mrs. Nordale asked unanimous consent for the adoption of the following amendment: Section 15, line 20, after the word "shall" insert the word "immediately".

After discussion by Mr. Buckalew, Mrs. Nordale, Mr. R. Rivers, Mr. McCutcheon and Mr. Sundborg, Mrs. Nordale asked unanimous consent to withdraw the amendment. Mr. Taylor objected, and asked for a roll call on adoption of the amendment.

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

Yeas: 39 - Armstrong, Awes, Barr, Boswell, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Robertson, Stewart, Taylor, Walsh, Wien, Mr. President

Nays: 12 - Buckalew, Cooper, Cross, Harris, Laws, Poulsen, Reader, Rosswog, Smith, Sundborg, Sweeney, White

Absent: 4 - Coghill, McNealy, Riley, VanderLeest

and so the amendment was adopted.

The President called for further amendments to Section 15, there being no further amendments offered, the President called for amendments to Section 16.

Mr. Johnson moved and asked unanimous consent for the adoption of the following amendment:

Section 16, line 22, after the period add the following: "The enacting clause of each law shall be, 'Be it enacted by the legislature of the State of Alaska.' No bill shall become law unless it shall pass three readings in each house, on separate days."

Seconded by Mr. Robertson.

After Mr. Johnson spoke on the amendment, Mr. V. Fischer requested that the question be divided because it was dealing with two questions, namely the enacting clause and specifying readings.

Mr. Buckalew, Mr. V. Rivers, Mr. Marston and Mr. Sundborg spoke. The President asked Mr. Sundborg if it was his pleasure to offer an amendment to the amendment.

Mr. Sundborg stated he would offer an amendment to the amendment. The President declared a short recess.

AFTER RECESS

Mr. Sundborg moved and asked unanimous consent to amend the Johnson Amendment by deleting the last three words "on separate days". Mr. Johnson objected. Mr. McCutcheon seconded.

After Mr. Sundborg, Mr. Londborg and Mr. V. Rivers spoke, the question was called. The question being "Shall the proposed amendment to the amendment as offered by Mr. Sundborg be adopted?", the roll was called with the following result:

Yeas:	24 - Awes, Barr, Buckalew, Collins, Cross, Doogan, Emberg, H. Fischer, Gray, Hilscher, Kilcher, McCutcheon, McNees, Marston, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, Smith, Sundborg, White, Wien, Mr. President
Nays:	27 - Armstrong, Boswell, Cooper, Davis, V. Fischer, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McLaughlin, Metcalf, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Stewart, Sweeney, Taylor, Walsh

Absent: 4 - Coghill, McNealy, Riley, VanderLeest

and so the amendment to the amendment failed.

After discussion by Mr. V. Fischer, Mr. Cooper, Mr. Taylor, Mr. Armstrong, Mr. Marston, Mr. Nordale, Mrs. Sweeney and Mr. Sundborg, Mr. Hellenthal asked unanimous consent for a fifteen-minute recess. There being no objection it was so ordered.

AFTER RECESS

Mrs. Nordale offered an amendment to Mr. Johnson's amendment as follows:

Add to Mr. Johnson's amendment: Strike period, add "except that any bill may be advanced from second to third reading by a three-fourths majority of the house having the bill under consideration."

Mr. McCutcheon seconded; Mr. Johnson objected. Mr. Taylor asked unanimous consent that Mrs. Nordale's amendment to the amendment be adopted.

After the discussion by Mr. Londborg and Mr. Harris, the President put the question "Shall the proposed amendment to the amendment be adopted?" Mr. Londborg requested a roll call. The roll was called with the following result:

Yeas: 39 - Aves, Barr, Boswell, Buckalew, Collins, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Taylor, White, Wien, Mr. President

Nays: 13 - Armstrong, Coghill, Cross, Harris, Hurley, Johnson, Laws, Londborg, Poulsen, Reader, Stewart, Sweeney, Walsh

Absent: 3 - Cooper, Riley, VanderLeest

and so the amendment to the amendment was adopted.

