

Constitutional Convention
Journal/32
Approved Jan. 7, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FORTIETH CONVENTION DAY, Saturday, December 17, 1955

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

The Invocation was given by the Rev. Richard Lambert of St. Matthews Episcopal Church.

Roll call showed all present except Mr. McCutcheon and Mr. Nerland. The President declared a quorum to be present.

Mr. White asked that the approval of the Journal be delayed until later in the day.

Mr. Marston introduced a resolution regarding friendly relations with Canada and asked unanimous consent that it be referred to the Committee on Resolutions and Recommendations. There being no objection, it was so ordered.

COMMUNICATIONS

A letter from the Territorial Librarian regarding the preservation of the papers of the Convention was read and referred to the Committee on Administration.

A letter from the Sitka Central Labor Council regarding the right-to-work clause was read and ordered placed on file.

Mrs. Hermann submitted the following report of the Rules Committee. The Rules Committee recommended that Proposal No. 4, which had been referred to it for placing on the calendar, be referred to the Committee on Ordinances. Pursuant to Rule 46 the Rules Committee recommended that after January 8, only Committee Proposals will be accepted.

Mrs. Hermann moved and asked unanimous consent that in line with statement contained in Rule 46, January 8 be set as the date after which all proposals will have to be Committee proposals. Mr. Johnson objected. Mr. Rosswog seconded.

40th Day, Saturday, Dec. 17

After discussion by Mr. V. Rivers, Mr. Sundborg, Mr. Davis, Mr. Johnson, Mr. Buckalew, Mr. Barr and Mr. Kilcher, Mr. McLaughlin moved the previous question. Mrs. Hermann seconded. On voice vote the previous question was ordered.

The question being "Shall January 8 be set as the cut-off date for individual proposals?", the roll was called with the following result:

Yeas: 31 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cooper, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, King, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, Rosswog, Sundborg, Walsh, White, Wien, Mr. President

Nays: 21 - Boswell, Cross, Emberg, H. Fischer, Harris, Hurley, Johnson, Kilcher, Laws, Londborg, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sweeney, Taylor, VanderLeest

Absent: 3 - Doogan, McCutcheon, Nerland

and so the motion carried.

Mrs. Hermann reported that the Rules Committee would meet daily following the noon recess to set the calendar for the following day. The Committee also reported progress on Mr. Kilcher's request that Rule 35 be reconsidered and would report soon.

Mrs. Hermann moved the adoption of the entire report of the Rules Committee. Mr. Taylor seconded. Mr. R. Rivers asked unanimous consent. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers submitted two reports of the Committee on Executive Branch--Proposal No. 11, ORDINANCE ON THE FIRST ELECTION OF THE GOVERNOR AND THE SECRETARY OF STATE and Proposal No. 12, ARTICLE CONTAINING GENERAL AND MISCELLANEOUS PROVISIONS, were introduced, read the first time and referred to the Rules Committee for assignment to the calendar.

Mr. Sundborg asked whether in line with the Rules Committee action of referring Proposal No. 4 to the Committee on Ordinances, Proposal No. 11 should not be referred to the Committee on Ordinances.

The President re-referred Proposal No. 11 to the Committee on Ordinances.

Mr. McNealy moved and asked unanimous consent that the secretariat write a letter to Judge Vernon D. Forbes thanking him for the use of the law library for the benefit of the Convention. There being no objection, it was so ordered.

Mr. Harris asked that a letter of sympathy be written to Mr. Emil Sady, Staff Consultant, whose father had died. The President ordered a letter written.

Committee Proposal No. 3 was considered again.

Mr. Johnson moved the adoption of the following amendment:

Page 1, Section 4, line/5, strike the word "constitutionality" and substitute in lieu thereof the word "form".

Mr. McLaughlin seconded.

Mr. McLaughlin moved and asked unanimous consent to amend the amendment by striking the first two sentences of Section 4. Mr. Taylor objected. Mr. Stewart seconded.

