

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE THIRTY-FIFTH CONVENTION DAY, Monday, December 12, 1955

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

The Invocation was given by Mr. Armstrong.

Roll call showed all present except Mrs. Fischer, who was absent because of illness. *The President declared a quorum present.*

Mr. Knight asked unanimous consent for the approval of the Journal of the thirty-first day, subject to the following corrections: page 1, sixth paragraph insert "Mr." before "Charles"; page 4, fifth paragraph change "from" to "of"; page 4, eighth paragraph insert "S.L.A. 1955" after "46"; page 5, paragraph 10 change "rules" to "ruled". There being no objection, it was so ordered.

COMMUNICATIONS

A letter from the Republican Women's Club of Anchorage opposing the adoption of the "Tennessee Plan" by the Convention, was received and referred to the Committee on Ordinances.

*MW.*  
An invitation from <sup>W</sup>Walter J. Hickel inviting the delegates to attend the opening of the Fairbanks Traveler's Inn, December 17 at 1:30 p.m., was read.

A report of the Committee on Direct Legislation, Amendment and Revision presenting a proposed Article on Direct Legislation and an Article on Amendment and Revision, both incorporated in a Committee Proposal, was received.

INTRODUCTION AND FIRST READING OF PROPOSALS

Committee Proposal No. 3 by Committee on Direct Legislation, Amendment and Revision entitled INITIATIVE, REFERENDUM AND RECALL, AMENDMENT AND REVISION was introduced, read the first time and referred to the Committee on Rules for placement on the calendar.

Mr. Marston asked that the record show that he would not be entitled to compensation for travel or per diem since he had received word from the people at Spenard that they did not wish to have hearings.

The President appointed Mrs. Sweeney, Mr. R. Rivers and Mr. Kilcher to the Committee on Engrossment and Enrollment.

35th Day, Monday, Dec. 12

Mr. Coghill announced that the Alaska Visitors Association film would be shown at 7:00 p.m. in the Mines Building.

Mr. Walsh read comments by Delegate E. L. Bartlett, Governor B. Frank Heintzleman and Dr. Patty on the merits of the film.

Mr. McNees moved that the Convention stay organized until 6 o'clock and attend the film at 7 p.m.

Mr. Smith asked and was granted permission to be absent after 3:30 o'clock.

The President asked Mr. McNees to withhold his motion.

Mr. V. Rivers announced there would be a meeting of the Executive Committee at 3 o'clock if time permitted.

Mr. Smith announced a meeting of the Resources Committee on schedule if time is available.

Mr. Rosswog stated the Local Government Committee would meet at the regular hour if time permitted.

Miss Awes stated the Bill of Rights Committee would like to meet if time permitted.

Mr. V. Rivers stated action should be taken to divide the work between plenary sessions and committee work.

Mr. McNees withdrew his motion regarding attending the film showing.

The President announced that the AVA film would be shown at 7 o'clock and asked all delegates who could to attend.

Committee Proposal No. 2 was considered again in second reading.

Mr. Cooper asked unanimous consent to withdraw the pending proposed amendment to his original motion to amend. There being no objection, it was so ordered.

Mr. Cooper then asked unanimous consent to withdraw his original motion to amend. There being no objection, it was so ordered.

The President announced that 56 members of the senior class of the Fairbanks High School were in the gallery.

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

Section 7, page 3, line 2, after the word "state"

delete the rest of the section and substitute the following, "and possess such other qualifications as may be prescribed by law."

Mr. Johnson objected. Mr. White seconded.

After Mr. R. Rivers, Mr. McNees, Mr. Barr, Mr. Kilcher, Mr. Cooper and Mr. Marston spoke, Mr. Johnson stated that he believed the amendment was out of order because he believed the matter had been acted on previously.

The President stated that in his opinion the amendment was in order because it incorporated new material.

After Mr. R. Rivers, Mr. Johnson, Mr. Taylor and Mr. McLaughlin spoke, Mr. Hellenthal asked Mr. Taylor through the President if the amendment failed whether he would favor an amendment to add "and such further eligibility qualifications as the legislature may prescribe" at the end of Section 7. Mr. Taylor's reply was in the negative.