Mr. V. Fischer called for the previous question. The question being "Shall the proposed amendment as amended be adopted?", the roll was called with the following result:

Yeas: 35 - Armstrong, Barr, Boswell, Coghill, Collins, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, Walsh, White, Mr. President

Nays: 17 - Awes, Buckalew, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Hinckel, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Sundborg, Wien

Absent: 3 - Cooper, Riley, VanderLeest

and so the amendment as amended was adopted.

Mr. Robertson offered the following amendment:

Section 16, line 16, delete first "a" and insert "an affirmative".

Mr. V. Rivers seconded and asked unanimous consent for the adoption. Mr. Taylor objected. Mr. McCutcheon spoke. Mr. Taylor withdrew his objection and Mr. Robertson's amendment was adopted by unanimous consent.

Mr. White asked permission to return to Section 15. There being no objection Mr. White offered the following amendment:

Section 15, page 5, line 17, after the period insert the following sentence: "The governor may veto appropriation bills by item, by striking or reducing specific appropriations."

Mr. White asked unanimous consent for adoption of the amendment. Mr. Taylor objected. Mr. Nerland seconded. After discussion by Mr. White and Mr. Taylor the question was called. The question being "Shall the amendment as offered by Mr. White be adopted?", the roll was called with the following result:

Yeas: 30 - Armstrong, Awes, Boswell, Buckalew, Doogan, V. Fischer, Harris, Hellenthal, Hinckel, Hurley, Johnson, Kilcher, Laws, Londborg, McLaughlin, Nerland, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Walsh, White, Wien

Nays: 22 - Barr, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, Gray, Hermann, Hilscher, King, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Peratrovich, Sweeney, Taylor, Mr. President

Absent: 3 - Cooper, Riley, VanderLeest

and so the amendment was adopted.

Mr. Hurley asked a question regarding Section 17. Mr. McCutcheon, Mrs. Sweeney, Mr. Taylor and Mr. R. Rivers also spoke on Section 17.

Mr. V. Rivers, Mr. Nerland, Mr. McCutcheon, Mr. Sundborg, and Mr. Hellenthal spoke on Section 18. Mr. Johnson rose to a point of inquiry.

Mr. Taylor asked unanimous consent that the last sentence of Section 18 be stricken. Mr. Lee objected. Mr. Taylor so moved. Mr. Robertson seconded. After discussion by Mr. R. Rivers, Mrs. Sweeney, Mr. McNealy, Mr. McCutcheon, Mr. Rosswog, Mr. Buckalew, Mr. Hinckel and Mr. Hurley, the President asked Mr. Peratrovich to take the chair.

Discussion was continued by Mr. V. Fischer, Mr. Londborg, Mr. Taylor, Mr. Hellenthal, Mr. R. Rivers and Mr. Barr. Mr. Taylor moved the previous question. Mr. Barr seconded. On voice vote the previous question was ordered. The question being "Shall Mr. Taylor's amendment be adopted?", on voice vote the amendment failed.

Before the chair completed announcing the result of the voice vote Mr. Taylor asked for a roll call. Mr. Buckalew rose to a point of order to state Mr. Taylor was out of order and the vote showed that the amendment had failed.

Mr. Taylor appealed the ruling of the chair. Mr. Barr asked if a roll call could be called before the announcement of the result by the chair or during the announcement of the result. The Chairman stated a request for a roll call must be made before the yeas are called.

The ruling of the chair having been appealed, the Chairman asked: "Shall the chair be sustained in its ruling?" The roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Nerland, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, White, Wien

Nays: 5 - Boswell, Laws, Metcalf, Robertson, Taylor

Absent: 6 - Cooper, Marston, Riley, Sundborg, VanderLeest, Mr. President

Abstain: 1 - Mr. Peratrovich

and so the ruling of the chair was sustained.

Mr. R. Rivers moved the adoption of the following amendment to Section 18:

Page 7, line 8, after the word "act" insert the following:
"calling for use of funds to be appropriated by a political subdivision"

Seconded by Mr. Londborg. After discussion by Mr. R. Rivers, Mr. McLaughlin, Mr. Buckalew and Mr. Hellenthal, Mr. Sundborg asked unanimous consent to recess until 1:30 p.m. There being no objection the Convention recess was ordered.