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

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

Yeas: 33 - Awes, Barr, Boswell, Buckalew, Cooper, Emberg, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, Laws, Lee, McLaughlin, McNealy, McNees, Marston, Nolan, Nordale, Poulsen, Reader, Riley, Robertson, Smith, Stewart, Sundborg, VanderLeest, White, Wien, Mr. President

Nays: 18 - Armstrong, Coghill, Collins, Davis, Doogan, H. Fischer, Hinckel, King, Knight, Londborg, Metcalf, Peratrovich, R. Rivers, V. Rivers, Rosswog, Sweeney, Taylor, Walsh

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Barr moved the adoption of the following amendment:

Page 2, line 3, after word "chosen" add a new sentence, "After the required number of signatures to the petition have been obtained, the proposed legislation shall be submitted to the Attorney General who shall edit it and place it in proper legal form."

The President declared a short recess.

AFTER RECESS

Mr. Barr moved the adoption of his amendment. Mr. Peratrovich seconded.

After Mr. Barr, Mr. Marston, Mr. Taylor, Mr. Sundborg spoke, Mr. R. Rivers requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mrs. Sweeney asked unanimous consent that the Convention revert to Committee Reports. There being no objection, it was so ordered.

Mrs. Sweeney submitted the following report of the Committee on Engrossment and Enrollment: Committee Proposal No. 2 had been properly engrossed and the first enrolled copy was in proper form. Mrs. Sweeney asked unanimous consent for the adoption of the report. There being no objection, it was so ordered.

Committee Proposal No. 2 was referred to the Committee on Style and Drafting.

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

Mr. Johnson moved the adoption of the following amendment:

Page 2, line 3, Section 4, after word "chosen" add new sentence, "The petition shall be from two-thirds of the voting precincts." Mr. Robertson seconded.

After discussion of proposed amendments to the amendment Mr. Johnson asked unanimous consent to withdraw his original amendment to submit a similar amendment to take care of the various suggested amendments. There being no objection, it was so ordered.

Mr. Johnson moved the adoption of the following amendment:

Page 2, line 3, Section 4: after word "chosen.", add new sentence, "The petition shall contain signatures from at least two-thirds of the election districts of the State." Mr. Robertson seconded.

After Mr. Smith, Mr. Taylor, Mr. Hinckel, Mr. Cooper, Mr. Londborg, Mrs. Hermann, Mr. Sundborg, Mr. Buckalew, Mr. McLaughlin, Mr. Davis, Mr. Johnson, Mr. McNealy, Mr. Kilcher and Mr. Armstrong spoke on the amendment, Mr. Boswell moved the previous question. Mrs. Hermann seconded. On voice vote the previous question was ordered.

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

Yeas: 38 - Armstrong, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hilscher, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Nolan, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 13 - Awes, Buckalew, Emberg, Hermann, Hinckel, Hurley, King, Metcalf, Nordale, Peratrovich, Riley, V. Rivers, Taylor

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the amendment was adopted.

Mr. R. Rivers submitted the following amendment:

Page 1, Section 4, strike lines 13 to 18 inclusive, and lines 1 to 5 inclusive, on page 2 and substitute the following:

"Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by ten qualified electors as sponsors and have its legal sufficiency and form certified by the attorney general. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 15% of the number of votes cast for governor in the preceding election at which the governor was chosen. The petition may be filed with the attorney general who shall prepare

a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided."

Mr. Buckalew stated he could not vote on the amendment without a copy.

Mr. R. Rivers moved the adoption of the amendment. Mr. Barr seconded. Mr. Buckalew objected.

Mr. R. Rivers asked unanimous consent to include the Johnson amendment just adopted in his amendment.

The President ordered the amendment held until copies were made available.

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

AFTER RECESS

Mr. Laws moved ^{to} recess until 1:30 p.m. Mr. Riley objected. Mr. Knight seconded. On voice vote the motion failed.

Mr. Kilcher moved that Article 1 of Committee Proposal No. 3 be recommitted to the Committee on Direct Legislation. Mr. Riley seconded.

