

ALASKA CONSTITUTIONAL CONVENTION

December 6, 1955

TWENTY-NINTH DAY

PRESIDENT EGAN: The Convention will come to order. We have with us this morning Chaplain Harry P. Henderson of Ladd Air Force Base. Chaplain Henderson will give the morning invocation.

CHAPLAIN HENDERSON: O God our Heavenly Father, as we come to the duties and responsibilities of another day, we would look unto Thee for divine guidance. We thank Thee for the privileges, the opportunities and the responsibilities which come to us in life, and we pray for Thy divine blessing upon these Thy people as they seek to serve Thee and their country. And we ask it all in the Name of Jesus Christ our Lord and our Saviour. Amen.

PRESIDENT EGAN: The Chief Clerk will call the roll.

CHIEF CLERK: Everyone is present.

PRESIDENT EGAN: A quorum is present. The Convention will proceed with the regular order of business.

SMITH: Mr. President, I rise to a question of personal privilege.

PRESIDENT EGAN: If there is no objection to Mr. Smith's request for getting the floor on the question of personal privilege. -- if not, Mr. Smith, continue.

SMITH: Mr. President, I wanted to call attention to the fact that in the gallery we have Senator and Mrs. Ellis, and I would ask unanimous consent that Mr. Ellis be granted the privilege of the floor for a few minutes to say anything he might have to say.

PRESIDENT EGAN: Mr. Smith asks unanimous consent that Senator Bob Ellis of Ketchikan be granted the floor for a minute or so to make any statement he would so desire. Senator Ellis. (Applause)

SENATOR ELLIS: Mr. President and all you delegates and friends. As a Senator, why I seize this opportunity to say a few words.

HILSCHER: I object to the Senator talking behind our backs. Get up here. (Senator Ellis came forward.)

SENATOR ELLIS: I wish I had some important inspirational message to bring to you but I am hoping that while I am here I will learn something about the work of the Convention is doing, that I can take the word back to Ketchikan and give it

to those people there. Of course, Ketchikan's greatest interest in the work you are doing is not as strong as it should be and for that reason I think any message I can take back that you want me to take back I will be glad to do, and we can get things stirred up a little better in that area. You have much more important work to do here than listen to me, so thank you for the honor and privilege of addressing you. (Applause)

PRESIDENT EGAN: Thank you, Bob. Does the special Committee to read the journal have a report to make at this time? Doogan? Mr.

DOOGAN: Mr. President, the journal for Saturday has been corrected but not distributed to the other members, as I understand, so I ask it be held up until tomorrow. However, I have the journal for the first four days here of the Convention in front of me, but most of the corrections are corrections an English teacher would have to make if you gave him a thesis to correct. There are many changes in punctuation, indentation for paragraphs, etc., that happened in the heat of getting everything out in the beginning days of the Convention, and I could take the time to go through it so everybody could correct copies, but I would rather suggest that these minutes as corrected for the first four days be left with the Chief Clerk or posted on the bulletin board and let any member that is interested go around for the next couple of days with their copies and correct them in that manner and then, say Thursday, just briefly run through them and accept them at that time.

PRESIDENT EGAN: Is there objection to Mr. Doogan's request that a corrected copy be left with the Chief Clerk and that the members have access to that copy at any time they wish to inspect it, then at a later date the journals of the first four days would be approved by the Convention? Mr. White?

WHITE: Mr. President, if Mr. Doogan would not object I would suggest they be left in the library. There is a table and place to work there.

PRESIDENT EGAN: If there is no objection then the copies will be left in the library and every member may inspect them in the next day or so. Are there reports of standing committees? Miss Awes?

AWES: I don't know if this is the proper time, but the Committee on the Bill of Rights has referred to the Committee on Resources paragraph 5 of Proposal 9 and paragraphs 6 and 7 of Proposal 17.

PRESIDENT EGAN: You have heard the report of the Chairman of the Committee on Preamble and Bill of Rights. The particular paragraphs have been referred to the Resources Committee. Mr.

Hellenthal?