AFTER RECESS

A telegram from Delegate E. L. Bartlett congratulating the Convention for the splendid wire to the President of the United States was read and ordered filed. He said the wire constituted a temperate yet eloquent presentation of the aspirations of Alaska's people for statehood.

An invitation from the Veterans of Foreign Wars of Fairbanks inviting the men delegates to a no-host dinner Saturday evening, January 14, was read.

Mr. Kilcher rose to speak.

Mr. Cooper rose to a point of order to state that he believed Mr. Kilcher should be speaking on personal privilege.

Mr. Harris requested a two-minute recess.

AFTER RECESS

Mr. Kilcher asked to speak on a matter of personal privilege.

Mr. Sundborg moved and asked unanimous consent to permit the tape to run while Mr. Kilcher makes his statement. Mr. Barr objected. Mr. Buckalew seconded. The roll was called with the following result:

Yeas: 34 - Armstrong, Aves, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Emberg, Gray, Harris, Hinckel, Kilcher, King, Knight, Londborg, McLaughlin, McNealy, McNees, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Nays: 17 - Barr, Cooper, Davis, H. Fischer, V. Fischer, Hellenthal, Hermann, Johnson, Laws, Lee, McCutcheon, Marston, Metcalf, Nolan, Poulsen, Reader, Robertson,

Absent: 4 - Hilscher, Hurley, Rosswog, VanderLeest

and so the motion carried and the rules were suspended.

Mr. Fischer rose to a point of order to state that it took a two-thirds vote to suspend the rules.

Mr. Riley, Chairman of the Rules Committee, stated there is no rule regarding shutting off the tape during personal privilege.

The President reported he stood corrected on the suspension of the rules.

After discussion, Mr. Kilcher stated that he wished to ask two or three committee chairman a question.

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

AFTER RECESS

Mr. Kilcher spoke on a matter of personal privilege regarding a news story.

Mr. R. Rivers moved the adoption of the amendment to Section 18 which had been offered during the morning session.

Mr. Riley served notice that he would refrain from voting, not having heard the debate.

On voice vote the amendment failed.

Mr. Nerland moved and asked unanimous consent that Section 19 be stricken and that the same subject matter be taken up in the Finance proposal under Section 7 of that proposal.

Mr. V. Rivers asked that Mr. Nerland read the sections of the Finance proposal dealing with the subject matter of Section 19. Mr. Nerland did so.

Without objection, Section 19 was deleted.

Mr. Nerland moved and asked unanimous consent that Section 20 be stricken and taken up in the Finance proposal under Sections 1 and part of Section 4. Mr. Nerland read the sections of the Finance proposal dealing with the subject matter of Section 20.

Mr. Hinckel objected to the unanimous consent request. Mr. Nerland moved. Mr. Knight seconded. After Mr. Hinckel questioned the Chairman of the Finance Committee regarding the matter contained in Section 20 being incorporated by amendment in the sections of the Finance Proposal, he withdrew his objection. Section 20 was deleted from Proposal No. 5 by unanimous consent.

Mr. V. Fischer questioned Mr. McCutcheon regarding the intent of the Committee as to the first sentence of Section 21, and Mr. McCutcheon stated the matter was covered in the Article on Initiative and Referendum. Mr. Gray then moved to strike Section 21. Mr. Hellenthal seconded. On voice vote the amendment was adopted.

Miss Awes moved to strike Section 22 and asked unanimous consent. Mr. McCutcheon objected. On hearing the section of the Bill of Rights relating to the same subject as Section 22, Mr. McCutcheon withdrew his objection and Section 22 was ordered stricken from Proposal No. 5 by unanimous consent.

Mr. Smith moved that Section 23 be stricken from Committee Proposal No. 5 and be referred to the Committee on Ordinances and Transitional Measures. Mr. Hellenthal seconded.

Mr. Nerland moved to amend the amendment by requesting that the material following the word "alienation;" on line 8, page 9, be taken up under Section 5 of the Finance Committee proposal.

Mr. Gray rose to a point of order to inquire whether deleting the section now would prevent using the same language in another proposal.