After discussion by Mr. Smith, Mr. Taylor, Mr. Collins, Mr. Riley, Mr. Gray, Mr. McNees, Mrs. Hermann, Mr. White, Mrs. Nordale, Mr. Hilscher, Mr. McLaughlin, Mr. Marston, Mr. Barr, and Mr. Hellenthal, Mr. Sundborg moved the previous question. Mr. Buckalew seconded. Mr. Kilcher objected. Mr. Sundborg withdrew his motion.

Mr. Kilcher spoke and then the President called for the question. On voice vote the motion failed.

COMMITTEE ANNOUNCEMENTS

Mrs. Hermann announced a meeting of the Rules Committee on recess.

Mr. Hellenthal announced a meeting of the Committee on Apportionment on recess.

Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

Mr. Smith announced a meeting of the Committee on Resources on recess.

Mrs. Hermann moved the Convention recess until 1:30 p.m. Mr. Laws objected. Mr. Sundborg seconded. On voice vote the motion carried.

AFTER RECESS

Mr. Buckalew stated he had an amendment to Section 4.

The President stated it would be out of order at this time since Mr. R. Rivers' amendment was before the Convention at present.

Mr. R. Rivers asked unanimous consent to withdraw his original amendment. There being no objection, it was so ordered.

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

Page 1, Section 4, strike lines 13 to 18 inclusive, and lines 1 to 5 inclusive, on page 2 and substitute the following:

"Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by ten qualified electors as sponsors and have its sufficiency as to form certified by the attorney general. Denial of certification shall be reviewable by the court. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 15% of the number of votes cast for governor in the preceding general election at which the governor was chosen. The petition shall contain signatures from at least two-thirds of the election districts of the State. The petition may be filed with the attorney general who shall prepare a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided."

Mr. Barr seconded.

Mr. Taylor moved to amend the amendment by striking "15%" and inserting in lieu thereof "10%". Mr. Marston seconded.

Mrs. Sweeney rose to a point of order to state she believed that motion out of order.

The President stated that the amendment was in order because no action had been taken on "10%".

After discussion by Mr. Taylor, Mr. Londborg, Mrs. Sweeney, Mr. Marston and Mr. Harris, Mr. Cooper moved the previous question. Mr. Buckalew seconded. On voice vote the previous question was ordered.

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

Yeas: 29 - Coghill, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest.

Nays: 21 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Gray, Hellenthal, Johnson, Laws, Londborg, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, White, Wien, Mr. President.

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland.

and so the amendment was adopted.

Mr. McNealy gave notice of intention to reconsider his vote.

Mr. Taylor moved that the rules be suspended and that reconsideration by Mr. McNealy be taken up immediately. Mr. Collins seconded. Mr. V. Rivers requested a roll call.

The roll was called with the following result:

Yeas: 32 - Armstrong, Awes, Barr, Coghill, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest, White, Mr. President

Nays: 18 - Boswell, Buckalew, Cooper, Gray, Hellenthal, Hermann, Johnson, Laws, Londborg, McNealy, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, Wien

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland

and so the motion failed and reconsideration was held over.

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

Yeas: 45 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Davis, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien

Nays: 4 - Buckalew, Coghill, White, Mr. President

Absent: 6 - Cross, Doogan, V. Fischer, Hilscher, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Gray moved to rescind action on reconsideration vote.

The President stated that the action could not be rescinded.

Mr. White asked that Mr. Buckalew's amendment be circulated.

Mr. Coghill rose to a point of order to state that vote on amendment could not be reconsidered.

The President declared a short recess.

AFTER RECESS

The President stated that Mr. Coghill's point of order was not well taken.

Mr. Robertson moved the adoption of the following amendment to Section 4: delete "ten" and insert "100". Mr. Johnson seconded.

After discussion by Mr. Robertson, Mr. Taylor, Mr. Barr and Mr. Metcalf, the question was called and Mr. Robertson requested a roll call.