HELLENTHAL: Mr. President, Committee Proposal No. 1 has been submitted by Committee No. VI and distributed, I understand, to the delegates. This represents a portion of the work of Committee VI.

PRESIDENT EGAN: Committee Proposal No. 1 then, a proposal coming from the Committee on Suffrage, Elections and Apportionment, Committee No. VI, will be ordered placed on the calendar in second reading. Are there others? Mrs. Hermann?

HERMANN: Mr. President, maybe I am wrong about this, but I am of the opinion, after being corrected by the chairman of a committee, that the committee itself does not refer things to other committees but they come back on the floor and are then referred. Now maybe I am wrong.

PRESIDENT EGAN: Miss Awes, was that not your reason for rising and reporting that so it would have the effect of allowing the Committee on Preamble and Bill of Rights to do that?

AWES: I told Mr. Smith, the Chairman of the Resources Committee. Now I am announcing it on the floor. I don't know just the procedure, if there is something else I should do, I'll do it.

PRESIDENT EGAN: Would that be sufficient, Mrs. Hermann?

HERMANN: I don't think that is the procedure. Perhaps Mr. Riley could tell us.

PRESIDENT EGAN: Mr. Riley, as Chairman of the Rules Committee, on that particular point --

RILEY: Mr. President, I believe the matter is amply covered in Rule 45 which states, "The President shall refer to the appropriate Standing Committee each proposal introduced. Where a proposal embraces subject matter which falls within the proper consideration of two or more Standing Committees, the President may divide the proposal or he may refer it to one Standing Committee with instructions to consult with other Standing Committees." I think it is solely in the province of the Chair to make those decisions.

PRESIDENT EGAN: Then the Chair has announced that those paragraphs are referred to the Committee on Resources.

HERMANN: I just wanted the record straight, Mr. Chairman.

PRESIDENT EGAN: Thank you Mrs. Hermann. Are there other committee reports? Mr. Ralph Rivers.

R. RIVERS: Along this line of consulting with other committees, I believe that the actual referral is still in the hands of the original committee. Dorothy could have shoved it over to this other committee on a consultation basis or had a joint meeting with them and not have to report that to the Convention at all, because I believe that when that other committee gives her an expression that it still is for her Committee to report back to us, unless there is going to be a report on that referral from the one committee to the other, I should think the committees could work that all out without this procedure.

PRESIDENT EGAN: Inasmuch as it was brought on the floor, Mr. Rivers, that was about the only way it could be handled. Mr. Smith?

SMITH: Mr. President, it was merely in the interest of saving time that this method was proposed and carried through. It would save considerable time for both committees.

PRESIDENT EGAN: Are there any other reports of standing committees? Are there any petitions, memorials or communications from outside the Convention? The Chief Clerk will read the communications. (The Chief Clerk read a telegram from R. E. McFarland, President of the Alaska Territorial Federation of Labor, stating that the first day of merger of the AFL-CIO saw the unanimous passage of a resolution calling for immediate statehood for Alaska.)

PRESIDENT EGAN: The communication will be filed.

CHIEF CLERK: A letter from Colonel Carl Y. Farrell. (The Chief Clerk read a letter from Colonel Carl Y. Farrell, District Engineer, offering a film to be shown, entitled The Great Land covering the activities of the Corps of Engineers in Alaska since 1869).

MARSTON: Mr. Chairman, I have seen that picture. I think it would be a very fine thing to have here. Old man Lloyd lived in the Arctic for 50 years and after quite some time he carved himself out a table by hand. It has become a museum piece. I am wondering what is being done about a table here. It is quite inconvenient without these tables. I think somebody should start carving pretty soon.

TAYLOR: On that question, I move we accept the offer of Colonel Farrell for the use of that film and I think it would be quite enlightening to all delegates and possibly educational and instructive.