After Mr. Gray, Mr. Metcalf, Mr. McNealy and Mrs. Hermann spoke, Mr. Davis asked Mr. Cooper through the President, if he would consent to amend his amendment by changing the word "other" to "additional". Mr. Cooper accepted the suggestion. Mr. Hurley asked unanimous consent for the adoption of the amendment to the amendment. There being no objection, it was so ordered.

After Mr. V. Rivers, Mr. Coghill, Mr. Rosswog, Mr. Robertson and Mr. Hilscher spoke, Mr. Hellenthal asked whether he could direct a question to Mr. Robertson regarding proposing an amendment if Mr. Cooper's amendment failed.

Mr. Buckalew rose to a point of order to state that he thought Mr. Hellenthal out of order to direct questions regarding the offering of amendments to delegates.

The President stated that Mr. Buckalew's point of order was well taken and ruled Mr. Hellenthal out of order.

After Mr. McCutcheon, Mr. Johnson, Mr. Kilcher, Mr. Barr and Mr. Fischer spoke, Mr. McNees moved the previous question.

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

#### AFTER RECESS

There being no further debate, the President called for the question. The question being, "Shall Mr. Cooper's amendment be adopted?", Mr. Johnson requested a roll call. The roll was called with the following result:

Yeas: 32 - Awes, Buckalew, Cooper, Cross, Davis, Emberg,

V. Fischer, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Lee, Londborg, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President.

Nays: 21 - Armstrong, Barr, Boswell, Coghill, Collins, Gray, Harris, Hellenthal, Johnson, King, Knight, Laws, McCutcheon, McLaughlin, Metcalf, Nolan, V. Rivers, Robertson, Sweeney, Taylor, Walsh

Absent: 2 - Doogan, H. Fischer

And so the amendment was adopted.

Mr. Hinckel asked to withdraw a motion proposed by him at Friday's session. The President ruled that since the motion had only been read and not moved or seconded it was not before the body.

Mr. Hinckel asked unanimous consent for the adoption of the following amendment:

Section 5, page 2, line 6, after the words "rejection by the voters" delete the words "of the State". There being no objection, the amendment was adopted.

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

#### AFTER RECESS

The President announced that members of the Board of Governors of the Alaska Bar Association were present in the gallery and called particular attention to the fact that the President of the ABA, Mr. Mike Monagle, was present.

Mr. Hurley, Mr. Sundborg, Mr. White and Mr. Fischer directed questions to the Chairman of the Committee on the Judiciary Branch regarding Section 9.

After Mr. Sundborg, Mr. V. Rivers, Mr. Hurley and Mr. Smith had directed questions to the Chairman of the Committee on the Judiciary Branch regarding Section 10, Mr. Fischer moved and asked unanimous consent for the adoption of the following amendment:

Section 10, page 3, line 22, strike comma after "article", substitute a period and strike the remainder of the sentence.

Mr. Johnson objected. Mr. Coghill seconded.

Mr. Fischer, Mr. Taylor, Mr. Cooper and Mr. McLaughlin spoke on the amendment.



During Mr. Londborg's comments, Mr. Coghill rose to a point of order to state that Mr. Londborg was not speaking on the subject at hand, namely the motion to amend. The President ruled that Mr. Coghill was correct.

After Mr. Davis, Mrs. Nordale and Mr. Hellenthal spoke, there being no further debate, the question was called for. Mr. Metcalf called for a roll call. The question being "Shall Mr. Fischer's amendment be adopted?", the roll was called with the following result:

Yeas: 26 - Armstrong, Boswell, Coghill, Collins, Cooper, Cross, Davis, V. Fischer, Hellenthal, Hilscher, Hurley, Kilcher, Knight, Lee, Marston, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Rosswog, Sundborg, Sweeney, VanderLeest, White

Nays: 27 - Awes, Barr, Buckalew, Emberg, Gray, Harris, Hermann, Hinckel, Johnson, King, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, V. Rivers, Robertson, Smith, Stewart, Taylor, Walsh, Wien, Mr. President

Absent: 2 - Doogan, H. Fischer

and so the amendment failed.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to Section 10:

Section 10, page 3, line 22, strike the words "the Senate" and insert in lieu thereof the following: "a majority of the members of the Legislature in joint session assembled".

Mr. Johnson objected. Mr. McNees seconded.