The roll was called with the following result:

Yeas: 33 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Doogan, Emberg, Gray, Hellenthal, Hurley, Johnson, Laws, Londborg, McLaughlin,

The first sentence in the amended

McNealy, Metcalf, Nolan, Poulsen, Reader, Riley,
V. Rivers, Robertson, Rosswog, Smith, Stewart,
VanderLeest, Walsh, White, Wien, Mr. President

Nays: 17 - Davis, H. Fischer, Harris, Hermann, Hinckel,
Kilcher, King, Knight, Lee, McNees, Marston,
Nordale, Peratrovich, R. Rivers, Sundborg,
Sweeney, Taylor

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Buckalew moved the adoption of the following amendment:

"AMENDMENT TO COMMITTEE PROPOSAL NO. 3

Proposed by Mr. Buckalew

I move that Committee Proposal No. 3 be amended as follows:

Strike first 5 sections and in lieu thereof insert

"Section 1. The power of initiative and referendum is reserved to the people. The legislature shall provide by law the necessary procedure to accomplish these purposes.

"Section 2. A valid initiative or referendum petition shall be signed by qualified electors equal to 15% of the number of votes cast for Governor in the preceding general election at which the Governor was chosen. The petition shall contain signatures of qualified electors resident in at least two-thirds of the election districts of the state. Neither the initiative nor referendum may be used as a means of making appropriations for public funds, nor for local or special legislation."

Change "6", page 3, line 2 to "3".

The President ruled that the amendment was not in order for the reason that Mr. McNealy's reconsideration of his vote on the amendment would not be acted on until the following day.

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

Page 1, Section 3, line 10, delete the words "authority reserved" and substitute the word "provisions".

There being no objection, it was so ordered.

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

Page 2, line 25, after the word "legislation" strike the balance of the line and on page 3, strike line 1 and insert in lieu thereof the following:

"The referendum shall not be applicable to such laws as are necessary for the immediate preservation of the public peace, health or safety and laws making appropriations for the current expenses of the State government and for the maintenance of public institutions."

Mr. Buckalew objected. Mr. Smith seconded.

The President declared a short recess.

AFTER RECESS

Mr. Buckalew called the attention of the delegates to the presence in the gallery of Mr. and Mrs. Ben Hitchcock of Caribou Creek.

Mr. R. Rivers moved to amend Mr. V. Rivers' amendment by striking all of the language after the word "safety" and asked unanimous consent. There being no objection it was so ordered.

After discussion by Mr. R. Rivers, Mr. Hellenthal, Mr. Barr, Mr. Cooper, Mr. Gray, Mrs. Sweeney, Mr. Taylor, Miss Awes, and Mr. McLaughlin, the question was called.

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

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 10 - Coghill, Cooper, Gray, Hellenthal, Kilcher, Laws, McNealy, Poulsen, Reader, Robertson

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Robertson moved the adoption of the following amendment:

Section 1, line 2, insert period after first word "laws" and delete remainder of lines 2 and 3. Mr. McNealy seconded.

Mr. Hinckel rose to a point of order that the amendment was out of order because it would in effect strike the initiative from the article.

The President stated that Mr. Hinckel's point of order was well taken and Mr. Robertson's amendment was declared out of order.

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

AFTER RECESS

Mr. White asked unanimous consent that the Journal for the thirty-sixth day be approved with the following corrections:

Page 10, paragraph 4, first line, insert "when" before "the convention" and "considered adjournment it" after "the convention".

There being no objection, it was so ordered.

Mr. Coghill requested the delegates to advise the number of copies of proposals needed prior to recess.

Miss Awes asked unanimous consent that the Convention revert to Committee reports. There being no objection, it was so ordered.

Committee Proposal No. 7, entitled PREAMBLE, ARTICLE ON DECLARATION OF RIGHTS AND ARTICLE ON HEALTH, EDUCATION AND WELFARE, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Boswell moved and asked unanimous consent that time be provided on Monday for Committee Chairmen or some other designated committee member to give a brief explanation of their proposals for the benefit of the delegates holding hearings. There being no objection, it was so ordered.