PRESIDENT EGAN: Mr. Taylor, along that same line, Mr. Frank Whaley approached me the other morning and stated that he has a film on the Arctic on the Eskimo that will run for about an hour also, in addition to Colonel Farrell's film, and the

President was wondering if perhaps the Convention might be more acceptable to arranging to have these two films shown together some evening or on Sunday afternoon, or some such time as that. Perhaps it would be well to discuss that. Is there any discussion on that. Mr. Sundborg?

SUNDBORG: Mr. President, I move and ask unanimous consent that the matter of the showing of the two films, those of Colonel Farrell and that of Mr. Whaley, be left to the Committee on Administration to correspond with the two persons and to arrange a convenient time when both films may be shown to the delegates.

PRESIDENT EGAN: Is there objection to the suggestion of Mr. Sundborg? If not, the matter is referred to the Committee on Administration.

TAYLOR: I move to a point of order. There is a motion before the house.

PRESIDENT EGAN: Well, Mr. Taylor,

TAYLOR: I withdraw the motion.

PRESIDENT EGAN: If there's no objection, Mr. Taylor will withdraw his motion. Mr. Victor Rivers?

V. RIVERS: Mr. Chairman, I ask unanimous consent that we acknowledge the wire of the combined CIO and AFL and thank them for their support in their resolution approving statehood at an early date for Alaska and Hawaii and that the President and Secretary be authorized to sign such a wire.

PRESIDENT EGAN: If there is no objection it is so ordered and the Convention will acknowledge the wire and thank the CIO-AFL for their support in their resolution approving statehood in an early day for Alaska and Hawaii, and the President and Secretary will sign such a wire. Are there other communications? Any proposals to be introduced at this time?

CHIEF CLERK: "Delegate Proposal No. 36, MEMBERSHIP OF THE STATE SENATE, introduced by Mrs. Sweeney."

PRESIDENT EGAN: The proposal is referred to Committee No. VII on the Legislative Branch. Are there other proposals? Mrs. Sweeney?

SWEENEY: Mr. President, I thought that would be referred to the Committee on Apportionment, etc.

PRESIDENT EGAN: Perhaps that is correct, Mrs. Sweeney. The proposal is referred to Committee No. VI on Suffrage, Elections and Apportionment. The Chair stands corrected. Are

there any other proposals? Are there any motions or resolutions? Is there any other unfinished business? Mrs. Hermann?

HERMANN: Mr. President, I don't know if this is exactly unfinished business, but I am making it in connection with the statement I made a few days ago that I was going to turn into a nagging wife if the reports of committees did not show some speed in coming in. Right now I am not inclined to do any nagging, but I would like to ask unanimous consent that all chairmen of committees, beginning with Committee No. IV, the first three not included, make a progress report each morning as a part of the regular business of this body, telling when they expect to get their reports in and how far along they are and things of that sort instead of just calling meetings. I ask unanimous consent that that be the order of the Convention.

SMITH: I will have to object temporarily.

PRESIDENT EGAN: Objection is heard. Do you so move, Mrs.

Hermann?

HERMANN: I so move.

H. FISCHER: Second.

PRESIDENT EGAN: Mrs. Helen Fischer seconds the motion. Mr.

Smith?

SMITH: Mr. President, my objection is based on the fact that at least as one Committee Chairman my time is very well filled up at the present time, and if I have to compile a report to make to this body every morning, it is going to be further burdened. The committees, I believe, have agreed to file at the end of each week a summary of the progress which we have made, and I just simply feel that it would not fall within the abilities of especially myself, to fulfill the obligations.

PRESIDENT EGAN: Mr. Victor Rivers.

V. RIVERS: Mr. President, I agree with Delegate Smith on that. I have watched the work of the committees with some interest and the progress as well, and I think they fall into normally two different classes or groups. I think the work of those committees which we will want to consider first, Preamble and Bill of Rights and three divisions of powers branches, Legislative, Executive and Judicial, are now in the process of almost completion, and the others, such as Resources and Local Government, are substantially more difficult problems and will normally follow after the three or four I mentioned have been considered. It seems to me that the motion to make a morning report at this time, especially on those latter two committees, would be inappropriate, in regard

to time. It would take time and gain nothing. It is not going to be probably much after the end of the week that all three of the reports will be in, and this morning we have received the partial report of the Suffrage and Elections Committee. I think the weekly report serves our purpose quite well, and after the four committee reports I mentioned are in I feel sure Delegate Hermann will not be inclined to think there is not enough work on the floor.