After Mr. Sundborg, Mr. Hilscher, Mr. Barr, Mr. R. Rivers, Mr. McNees and Mrs. Hermann spoke, there being no further debate, the question was called. The question being "Shall Mr. Sundborg's amendment be adopted?", the roll was called with the following result:

Yeas: 28 - Armstrong, Buckalew, Collins, Cooper, Davis, Emberg, V. Fischer, Hellenthal, Hilscher, Hinckel, Hurley, Kilcher, Lee, McCutcheon, McNealy, McNees, Marston, Nordale, Peratrovich, Poulsen, Reader, Riley, Smith, Stewart, Sundborg, VanderLeest, White, Mr. President

Nays: 25 - Awes, Barr, Boswell, Coghill, Cross, Gray, Harris, Hermann, Johnson, King, Knight, Laws, Londborg,

McLaughlin, Metcalf, Nerland, Nolan, R. Rivers,  
V. Rivers, Robertson, Rosswog, Sweeney, Taylor,  
Walsh, Wien

Absent: 2 - Doogan, H. Fischer

and so the amendment was adopted.

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

Section 10, page 3, line 18, after the word "bar" insert a comma and add the following: "subject to confirmation by the Legislature in joint session assembled".

Mr. Buckalew objected. Mr. Kilcher seconded.

Mr. Sundborg moved to change Mr. Coghill's motion to read, on line 22 after the word "article" change the comma to a period and insert "both attorney and non-attorney members shall be".

Mr. Coghill asked unanimous consent to withdraw his original motion. Mr. Riley objected since that would nullify action previously taken and if Mr. Coghill's motion were adopted Mr. Sundborg's suggestion could be taken care of by the Committee on Style and Drafting.

Mr. Sundborg withdrew his motion.

After Mr. McLaughlin, Mr. R. Rivers and Mr. Coghill spoke, the question was called and Mr. Robertson requested a roll call.

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

Yeas: 4 - Coghill, Kilcher, Londborg, Mr. President

Nays: 49 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, 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, Taylor, VanderLeest, Walsh, White, Wien.

Absent: 2 - Doogan, H. Fischer

and so the amendment failed.

Mr. Taylor moved and asked unanimous consent that the following amendment be adopted:

Section 7, page 3, line 2, after word "State" strike the balance of the Section and insert "for at least three years and have been residents of the State for at least three years next preceding their respective nominations; provided, that additional qualifications may be prescribed by law".

Mr. Sundborg objected. Mr. Metcalf seconded.

After Mr. Taylor and Mr. McNees spoke on the amendment, Mr. Marston spoke. Mr. Taylor rose to a point of order to state that Mr. Marston was not speaking on the subject. The President ruled Mr. Taylor was correct and that Mr. Marston was out of order.

After Mr. Barr spoke, the question was called for and Mr. McCutcheon called for a roll call.

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

Yeas: 20 - Armstrong, Barr, Boswell, Coghill, Cross, Gray, Harris, Hellenthal, Johnson, King, Laws, McCutcheon, Metcalf, Nolan, R. Rivers, V. Rivers, Robertson, Sweeney, Taylor, Walsh

Nays: 33 - Awes, Buckalew, Collins, Cooper, Davis, Emberg, V. Fischer, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Rosswog, Smith, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President

Absent: 2 - Doogan, H. Fischer

and so the amendment failed.

Mr. Hellenthal asked unanimous consent for the adoption of the following amendment: Section 11, lines 5 and 6, page 4, strike the word "ex officio".

Mr. R. Rivers objected. Mr. Hellenthal moved. Mr. McNees seconded.

Mr. Hellenthal asked unanimous consent to amend his amendment by inserting the word "voting" before the word "member" on line 6. Mr. Taylor objected.

The President declared a recess.

AFTER RECESS

Mr. Hellenthal asked unanimous consent to withdraw his original motion. There being no objection, it was so ordered.

Mr. Hellenthal moved the adoption of the following amendment to Section 11: Page 4, line 6, insert the word "voting" before the word "member". Mr. McNeese seconded.

*of whether spelled out by adding "the voting"*  
*"at officis" needed to be*  
The President asked if there was any objection to referring the matter to the Rules Committee with the request that they confer with the members of the Committee on the Judiciary Branch. There being no objection, it was so ordered.