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

Insert after end of line 12, Section 3 the following:

"The legislature may provide by law for a procedure by which the sponsors of the initiative petition may withdraw the petition at any time prior to its submission to the people."

After discussion as to where the amendment should be inserted, Mr. Hinckel asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Without objection, the Convention reverted to Communications.

A letter addressed to Mr. McLaughlin, Chairman of the Committee on the Judiciary Branch, from Arthur T. Vanderbilt, Chief Justice of the Supreme Court of New Jersey, congratulating the Committee on the fine work done on its proposal, was read and ordered filed.

Miss Awes moved the adoption of the following amendment to Proposal No. 3:

Section 3, line 9, delete comma after referendum and insert period. Delete remainder of section. Mr. Buckalew seconded.

After discussion by Miss Awes, Mr. R. Rivers, Mr. Sundborg, Mr. Hinckel, Mr. Coghill, Mr. Gray, Miss Awes, Mr. Smith, Mr. R. Rivers, Mr. Buckalew, Mr. Barr, Mr. Kilcher, and Mr. Marston, Mr. Davis rose to a point of personal privilege to state that he didn't like the implication that anyone present did not have the interest of the people at heart.

The President stated that the record should show that everyone was looking out for the interests of the people.

Mrs. Sweeney moved and asked unanimous consent to divide the question. Mr. Buckalew seconded.

After discussion by Mr. Sundborg, Mrs. Sweeney and Mr. Hellenthal, the President declared a recess.

AFTER RECESS

Mrs. Sweeney asked unanimous consent to withdraw her motion. There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent to amend Miss Awes' amendment by changing the word "section" to "sentence". There being no objection, it was so ordered.

Miss Awes moved the adoption of the following amendment:

Section 3, line 10, delete the words "No law shall be enacted to hamper, restrict or impair the exercise of powers reserved herein by the people."

Mr. Sundborg seconded.

Mr. Coghill moved to indefinitely postpone the amendment. Mr. Taylor seconded. Mr. Barr objected. Mr. Taylor requested a roll call.

After discussion by Mr. Hellenthal and Mr. Londborg, Mr. Sundborg moved and asked unanimous consent for the previous question. Mr. Coghill objected. Mr. Metcalf seconded. On voice vote the previous question was ordered.

The question being "Shall Miss Awes' amendment be indefinitely postponed?", the roll was called with the following result:

Yeas: 13 - Coghill, Collins, Emberg, King, Knight, Laws, Marston, Metcalf, Peratrovich, Smith, Sweeney, Taylor, VanderLeest.

Nays: 38 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Lee, Londborg, McLaughlin, McNealy, McNees, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Walsh, White, Wien, Mr. President.

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the motion failed.

The question being "Shall Miss Awes' amendment be adopted?", the roll was called with the following result:

Yeas: 32 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Lee, Londborg, McLaughlin, McNealy, Nolan, Poulsen, Reader, Riley, R. Rivers, Robertson, Rosswog, Stewart, Sundborg, Walsh, White, Wien, Mr. President

Nays: 19 - Coghill, Collins, Emberg, Gray, Hinckel, Kilcher, King, Knight, Laws, McNees, Marston, Metcalf, Nordale, Peratrovich, V. Rivers, Smith, Sweeney, Taylor, VanderLeest

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Barr moved the adoption of the following amendment:

Line 9, page 1, after word "referendum" add "No law shall be enacted to nullify the exercise of powers reserved herein by the people."

Mr. Taylor asked unanimous consent. Mr. R. Rivers objected.. Mr. Laws seconded.

Mr. R. Rivers suggested that the word "prevent" be substituted for the word "nullify". Mr. Barr agreed to the suggested amendment.

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

Mr. Kilcher stated he had asked for a roll call before the President announced the result of the vote.

The President advised he had not heard the request for a roll call.