PRESIDENT EGAN: Mr. Collins.

COLLINS: Mr. Chairman, Committee No. XIII, as Chairman, I heartily agree with Mr. Smith and Mr. Rivers. We are working on problems that take all our time, and the only thing we could report would be progress. Now that would not give any information whatever, but just as soon as the time arrives we will have a report. It will be a duplication of making a report every morning five times a week.

PRESIDENT EGAN: Mrs. Hermann.

HERMANN: Mr. President, I think the committees are getting bogged down on what they consider reports. I did not intend for them to write a long-winded report which nobody would read anyway, but rather to stand up and say, "We expect to have our report in at such and such a time. I think this little one we have here today is fine. I am very proud of Mr. Hellenthal for being able to get the first committee proposal in, but we are certainly bogged down here so far as transacting business outside the committees is concerned, and I think something there should be done, and this was my solution of it, to hurry this thing along a little. I am perfectly aware of the fact that there are some committees that necessarily need more time than others, but I am also aware of the fact that some of the reports that should come out of committees should not take any time, so to speak, at all. We are starting our fourth week on straight committee work at which time a good many of us are marking time, as I called your attention the other day to the fact that there are three members of the Style and Drafting Committee who are not or any of these substance committees, and in addition to that there are six others who are only on one. Our time is practically being wasted, not exactly, but we certainly are not producing up to the full capacity that we are expected to produce in a gathering of this type, and we can't until the reports come in. I can't see any necessity for another week or another two weeks or ten days for most of the committees. I recognize the complexities of the Resources Committee and Local Government Committee, but there are still nine other committees that should be getting some reports in here and promptly because we ought to go to work on them. And I don't want to appear to be disparaging any of the committees, because I am not, but I do feel we must get a little further along with this work. By the end of

this week Mr. Rivers says most of them will be ready to report. We will have a week apparently before that Christmas vacation starts, and then we come back and start over again. Well, it seems to me that we ought to get more done than we have so far. I get letters all the time from people who want to know what we are doing up here except arguing, and I can't tell them. Mr. President, I think we have only heard from committee chairmen in opposition to this. There must be a whole lot of people here on the floor who are not committee chairmen who may feel as I do that we need to make a little more speed.

PRESIDENT EGAN: Mr. McLaughlin.

MCLAUGHLIN: Mr. Chairman, the Committee on the Judiciary Branch, being aware of the unemployment of some members of the Convention, is prepared to submit tomorrow on the floor, with the cooperation of the boiler room, a complete proposed article on the Judiciary Branch, and we feel sure it will keep some of the delegates occupied.

PRESIDENT EGAN: Mr. White.

WHITE: Mr. President, I am not a committee chairman. I know of no committee in this Convention that is not working as hard as it can and which is not interested in getting a report on the floor as soon as possible. My personal experience with two committees is that I know the lack of submission of any report to the Committee on Style and Drafting is an attempt not to waste their time by submitting piecemeal reports that might be of no use. The committees I serve on feel it would be of more value to the Convention and to the Committee on Style and Drafting to submit a full report all at once. It certainly is the desire of those committees, and I am sure of all others, to get a report on the floor as soon as possible. I feel this matter of reporting is amply taken care of by the fact that each committee has been requested to submit to the Committee on Style and Drafting on a target date, and that no further report is necessary or useful unless that target is changed. In the absence of any report I think the Committee on Style and Drafting assumes that they can count on that target date. Any further remarks that I might make, I feel that a report every morning would merely clutter up the journal and serve no useful purpose whatsoever.