The President stated that the deletion of this section would not preclude anyone offering this as an ordinance or as an amendment to some section of the Finance Article.

After discussion by Mr. Smith, Mr. Davis, Mr. Barr, Mr. McCutcheon, Mr. Taylor, Miss Awes, Mrs. Sweeney, Mr. Cross, Mr. Sundborg and Mr. Smith, the question was called. The question being "Shall Mr. Smith's amendment be adopted to strike Section 23?", the roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Barr, Boswell, Buckalew, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, Hurley, King, Knight, Lee, McLaughlin, Nerland, Nolan, Poulsen, Reader, V. Rivers, Rosswog, Smith, Stewart, Sweeney, White, Wien, Mr. President

Nays: 24 - Coghill, Collins, Cooper, Cross, Davis, H. Fischer, Hermann, Johnson, Kilcher, Laws, Londborg, McCutcheon, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, Robertson, Sundborg, Taylor, Walsh

Absent: 2 - Hilscher, VanderLeest

and so the amendment was adopted.

Mr. Riley stated that since the recommendation of the Rules Committee, only one committee chairman had advised the Rules Committee of a conflict in proposals, and he urged the committee chairmen to check the proposals in order to save time-consuming discussion on the floor.

Mr. McNealy asked whether the portion of Section 23 which was requested referred to the Finance Committee had been adopted.

The President stated that the adoption of Mr. Smith's amendment had carried Mr. Nerland's amendment to the amendment with it.

The President called for amendments to Section 24.

Mr. Barr asked whether it would be in order to have that section referred to the Rules Committee for a report as to where the section should be considered.

Mr. Riley reported that this was the section which had been referred to the Rules Committee by the Finance Committee, and he felt that without conferring with the Committee it should be assigned to the Finance Committee and would so recommend.

Mr. Riley moved and asked unanimous consent that Section 24 be deleted from this proposal and assigned to the Finance Committee. There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the amendment to Section 8, page 3, line 14, which had been held over. On voice vote the amendment was adopted.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment: Section 3, page 2, line 1, strike the words "2 years" and insert in lieu thereof the following: "four years, and one-half of the members shall be elected each two years." Mr. Buckalew objected. Mr. Coghill seconded.

After discussion by Mr. V. Rivers, Mr. Buckalew, Mr. Cooper, Mr. Londborg, Mr. Coghill, Mr. Gray, Mrs. Nordale, Mr. Hurley, Mr. McNealy, Mr. McCutcheon, Mr. White, Mr. Metcalf, Mr. Taylor, Miss Awes and Mr. Sundborg, the question was called. Mr. Hellenthal requested a roll call. The question being "Shall the amendment to Section 3, offered by Mr. V. Rivers, be adopted?", the roll was called with the following result:

Yeas: 11 - Coghill, Cross, V. Fischer, Hermann, Hinckel, McNealy, Nolan, R. Rivers, V. Rivers, Taylor, Mr. President

Nays: 42 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien

Absent: 2 - Hilscher, VanderLeest

and so the amendment failed.

Mr. V. Rivers rose to speak on a matter of personal privilege.

Mr. V. Rivers asked unanimous consent to revert to the introduction of Committee reports. There being no objection, it was so ordered.

Mr. V. Rivers presented the following report of the Executive Committee:

"The Committee on the Executive Branch met on January 10 to consider Delegate Proposal No. 44, which would provide for the election of the Commissioner of Labor, and Delegate Proposal No. 46 which would provide for the election of the Attorney General. The Committee members in attendance at the meeting voted as follows on these proposals:

Delegate Proposal 44:

Do Pass: Delegate Barr
Do Not Pass: Delegates Boswell,
Harris, Nordale, and
V. Rivers

Delegate Proposal 46:

Do Pass: Delegate Barr
Do Not Pass: Delegates Boswell,
Harris, and Nordale

No Recommendation: Delegate V. Rivers

The report was ordered filed.

*(This should refer to
Res. 44 and 45)*

Mr. Barr asked what becomes of the proposals referred to in the report.

The President stated that the Committee had rejected the proposals.