Mr. Sundborg moved that the rules be suspended and that the roll be called on the adoption of the amendment of Mr. Barr. Mr. Buckalew objected. Mr. Barr seconded.

The President stated he was not adverse to ordering a roll call.

Mr. Sundborg asked unanimous consent to withdraw his motion.

There being no objection, it was so ordered.

Mr. Riley objected to the calling of the roll to get the matter on the floor.

Mr. Nolan moved that the ruling of the Chair regarding the action on Mr. Barr's amendment be sustained. Mr. Armstrong seconded.

The question being "Shall the President be sustained?", the roll was called with the following result:

Yeas: 39 - Armstrong, Awes, Boswell, Cooper, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien

Nays: 9 - Barr, Buckalew, Coghill, Collins, Davis, Knight,
Laws, Peratrovich, R. Rivers

Not voting: 3 - Doogan, Kilcher, Mr. President

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the President was sustained.

After discussion regarding delegates not voting on a question, Mr. Buckalew read Rule 30.

Mr. Harris moved the Convention adjourn until 9 a.m. Monday. Mr. V. Rivers seconded. Mr. Buckalew objected. Mr. Poulsen requested a roll call.

COMMITTEE ANNOUNCEMENTS

Mr. Rosswog announced a meeting of the Committee on Local Government on adjournment.

Mr. Coghill announced a meeting of the Committee on Administration on adjournment.

The question being "Shall the Convention adjourn until 9 a.m. Monday?", the roll was called with the following result:

Yeas: 17 - Armstrong, Barr, Collins, Harris, Johnson, Londborg, McLaughlin, Marston, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Stewart, Sweeney, Walsh.

Nays: 34 - Awes, Boswell, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Laws, Lee, McNealy, McNees, Metcalf, Nordale, Peratrovich, Riley, Rosswog, Smith, Sundborg, Taylor, VanderLeest, White, Wien, Mr. President

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland

and so the motion failed.

Mr. Cooper moved and asked unanimous consent that no motion for adjournment be made until at least 5:45.

Mr. Riley rose to a point of order to state a motion for adjournment is always in order.

Mr. Kilcher moved for the adoption of the following amendment:

Section 3, strike first sentence.

Mr. Cooper objected. Mr. Smith seconded. On voice vote the motion failed.

Mr. Davis moved the adoption of the following amendment:

Section 4, as amended by R. Rivers, after word "general" on line 4 insert the following sentence: "The same procedure, so far as applicable, shall apply to referendum petitions."

Mr. Taylor asked unanimous consent for the adoption of the amendment. Mr. R. Rivers seconded. Mrs. Sweeney objected. On voice vote the amendment was adopted.

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

Section 4, amendment to R. Rivers amendment: change "two-thirds of the election districts of the State" to "one-half of the election districts of the State".

Mr. Smith seconded. Mr. Johnson objected. The roll was called with the following result:

Yeas: 26 - Awes, Coghill, Doogan, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McNees, Marston, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Taylor, VanderLeest

Nays: 26 - Armstrong, Barr, Boswell, Buckalew, Collins, Cooper, Davis, V. Fischer, Hellenthal, Johnson, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nolan, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh, White, Wien, Mr. President

Absent: 3 - Cross, McCutcheon, Nerland

and so the amendment failed.

Mr. Buckalew moved the adoption of the following amendment:

Strike the entire sentence of R. Rivers' amendment beginning with "The petition shall, etc.," and add "The petition shall contain signatures of qualified electors resident in at least two-thirds of the election districts of the State." Miss Awes seconded. Mr. Buckalew asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Mr. Robertson moved the adoption of the following amendment:

Section 4, page 2, lines 19, 20 and 21, strike the last sentence of Section 4. Mr. Poulsen seconded.

After Mr. Robertson, Mr. Sundborg, Mr. Smith, Mr. Marston and Mr. Hellenthal spoke the question was called. The roll was called with the following result:

Yeas: 7- Johnson, Laws, Londborg, McNealy, Poulsen, Reader, Robertson

Nays: 45- Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President.