HERMANN: My request was not that the work be turned over to the Committee on Style and Drafting at all. My request was that it be put on the floor and taken care of in second reading so that it could ultimately get to Style and Drafting. That is my reason for thinking that we should be moving along a little faster. There is a great deal of floor work to be done here and no matter how perfect a report each committee ultimately turns out, that work will still have to be done and we will have to take up those committee proposals paragraph by

paragraph for amendment, and it is going to be very time consuming. We are pretty near half through the time allotted now, and I am seriously concerned with the log jam that is apt to develop here in the closing days if we don't get a little speed on.

PRESIDENT EGAN: Mr. McNealy.

MCNEALY: Mr. President, as one of the committee chairmen I want to agree with Mrs. Hermann here, and so later on in the week I don't have to ask for the privilege of the floor that I can say it now in one or two minutes, that in view of the fact that I talked of completing this Convention in 30 days and possibly maybe subject to recall about December 8, I want to agree with Mrs. Hermann. I have done a little study on this. I think the majority of our constitutions drawn for the states were completed in periods from 30 to 45 days, and of utmost interest in support of Mrs. Hermann here is the fact that we went into our Ordinances Committee yesterday and a proposition came up about elections. As you all know, February 1 is the deadline for filing in Territorial elections. By taking off 15 days for a recess, this Convention could go until the 9th or 10th of February in order to run out your full 75 days. Then it brings up the serious question of not only can ordinances proposed by our committee be gotten onto the ballot, but it also brings up the proposition of can you get the constitution onto the ballot and have it printed in ample time to have it up before the primary election, if this Convention goes to its ultimate end of February 10. I think it behooves each and all of us to endeavor so far as possible to do anything to get these reports out on the floor, will help speed up the business of this body. Further, by running out to your ultimate conclusion of the 9th or 10th of February, will this body have sufficient funds to even pay for the printing of the ballots. I think it goes without saying that the body is not going to have enough funds if it goes to the end, to hold a special election for this purpose. On that special election which is going to follow up some of the work and change plans within the ordinance and transitional measures that come at the end of this constitution and a need to put it into effect, in anything that will speed up the progress of this body and incidentally and possibly prevent McNealy from being recalled. However, I grant the fact that 54 delegates probably could finish this Convention and draw a constitution without me being present. I would like to be here at the end anyway.

V. FISCHER: We have a motion on the floor asking for daily reports by committee chairmen. Most of the discussion in favor of such an action has however been on the basis of, "Let's get to work, let's get this Convention over with as soon as possible. To my way of thinking there is no relationship between the two. As Mr. Collins pointed out, bringing progress reports before us every morning will not help speed the work of the

committees. I think you have to assume good faith in all committee chairmen and every member of each committee, that they will get work out as soon as possible. Just requiring them to report every morning will not speed up the work.

COOPER: Mr. Chairman, I wanted to move the previous question and in compliance with Rule 43 would like to submit Proposal No. 1 for second reading at this time so all delegates can start earning their money.

PRESIDENT EGAN: Mr. Cooper moves the previous question be ordered. Is there a second to the motion?

STEWART: I second the motion.

PRESIDENT EGAN: Mr. B. D. Stewart seconds the motion. The question is, "Shall the previous question be ordered?" All in favor say "aye", all opposed say no. The "ayes" have it and the previous question is ordered. The question is, "Shall the committee chairmen make progress reports to the Convention each morning?" All those in favor of the motion will signify by saying "aye", all opposed by saying "no". The "noes" have it and the motion has failed. Mr. McLaughlin?

MCLAUGHLIN: Mr. Chairman, I move and ask unanimous consent that this Convention make for its special order of business on Thursday morning, next Thursday morning at 10 o'clock, consideration of the article of the proposal on the Judiciary Branch which will be submitted by the Judiciary Committee tomorrow morning.

PRESIDENT EGAN: Mr. McLaughlin moves that the Convention make for its special order of business on Thursday morning at 10 a.m. consideration of the Judiciary article.

MCLAUGHLIN: I ask unanimous consent. It will be submitted tomorrow morning, Mr. President. It is being mimeographed now.

PRESIDENT EGAN: Was the suggestion that that be taken up before the proposal is before us?