Mr. V. Rivers directed a question to Mr. McLaughlin through the President as to whether the Judiciary Council would make a study of the establishment of other courts. Mr. McLaughlin's reply was in the affirmative.

Mr. Hellenthal asked unanimous consent that Section 15 be amended as follows: Page 5, line 24, insert the word "temporary" prior to the word "special". Mr. R. Rivers objected.

Mr. Hellenthal moved to amend Section 15 as follows: Page 5, line 24, substitute the word "temporary" for the word "special". Mr. Davis objected. Mr. Poulsen seconded.

After discussion by Mr. Gray, Mr. Hellenthal, Mr. Kilcher and Mr. Davis, the question was called. On voice vote the amendment failed.

Mr. Taylor moved the adoption of the following amendment to Section 15: Page 5, line 22, strike the words "at the age of 70". Mr. Hellenthal seconded. On voice vote the motion failed.

Mrs. Wien moved and asked unanimous consent that the Convention recess until 1:30 o'clock p.m.

COMMITTEE ANNOUNCEMENTS

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 12:15 o'clock p.m.

Miss Awes announced a meeting of the Committee on Preamble and Bill of Rights at 12:45 o'clock p.m.

Mr. Riley announced a meeting of the Committee on Rules with the Committee on the Judiciary Branch during the recess.

Mr. Nerland called a brief meeting of the Committee on Finance on recess.



Mr. McNealy called a meeting of the Committee on Ordinances at 12:15 o'clock p.m.

There being no objection, the Convention recessed until 1:30 o'clock p.m.

AFTER RECESS

The President announced that members of the senior class of the Fairbanks High School were present in the gallery.

A letter from the Northwestern Alaska Chamber of Commerce at Nome, regarding the Judiciary article, expressing opposition to the combining of the second and fourth judicial divisions, was read.

Mr. Taylor asked that the Chief Clerk advise the Chamber of Commerce that the Judiciary Article did not contain the proposal to which they were opposed.

The President called upon the Chairman of the Committee on the Judiciary Branch who stated he had already advised the Chamber of Commerce of this fact.

Mr. Riley reported that the Rules Committee had considered the matter of the use of the word "ex officio" and believed there was no verbal hazard as used in Section 11, but stated however, the Committee would like to have more time to look into the matter and would report before the proposal was out of second reading.

The President stated the matter would be deferred until a proper understanding could be reached.

Mr. McNees moved the adoption of the following amendment to Section 19 and asked unanimous consent:

Page 7, line 2, delete all of line 2 and insert the following: "meeting in joint session".

Mr. Buckalew objected. Mr. Hurley seconded.

Mr. Riley, Mr. Sundborg, Mr. R. Rivers, Mr. McCutcheon, Mr. Taylor, Mr. Kilcher, Mr. Johnson, Mr. Buckalew, Mr. McLaughlin, Mrs. Sweeney, Mrs. Hermann, Mr. Hurley and Mrs. Nordale spoke on the amendment. On voice vote the amendment failed.

Mr. Buckalew moved the adoption of the following amendment to Section 19: Page 6, line 25, after the word "court" strike the comma and insert a period and delete the remainder of the sentence.

Mr. McCutcheon seconded. Mr. Taylor asked unanimous consent. Mr. V. Rivers objected.

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

Yeas: 13 - Awes, Buckalew, Coghill, V. Fischer, Hermann, Hinckel, Hurley, McCutcheon, McNees, Sundborg, Taylor, VanderLeest, White

Nays: 41 - Armstrong, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Emberg, Gray, Harris, Hellenthal, Hilscher, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Walsh, Wien, Mr. President

Absent: 1 - H. Fischer

and so the amendment failed.

Mr. McLaughlin moved the adoption of the following amendment: add Section 21, "Judicial divisions shall be established by law." Mr. Robertson seconded.

The President declared a recess.

#### AFTER RECESS

Mr. McLaughlin moved to amend his amendment to add a marginal heading "Judicial Districts" and to change "divisions" to "districts". Mr. Taylor asked unanimous consent. Mr. R. Rivers objected. Mr. Johnson seconded.

After Mr. McCutcheon, Mr. McLaughlin, Mr. R. Rivers, Mr. Davis, Mr. Taylor, Mr. Johnson and Mr. V. Rivers spoke on the amendment to the amendment, the question was called. On voice vote the amendment to the amendment was adopted.