Absent: 3-Cross, McCutcheon, Nerland
And so the amendment failed.

Mr. Hurley moved the adoption of the following amendment: Section 4, page 2, line 10, after the word "at" strike the balance of the line and strike line 11 to and including the word "of" and insert therefor "The first state election after".

Mr. R. Rivers asked for a short recess in line with Mr. Hurley's motion for a redraft of that portion of Section 4.

There being no objection, the Convention recessed.

AFTER RECESS

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

Mr. Hellenthal together with Mr. Smith, Mr. Davis, Mr. R. Rivers and Mr. Sundborg offered the following amendment:

"Page 2, lines 9 (beginning with the word "Laws") to 17 (ending with the word "sure") should be stricken and the following substituted:

"Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions

on referendum shall also be submitted to the voters by ballot title at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law being referred."

Mrs. Sweeney moved the Convention adjourn until 9 a.m., Monday. Mr. Stewart seconded. The roll was called with the following result:

Yeas: 26 - Armstrong, Barr, Boswell, Collins, H. Fischer, Harris, Johnson, Knight, Laws, Londborg, McLaughlin, McNealy, Marston, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sweeney, VanderLeest, Walsh, Wien

Nays: 27 - Awes, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Lee, McNees, Metcalf, Nordale, Peratrovich, Riley, Smith, Sundborg, Taylor, White, Mr. President

Absent: 3 - Cross, McCutcheon, Nerland

and so the Convention did not adjourn.

Mr. Hellenthal asked that action on his amendment be held until Monday at which time copies would be available.

Mr. Hellenthal together with Mr. Buckalew offered the following amendment: Section 4, strike all words after "Governor" on lines 20 and 21.

Mr. Hellenthal moved the adoption of the amendment. Mr. Buckalew seconded. The roll was called with the following result:

Yeas: 29 - Armstrong, Awes, Boswell, Buckalew, V. Fischer, Hellenthal, Hermann, Hilscher, Johnson, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Nolan, Poulsen, Reader, Riley, Robertson, Rosswog, Sundborg, VanderLeest, Walsh, White, Mr. President

Nays: 25 - Barr, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hinckel, Hurley, Kilcher, King, Marston, Metcalf, Nordale, Peratrovich, R. Rivers, V. Rivers, Smith, Stewart, Sweeney, Taylor, Wien

Absent: 3 - Cross, McCutcheon, Nerland

and so the amendment was adopted.

Mr. Sundborg moved that the Convention adjourn until 2 p.m., Sunday. Mr. V. Fischer seconded. Mr. Armstrong objected. The roll was called with the following result:

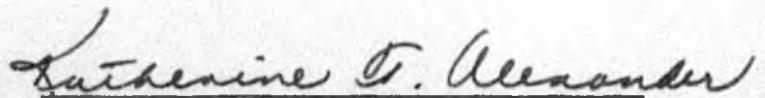
Yeas: 23 - Aves, Boswell, Buckalew, Coghill, Collins, Doogan, Emberg, V. Fischer, Gray, Hinckel, Hurley, Kilcher, Knight, McNees, Marston, Metcalf, Peratrovich, Riley, Smith, Sundborg, VanderLeest, White, Mr. President

Nays: 28 - Armstrong, Barr, Cooper, Davis, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Johnson, King, Laws, Lee, Londborg, McLaughlin, McNealy, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sweeney, Walsh, Wien

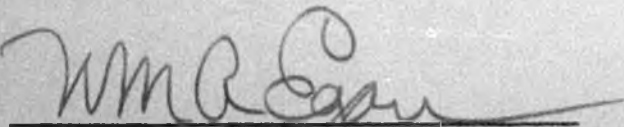
Absent: 4 - Cross, McCutcheon, Nerland

and so the Convention did not adjourn.

Mr. V. Rivers moved the Convention adjourn until 9:05 a.m., Monday. Mr. Robertson seconded. On voice vote the motion carried and the Convention adjourned until 9:05 a.m., Monday.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President