MCLAUGHLIN: I am asking for a unanimous consent, Mr. President.

V. RIVERS: Objection.

PRESIDENT EGAN: Objection is heard.

TAYLOR: I second it.

PRESIDENT EGAN: Mr. McLaughlin moves, Mr. Taylor seconds the motion that the report of the Committee on the Judiciary be taken up at 10 a.m. on Thursday morning. Mr. Victor Rivers?

V. RIVERS: Mr. President, it seems to me we are sort of jumping the gun if we approve this motion. It seems to me that our rules provide that the Rules Committee will, with the assistance of the Secretary, make up a calendar. I believe it should fall in its normal order under the decision of the Rules Committee. I think that some of these subjects should be discussed in proper order. For each committee chairman to jump up and say when they think their proposal should come into second reading would be robbing the Rules Committee prerogatives in arranging the calendar. I think the Rules Committee should be able to use their discretion and judgment in providing the time as to when the hearings for the various subjects should take place. Therefore I oppose this motion.

PRESIDENT EGAN: The Chairman would like to state that the Chairman of the Rules Committee signified that he would like to have a meeting of the Rules Committee immediately following adjournment to more or less consider this question that you have raised.

MCLAUGHLIN: Under those circumstances and with the consent of my second I withdraw the motion.

PRESIDENT EGAN: If there is no objection then, the motion has been withdrawn. Is there other business to come before the Convention?

HERMANN: One more thing, Mr. President.

PRESIDENT EGAN: . Mrs. Hermann.

HERMANN: A few moments ago, the statement was made that all committee chairmen have set their target dates and reported them to the Committee on Style and Drafting. I know of no target dates that have been set with the exception of the one that Mr. McLaughlin just now announced. If the Chairman has received them, I would like to know why the Committee has not been advised.

PRESIDENT EGAN: Mr. Sundborg.

SUNDBORG: Mr. Chairman, the Committee on Style and Drafting has asked Mr. Emil Sady to compile target dates for submission of proposals, and I talked with Mr. Sady about this last evening and understand that the subject will be on the agenda of the meeting of committee chairmen this afternoon. So we should have a report to make to the Convention at tomorrow morning's session on the target dates for every committee.

HERMANN: May I ask Mr. Sundborg a question? Have target dates been submitted to you previously for all the committees?

SUNDBORG: Not for all the committees, Mrs. Hermann. I would

say that we have received target dates for about half of the committees. The earliest target date was December 5, and two proposals in fact were given to the secretariat last night and they range from that date through about the 15th of December, but as I say, we have not yet heard from quite all the committees.

PRESIDENT EGAN: Is there any other business to come before the Convention? Mr. Coghill?

COGHILL: Mr. Chairman, your Committee on Administration will meet one hour after adjournment in this room.

PRESIDENT EGAN: The Committee on Administration will meet one hour after adjournment in this room. Mr. Armstrong?

ARMSTRONG: Mr. President, I believe it would be proper to have a statement by Mr. Coghill sometime during this early part of his return from Washington, on the Convention. I believe we would be interested, it would be informative, and it touches on many of our problems, and I hope that can be arranged on our schedule.

PRESIDENT EGAN: You have heard Reverend Armstrong's suggestion.

ARMSTRONG: I would ask unanimous consent that he be given a place on the docket.

PRESIDENT EGAN: Reverend Armstrong asks unanimous consent that Mr. Coghill be given a place on the calendar at some future time to make a report on his trip to the educational conference. Is there objection? Hearing no objection then it will be arranged for a future time. Is there any other business? Mr. Riley.

RILEY: Mr. President, this is simply to confirm the word from the Chair that the Rules Committee will meet in the gallery immediately upon adjournment.

PRESIDENT EGAN: Mr. Sundborg.

SUNDBORG: Mr. President. Your special committee on arranging committee hearings during the recess will meet at 3 o'clock this afternoon in the lounge upstairs.