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

Section 21, after the word "established", strike the balance of the section and insert "by the Supreme Court, subject to change by the Legislature in the manner provided in Section 19".

Mr. Johnson objected. Mr. White seconded.

After Mr. Sundborg, Mr. Taylor and Mr. R. Rivers spoke, the question was called.

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

Yeas: 23 - Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Hilscher, Lee, McCutcheon, McNees, Marston, Nordale, Peratrovich, V. Rivers, Rosswog, Sundborg, Taylor, VanderLeest, White, Mr. President

Nays: 31 - Armstrong, Awes, Barr, Boswell, Collins, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Poulsen, Reader, Riley, R. Rivers, Robertson, Smith, Stewart, Sweeney, Walsh, Wien

Absent: 1 - H. Fischer

and so the amendment to the amendment failed.

The question being "Shall Mr. McLaughlin's amendment be adopted?", on voice vote the amendment was adopted.

*insert -*  
Mr. V. Rivers moved that the Convention adjourn until 9 o'clock a.m. Tuesday morning.

The President called for Committee announcements.

Miss Awes called a meeting of the Committee on Preamble and Bill of Rights on adjournment.

Mr. Smith called a meeting of the Committee on Resources on adjournment.

Mr. Hellenthal announced a meeting of the Committee on Suffrage on adjournment.

Mr. Rosswog announced a meeting of the Committee on Local Government at 4 o'clock p.m.

Mr. Nerland announced a meeting of the Committee on Finance for 3:10 o'clock p.m.

The President announced that Mrs. Jones's class had been sent a letter to visit the Convention on Thursday, December 15.

*Mr. V. Rivers asked whether C.P. No. 2 would still be in second reading.*

*The President stated he believed the proposal would be in second reading through the Committee on Engrossments & Enrollments.*

Mr. V. Rivers asked unanimous consent that the Convention adjourn until 9 o'clock a.m. on Tuesday. Mr. Taylor objected. Mr. Stewart seconded. On voice vote the motion failed.

Mr. Coghill moved that the Convention recess for 20 minutes. Mr. Sundborg asked if Mr. Coghill would amend his motion to recess until 4:30 o'clock p.m. Mr. Taylor objected. Mr. Sundborg moved. Mr. Riley seconded. On voice vote the motion failed.

Mr. Gray moved and asked unanimous consent that the Convention recess until 3:30 o'clock p.m. There being no objection, it was so ordered.

#### AFTER RECESS

The President announced that the opinion of the Attorney General regarding the recess would be available the next day.

The President referred Committee Proposal No. 2 to the Committee on Engrossment and Enrollment and stated that when reported back by that Committee the Proposal would be referred to the Committee on Style and Drafting.

Mrs. Hermann directed a question to the Chairman of the Committee on the Judiciary Branch through the President regarding proposals of the Judiciary Branch. The Chairman stated that Committee Proposal No. 2 was the only proposal the Committee would have.

Committee Proposal No. 1 was read the second time.

Mr. Johnson moved the adoption of the following amendment to Section 1: Line 9, page 1, strike the word "or", insert a comma after the word "read" and after the word "speak" insert the following "and write". Mr. Robertson seconded.

After Mr. Barr, Mr. Gray, Mr. Cooper, Mr. Hellenthal, Mr. R. Rivers, Mr. Peratrovich, Mr. Marston, Mr. Johnson, Miss Awes, Mrs. Hermann, Mr. Kilcher, Mr. Robertson and Mr. Londborg spoke on the amendment, the question was called. Mr. Johnson requested a roll call.

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

Yeas:	11 - Boswell, Collins, Cooper, Johnson, Laws, Londborg, Nerland, Reader, Robertson, Sweeney, Walsh
Nays:	42 - Armstrong, Awes, Barr, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris,



Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Taylor, VanderLeest, White, Wien, Mr. President

Absent: 2 - H. Fischer, Smith

and so the amendment failed.

Mr. Fischer offered the following amendment to Section 1:

Line 2, page 1, strike the number "20" and substitute the number "18".

Mr. V. Rivers and Mr. Sundborg asked that since they had submitted identical amendments their names be on the amendment. Mr. Fischer did not object, so it was ordered. Mr. Fischer moved the adoption of the amendment. Mr. Gray objected. Mr. Coghill seconded.