Mr. Barr stated he believed that the Convention should have some right to express itself on these proposals.

The President advised that because of the nature of the report he could only order that it be filed.

Mr. Riley stated that Mr. Barr was not foreclosed from offering amendments to Committee Proposals at the proper time, using the proposals rejected by the Committee.

The President agreed with the Chairman of the Rules Committee and advised Mr. Barr that it would be ~~proper~~ to offer amendments at the time the Committee Proposals were considered.

Mr. Sundborg moved the adoption of the following amendment:

Section 3, page 1, line 17, delete "fourth" and insert "first"; line 18, delete "January, unless otherwise provided by law" and insert "December". Mr. V. Fischer seconded. After discussion by Mr. Sundborg, Mr. Peratrovich, Mr. R. Rivers, Mr. Hellenthal, Mr. White, Mr. Davis, Mr. Hinckel, Mr. McCutcheon and Mr. Johnson the question was called. On voice vote the amendment failed.

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

Mr. Emberg moved the adoption of the following amendment: Section 5, line 8, delete word "hold" and substitute "be nominated, elected, or appointed to". Mr. White seconded. On voice vote the amendment was ordered adopted.

Mr. Hurley moved the adoption of the following amendment: Section 5, page 2, strike the second sentence. Mr. McCutcheon rose to a point of order that the amendment had already been considered. Mr. Sundborg seconded and stated that this matter had not been considered previously. Mr. Hurley spoke on the amendment. Mr. McNees asked for a ruling of the chair on the point of order.

The President stated that he believed Mr. McCutcheon withdrew his point of order when he discussed it with Mr. Sundborg.

After Mr. Riley and Mr. McCutcheon spoke, Mr. Taylor moved to amend the amendment by striking the last sentence in Section 5. Mr. Sundborg objected. Mr. McNeely seconded. After Mr. Sundborg and Mr. Riley spoke, Mr. Taylor asked unanimous consent to withdraw his amendment to the

amendment. There being no objection, it was so ordered. The question was called. Mr. McNees requested a roll call. The question being "Shall Mr. Hurley's amendment be adopted?", the roll was called with the following result:

Yeas: 26 - Armstrong, Awes, Barr, Boswell, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hurley, Johnson, King, Marston, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, White, Wien

Nays: 26 - Buckalew, Coghill, Collins, Cooper, Davis, H. Fischer, Hellenthal, Hermann, Hinckel, Kilcher, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Peratrovich, Poulsen, Sweeney, Taylor, Walsh, Mr. President

Absent: 3 - Hilscher, Rosswog, VanderLeest

and so the amendment failed.

Mr. Coghill called the attention of the delegates to the presence in the gallery of Mr. Don M. Dafoe, Commissioner of Education, and asked unanimous consent that he be given the privilege of the floor. Mr. Dafoe spoke briefly to the delegates.

Mr. Buckalew moved the adoption of the following amendment: Section 5, line 14, insert "non-regulatory" before "board". Mr. V. Rivers seconded.

Mr. V. Rivers asked for a fifteen-minute recess. Before the recess was called the following committee announcements were made: Administration Committee meeting on recess; Rules Committee on recess; Engrossment and Enrollment at 6:45 p.m.

There being no objection, the Convention recessed for fifteen minutes.

AFTER RECESS

Mr. Barr moved that the Convention rescind its action on Mr. Johnson's amendment to Section 15. Mr. Riley objected. Mr. Knight seconded.

After discussion by Mr. Barr, Mr. Buckalew, Mr. Hurley and Mr. Hinckel, Mr. Kilcher rose to a point of order to state he believed Mr. Hinckel was out of order. The president stated that Mr. Hinckel was in order. After Mr. McCutcheon, Mr. Londborg, Mr. Riley, Mr. Johnson, Mr. Buckalew, Mr. Sundborg, Mrs. Sweeney, Mr. V. Rivers, Mr. Barr and Mr. Marston spoke, Mr. Barr rose to a point of order to state that the reason he brought the question up was that it had been a close vote and several had been absent the night before.