PRESIDENT EGAN: The special committee of committee chairmen appointed to make suggestions as to the appointment of committees, if there is a recess, will meet at 3 o'clock this afternoon upstairs. Mrs. Hermann?

HERMANN: Mr. President, I hate to bother you again but I would like to know if it has been definitely decided when we

recess for Christmas and how long we stay recessed.

PRESIDENT EGAN: That has not been definitely decided, you are correct, Mrs. Hermann, and it is up to the Convention to make that decision. Mr. Hurley?

HURLEY: Mr. President, I move and ask unanimous consent that the matter of determining the exact date of recess be set as a general order of the day for tomorrow.

PRESIDENT EGAN: Mr. Hurley moves and asks unanimous consent that the matter of determining specific dates for the recess for the purpose of holding public committee hearings be set as a general order of business for tomorrow. Is there objection?

SUNDBORG: I object.

KILCHER: Second.

SUNDBORG: I would like to say I withdraw objection if you will make it for day after tomorrow or Friday. My purpose is to say that it will be impossible to have a meeting of the special committee which is considering that until late this afternoon and that committee wants to bring a report back to the meeting of committee chairmen, which we could not do until tomorrow afternoon at 1 o'clock. And I assume the committee chairmen might have something to propose about it on the floor the following day or on Friday. I wonder if that would satisfy Mr. Hurley?

HURLEY: Not completely. The reason that I mentioned this is I think maybe we have two distinct problems here. They aren't inter-related but I think they could be considered separately. The one is the matter of time period of adjournment and the other is the matter of the arrangement of the hearings to be held during adjournment. I can see the correlation of them and yet I feel that many of us desire to know just what plans the Convention will be making as soon as possible so we can make the necessary arrangements. I hate to bring the matter to a vote if it is not sensible to make the decision. I would ask Mr. Sundborg in the light if he can see a possibility of determining the two things separately.

SUNDBORG: I certainly am agreeable, Mr. President, and it might be at the committee chairmen meeting today we could settle only the question of the dates, but as I say, our select committee will not be able to meet until 3 o'clock this afternoon because of conflicting assignment by the members, so we would not be able to bring our full report to the committee chairmen until tomorrow. But if the Chair feels we could set the dates by discussion at the committee chairmen meeting this afternoon or pick some dates which the committee chairmen would like to

propose on the floor tomorrow, I am agreeable to Mr. Hurley's original suggestion.

JOHNSON: How can the committee chairmen set the dates when that is a matter for the whole Convention?

PRESIDENT EGAN: Mr. Johnson, I don't think Mr. Sundborg meant the committee chairmen would set the dates but perhaps recommend the dates. Mr. Hurley, was your unanimous consent request in the form of a motion?

HURLEY: I so move.

KILCHER: I second it.

PRESIDENT EGAN: It has been moved by Mr. Hurley, seconded by Mr. Kilcher then that the matter be taken up as a general order of business tomorrow. Mr. Hellenthal?

HELLENTHAL: One matter Mr. Sundborg perhaps inadvertently overlooked is that we wired, on Friday, the committee that is advising the committee chairmen committee who in turn will advise the floor, we wired and asked the Attorney General to submit his written decision regarding this matter to us, and I think that all the questions will hinge on a study of the written opinion of the Attorney General. To date the opinion has been given piece-meal, and I don't see how we can intelligently pursue the matter or make a recommendation until we have that written opinion, and that was what I believe led the committee to wait so they would not go off half-cocked.

PRESIDENT EGAN: The question is, "Shall the question of setting a time for recess be held as a general order of business during tomorrow's session?" All those in favor of the question will signify by saying "aye", all opposed, by saying "no". The "noes have it and the motion has failed. Is there other business to come before the Convention? If not the Chair will entertain a motion for adjournment. Mr. Gray?

GRAY: I move and ask unanimous consent that the Convention adjourn until 9 o'clock tomorrow morning.

PRESIDENT EGAN: Mr. Gray moves and asks unanimous consent that the Convention stand adjourned until 9 a.m. tomorrow. Hearing no objection it is so ordered and the Convention stands adjourned.