Mr. Fischer, Mr. Coghill, Mr. Marston, Mr. Sundborg, Mr. Taylor, Mrs. Hermann, Mr. Metcalf, Mr. V. Rivers, Mr. White, Mr. Londborg, Mr. Harris, Mr. Robertson, Mr. Buckalew, Mr. McNees and Mr. Armstrong spoke on the amendment.

The President declared a recess.

#### AFTER RECESS

After Mrs. Wien, Mr. Barr, Mr. Boswell, Mr. Kilcher, Mr. Hurley, Mr. Metcalf, Mr. Hellenthal, Mr. McNealy, Mr. Nerland, Mr. Coghill, Mr. McLaughlin, Mr. White and Mr. Gray spoke, Mr. Coghill moved the previous question. Mr. Robertson seconded. Mr. Coghill withdrew his motion to give Mr. Fischer a chance to close the argument. Mr. V. Rivers also spoke again.

The question being "Shall the amendment offered by Mr. Fischer, Mr. V. Rivers and Mr. Sundborg be adopted?", the roll was called with the following result:

Yeas: 23 - Buckalew, Coghill, Cross, Emberg, V. Fischer, Harris, Hilscher, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Stewart, Sundborg, VanderLeest, Mr. President

Nays: 30 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Davis, Doogan, Gray, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Nordale, Reader, Robertson, Rosswog, Sweeney, Taylor, Walsh, White, Wien

Absent: 2 - H. Fischer, Smith

and so the amendment failed.

Mr. McNees offered the following amendment to Section 1:

Line 2, delete the figure "20" and insert the figure "19". Mr. Gray and Mr. Coghill asked that since they had like amendments they be consolidated into the one. There being no objection, it was so ordered. Mr. Coghill moved the adoption of the amendment. Mr. McNees seconded.

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

Yeas: 28 - Buckalew, Coghill, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, VanderLeest, Mr. President

Nays: 24 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Doogan, Hellenthal, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, Metcalf, Nolan, Poulsen, Reader, Robertson, Sweeney, Taylor, Walsh, White, Wien

Absent: 3 - H. Fischer, McNealy, Smith

and so the amendment was adopted.

Mr. R. Rivers asked that an amendment by him which had been on the Chief Clerk's desk regarding Section 21 be withdrawn. Without objection, it was so ordered.

Mrs. Sweeney rose to ask whether there had been amendments on the Chief Clerk's desk prior to the amendment on which action had just been taken.

The Chief Clerk advised in the affirmative. Mr. Robertson stated he had an amendment on the Chief Clerk's desk.

The President stated that there had been so much confusion that it was not the Chief Clerk's error that the amendments were not read.

Mr. Sundborg rose to a point of order to state that amendments should be considered in the order that the maker of a proposed amendment is recognized by the President; that the responsibility for calling up an amendment is the author's and not that of the President or the Chief Clerk.

The President stated that Mr. Sundborg was correct.

Mrs. Sweeney asked unanimous consent to rescind the action on the amendment of Mr. Coghill, Mr. McNees and Mr. Gray. Mr. Buckalew objected. Mrs. Sweeney moved. Mr. Metcalf seconded.

Mr. Doogan asked whether, if the motion to rescind action failed, an amendment substituting 21 would be out of order.

The President stated that a motion to that effect would be in order.

The question being "Shall the Convention rescind its action on the adoption of the amendment of Mr. Coghill, Mr. McNees and Mr. Gray?", the roll was called with the following result:

Yeas: 20 - Armstrong, Awes, Boswell, Cooper, Doogan, Hermann, Hinckel, Johnson, King, Knight, Laws, Londborg, McNealy, Metcalf, Nolan, Reader, Robertson, Sweeney, Taylor, Walsh

Nays: 33 - Barr, Buckalew, Coghill, Collins, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President

Absent: 2 - H. Fischer, Smith

and so the motion to rescind action failed.

Mr. Robertson submitted the following amendment to Section 1: Page 1, line 2, delete "19" and insert "21" in lieu thereof.

Mr. White asked that since he had a similar amendment he join Mr. Robertson on the amendment. Mr. Taylor asked unanimous consent that his name be included on the amendment. There being no objection, it was so ordered. Mr. Robertson moved the adoption of the amendment.