The question being "Shall the Convention rescind its action on Mr. Johnson's amendment to Section 15?", the roll was called with the following result:

Yeas: 27 - Armstrong, Barr, Boswell, Coghill, Collins, Cross, Gray, Harris, Johnson, Kilcher, King, Knight, Laws, Londborg, Nerland, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Stewart, Sweeney, Walsh, White, Wien, Mr. President

Nays: 25 - Awes, Buckalew, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hinckel, Hurley, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, Smith, Sundborg, Taylor.

Absent: 3 - Hilscher, Rosswog, VanderLeest

and so the motion to rescind failed.

Mr. Davis gave notice of reconsideration of his vote on Mr. Hurley's amendment to Section 5.

Mr. Sundborg moved that the rules be suspended and Mr. Davis' reconsideration be taken up immediately. Mr. R. Rivers asked unanimous consent. Mr. Johnson objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hurley, King, Knight, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, Mr. President

Nays: 5 - Hinckel, Johnson, Kilcher, Laws, Lee

Absent: 3 - Hilscher, Rosswog, VanderLeest
and so the rules were suspended.

The question being "Shall Mr. Hurley's amendment to Section 5 be adopted?", the roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Boswell, Buckalew, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hurley, King, Knight, McLaughlin, Marston, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Walsh, White, Wien

Nays: 24 - Barr, Coghill, Collins, Cooper, Cross, H. Fischer, Hellenthal, Hinckel, Johnson, Kilcher, Laws, Lee, Londborg, McCutcheon, McNealy, McNees, Metcalf, Nerland, Nolan, Peratrovich, Reader, Sweeney, Taylor, Mr. President

Absent: 2 - Hilscher, VanderLeest

and so the amendment was adopted.

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

Mr. Riley directed a question to Mr. McCutcheon regarding Section 11 and the practicability of having uniform rules of procedure for both houses. Mr. McCutcheon, Mrs. Sweeney and Mr. Cooper, members of the committee, stated it was to avoid confusion.

Mr. McLaughlin moved the adoption of the following amendment to Section 12: line 17, strike the words "and in what court" and in line 18 strike the words "or agencies thereof". Mr. Taylor seconded. Mr. Sundborg asked unanimous consent. Mr. R. Rivers objected.

Mr. R. Rivers withdrew his objection. By unanimous consent, the amendment was adopted.

Mr. Sundborg moved the adoption of the following amendment: Section 15, page 5, line 18, after the word "it" insert "within five days (Sundays excepted) after it is delivered to him". Mr. Buckalew seconded. After discussion by Mr. Sundborg, Mr. Johnson, Mr. Buckalew, Mr. Kilcher, Mr. Taylor, Mr. Doogan, Mr. R. Rivers and Mr. Cooper, the question was called. On voice vote the amendment failed.

Mr. Hellenthal moved and asked unanimous consent to amend Section 15 as follows: page 5, line 23 and page 6, line 3, insert a period after "legislators" and strike the rest of the sentence. Mr. Buckalew objected. Mr. Hellenthal so moved. Mr. Knight seconded. On voice vote the amendment failed.

Mr. V. Rivers moved and asked unanimous consent to amend Section 15 as follows: line 18, strike "representatives" and insert in lieu thereof "origin". There being no objection, it was so ordered.

Mr. Hurley asked what happened to the amendment to Section 18 offered by Mr. R. Rivers. Mr. Hurley was advised it had been defeated on a voice vote.

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

AFTER RECESS

Mr. R. Rivers moved that the Convention rescind its action on his amendment to Section 18. Mr. V. Fischer seconded. The roll was called with the following result:

- Yeas: 37 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hurley, King, Knight, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Taylor, Walsh, White, Wien, Mr. President
- Nays: 16 - Davis, H. Fischer, Hellenenthal, Hinckel, Johnson, Kilcher, Laws, Lee, McCutcheon, McNealy, McNees, Peratrovich, Poulsen, Robertson, Smith, Sweeney
- Absent: 2 - Hilscher, VanderLeest

and so the action was rescinded.

After Mr. Johnson and Mr. McLaughlin spoke, the question was called. Mr. Metcalf requested a roll call. The question being "Shall the amendment to Section 18 offered by Mr. R. Rivers be adopted?", the roll was called with the following result:

- Yeas: 39 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenenthal, Hermann, Hurley, King, Knight, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, Walsh, White, Wien, Mr. President
- Nays: 13 - Cooper, Davis, H. Fischer, Hinckel, Johnson, Laws, Lee, McCutcheon, McNealy, McNees, Poulsen, Robertson, Sweeney
- Absent: 3 - Hilscher, Kilcher, VanderLeest

and so the amendment was adopted.

There being no further amendment, Committee Proposal No. 5 was ordered to the Committee on Engrossment and Enrollment.

Committee Proposal No. 14 was read the second time.

Mrs. Sweeney moved that the letter from Mr. Curtis Shattuck which she had presented earlier be read at this time. Mrs. Hermann seconded. After discussion Mrs. Sweeney withdrew her motion.

Mr. Coghill moved that the Convention resolve itself into a Committee of the Whole to discuss C. P. No. 14 without any record. Mr. Knight seconded. After discussion by Mr. Kilcher, Mr. Cooper, Mr. Londborg and Mr. V. Rivers, Mr. Buckalew moved the previous question. Mr. Cooper seconded. On voice vote the previous question was ordered. The question being "Shall the Convention resolve itself into a Committee of the Whole and dispense with the tape and stenotyped record", the roll was called with the following result:

Yeas: 23 - Armstrong, Awes, Barr, Coghill, Cross, Gray, Hinckel, Hurley, Johnson, King, Laws, Lee, McNealy, Nolan, Peratrovich, Poulsen, Reader, Riley, Robertson, Sundborg, Sweeney, Taylor, Walsh

Nays: 30 - Boswell, Buckalew, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Kilcher, Knight, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, White, Wien, Mr. President

Absent: 2 - Hilscher, VanderLeest

and so the motion failed.

Mr. Johnson moved the Convention recess until 7 p.m. Mr. Doogan seconded. Mr. Rosswog announced a meeting of the Committee on Local Government at 6:10 p.m.

There being no objection to the motion to recess, the Convention recessed until 7 p.m.

AFTER RECESS

Mr. White rose to a point of personal privilege to introduce Mrs. William A. Egan, wife of President Egan.

Mr. White moved and asked unanimous consent to resolve into a Committee of the Whole to discuss Committee Proposal No. 14 with a complete record. Mr. Marston objected. Mr. White so moved. Mr. Knight seconded.

After discussion by Mr. Marston, Mr. Hinckel, Mr. Rosswog, Mr. Londborg, Mr. Sundborg and Mr. Cooper, the question was called. On voice vote the amendment failed.

Mr. Hellenthal requested a short recess.

AFTER RECESS

Mr. Hellenthal, as Chairman of the Committee on Suffrage, Apportionment and Elections, gave a report on C. P. No. 14.

Mr. Johnson requested a recess at 8:30 p.m.

AFTER RECESS

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 7, had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled.

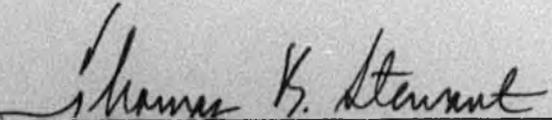
Mrs. Sweeney asked unanimous consent for the adoption of the report. There being no objection, it was ordered adopted.

Committee Proposal No. 7 was referred to the Committee on Style and Drafting.

There followed a complete discussion of Committee Proposal No. 14, questions being put by the delegates to all members of the Committee on Suffrage, Apportionment and Elections.

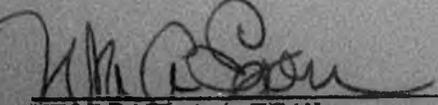
The President announced that the hour for the arrival of the bus was near at hand and that with the consent of the Convention the discussion of Committee Proposal No. 14 would be continued the next day. There being no objection, the President stated that Committee Proposal No. 14 would not be amended until all delegates had ample opportunity to ask questions of the Committee.

Mr. Barr asked unanimous consent that the Convention adjourn until 9 a.m., Thursday. There being no objection, the Convention adjourned at 9:35 p.m. until 9 a.m., Thursday.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President