Mr. Coghill objected and stated that he would like to appeal the ruling of the Chair that further amendments could be offered regarding age in Section 1.

The President stated that the failure to rescind the action did not preclude further amendments.

Mr. Peratrovich rose to a point of information regarding the propriety of deleting in effect an amendment which has already been adopted.

The President stated it was in order to change the figure.

Mr. Barr moved to recess until 9 o'clock Tuesday morning. Mr. VanderLeest seconded. Mr. Cooper objected. On voice vote the motion lost.

Mr. Londborg asked unanimous consent for a five-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Johnson seconded Mr. Robertson's motion to amend. The question being "Shall the amendment offered by Mr. Robertson, Mr. White and Mr. Taylor be adopted?", the roll was called with the following result:

Yeas: 19 - Armstrong, Awes, Barr, Boswell, Collins, Doogan, Hinckel, Johnson, King, Knight, Laws, Londborg, Metcalf, Nolan, Reader, Robertson, Sweeney, Taylor, White

Nays: 33 - Buckalew, Coghill, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Walsh, Wien, Mr. President

Absent: 3 - H. Fischer, Smith, VanderLeest

and so the amendment failed.

Mr. McNealy gave notice he would move on the following day to reconsider his vote on the amendment by Mr. Robertson, Mr. White and Mr. Taylor.

Mr. V. Rivers moved to adjourn.



Mr. McCutcheon moved that the rules be suspended and that reconsideration of Mr. McNealy's vote be taken up at this time. Mr Buckalew seconded.

Mr. Hurley rose to a point of order to inquire whether reconsideration of Mr. McNealy's vote would mean reconsideration of the whole question.

The President stated that the reconsideration was on the amendment which had failed of adoption and to suspend the rules and bring the matter up at this time would take a two-thirds vote.

Mr. White made a parliamentary inquiry whether the suspension of the Rules would preclude Mr. McNealy's serving notice to reconsider later.

The President stated since any vote could be reconsidered only once, that would be the case.

Mr. Johnson moved that the Convention adjourn until 9 o'clock a.m. Tuesday.

Mr. Robertson seconded. On voice vote the motion failed.

Mr. Rosswog announced a meeting of the Committee on Local Government for 8:15 o'clock p.m.

Mr. V. Rivers moved to adjourn.

Mr. Peratrovich rose to a point of order to state that before a motion for adjournment could be made another item of business had to be considered.

The President called for the question "Shall the Rules be suspended and Mr. McNealy's motion to reconsider be taken up at this time?" The roll was called with the following result:

Yeas: 20 - Awes, Buckalew, Coghill, Emberg, V. Fischer, Harris, Hilscher, Lee, McCutcheon, McNees, Marston, Nerland, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Stewart, Sundborg, Mr. President

Nays: 32 - Armstrong, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Gray, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nolan, Nordale, Reader, Robertson, Rosswog, Sweeney, Taylor, Walsh, White, Wien

Absent: 3 - H. Fischer, Smith, VanderLeest

and so the Rules were not suspended.

Mr. Sundborg questioned the Chairman of the Committee on Suffrage as to the meaning of the last sentence in Section 1 of Committee Proposal No. 1. Mr. Hellenthal stated the matter would be discussed later.

Mr. R. Rivers moved to adjourn until 9:05 o'clock a.m., Tuesday. Mr. Barr seconded.

Mr. V. Rivers requested a roll call.

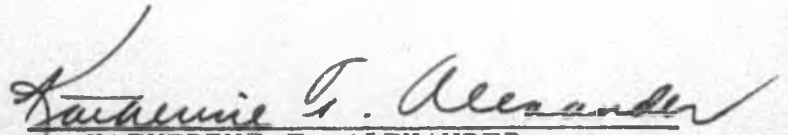
The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Kilcher, King, Knight, Lee, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, White, Wien

Nays: 12 - Buckalew, Coghill, Davis, Harris, Hurley, Laws, McCutcheon, McNealy, McNees, Peratrovich, Walsh, Mr. President

Absent: 3 - H. Fischer, Smith, VanderLeest.

and so the Convention adjourned.

  
KATHERINE T. ALEXANDER  
Chief Clerk

Attested:

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WILLIAM A. EGAN  
President