

Constitutional Convention

Journal, 51

Approved

Jan. 30, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTY-THIRD CONVENTION DAY, Tuesday, January 24, 1956

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

The Invocation was given by the Rev. E. N. Gurr of the Pentacostal Church of God.

Roll call showed all members present. The President declared a quorum to be present.

Mr. Knight asked unanimous consent that the Journal for the fifty-sixth day be approved as read. There being no objection, it was so ordered.

Mr. Riley reported the following change in the calendar: Committee Proposal No. 14, election district descriptions, under second reading.

Mr. Sundborg asked unanimous consent that the election district descriptions of Committee Proposal No. 14 be considered in second reading at this time. Mr. Nolan objected because he would like to check the descriptions with the map. Mr. Sundborg withdrew his request for unanimous consent.

The report of the Committee on Style and Drafting on Committee Proposal No. 3, Initiative, Referendum and Recall, was read. Discussion of the changes in language made by the Committee followed. Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

A telegram addressed to President Egan from the members of the Anchorage Sportsmen's Association, criticizing the delegates for not specifically providing for the Fish and Wildlife in the constitution, was read and ordered filed.

A telegram addressed to President Egan from M^r B. Sarvela, Northern Fishing Vessel Owners' Association of Sitka, requesting fisheries management policy be set forth in the Resource article of the constitution, was read and ordered filed.

63rd Day, Tuesday, Jan. 24, 1956

A telegram addressed to Delegate Benny White (presumably the delegate addressed was Barry White) criticizing the omission of provisions for fish and game in the constitution, was read and ordered filed.

A telegram addressed to Delegate Barry White from A. W. Long, Secretary, Anchorage Sportsmen's Association, stating that only by incorporating the Alaska Sportsmen's Council recommendation into the constitution will the fish and wildlife be safe from mishandling, was read and ordered filed.

A telegram addressed to Delegate Dorothy Awes from Jean A. Blanchard of Anchorage, urging provisions be made in the constitution for fish and wildlife, was read and ordered filed.

A telegram addressed to Delegate Stanley McCutcheon (presumably the delegate addressed was Steve McCutcheon) from Howard Houtz of Anchorage, criticizing the omission of provisions for the fish and wildlife in the constitution, was read and ordered filed.

CONSIDERATION OF REPORT OF COMMITTEE ON STYLE AND DRAFTING ON ARTICLE XI

Mr. Sundborg moved the adoption of the following committee amendment to the Style and Drafting Committee report on Committee Proposal No. 3 being Article XI:

Section 4, page 2, line 2, at the end of the line, change the word "title" to "proposition".

Mr. Taylor objected.

The President declared a short recess.

AFTER RECESS

Mr. Sundborg asked unanimous consent for the withdrawal of the committee amendment. There being no objection, it was so ordered.

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

Page 2, lines 2 and 3, strike "title and summary of" and insert in lieu thereof "ballot title and proposition summarizing".

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the following committee amendment be adopted:

Section 5, line 12, strike "title and summary" and insert "ballot title and proposition summarizing".

There being no objection, it was so ordered.

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

Page 2, line 18, after the word "the" strike the word "defeat" and insert in lieu thereof the words "approval or rejection".

There being no objection, it was so ordered.

Mr. Taylor moved the adoption of the following amendment to Section 5:

Line 14, change "twenty" to "eighty".

Mr. Knight seconded. Mr. R. Rivers objected. After explanation by Mr. Sundborg, Mr. R. Rivers withdrew his objection.

The President declared a short recess.

AFTER RECESS

Mr. Sundborg asked unanimous consent for the adoption of Mr. Taylor's amendment. There being no objection, it was so ordered.

After discussion on Section 7, Mrs. Sweeney reported that there had been an error in the enrolled copy of the Proposal and the language which followed the word "safety" had been deleted by the Convention and the enrolled copy would be corrected accordingly.

Mr. Sundborg moved that the report of the Committee on Style and Drafting as to Article XI as amended be accepted by the Convention. Mr. McCutcheon seconded. Mr. Hellenthal requested a roll call. Mr. Metcalf asked unanimous consent that the report be accepted. Mr. Poulsen objected. The roll was called with the following result:

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

Nays: 5 - Hinckel, Laws, McCutcheon, Poulsen, and Reader

Absent: 3 - Davis, Hilscher and McLaughlin

and so the report was adopted.

Mr. McCutcheon moved that the rules be suspended and that Article XI be returned to second reading for specific amendment. Mr. Taylor asked unanimous consent.

Mr. V. Fischer rose to a point of information to have the amendment read.

Mr. Robertson stated that the amendment was to Section 7, line 2, to insert the words "create courts, define the jurisdiction or prescribe the rules thereof," after "appropriations,".

Mr. Kilcher objected to the unanimous consent request. Mr. Taylor seconded the motion. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Coghill, Emberg, Kilcher, Londborg, and Peratrovich

Absent: 3 - Davis, Hilscher, and McLaughlin

and so the rules were suspended.

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

Section 7, line 2, after the word "appropriations," insert the words "create courts, define the jurisdiction or prescribe the rules thereof,".

The President declared a short recess.

AFTER RECESS

Mr. Robertson moved the adoption of the amendment. Mr. Taylor seconded. After discussion by Mr. Coghill, Mr. White, Mr. V. Fischer, Mr. McLaughlin, Mrs. Nordale, Mr. Hellenthal, Mr. Johnson, Mr. Taylor, Mr. McNees, Mr. Kilcher, Mr. Marston, Mr. Nolan and Mr. McCutcheon, Mr. Coghill moved that the Convention recess until 1:30 p.m.

The following committee announcements were made: Resources at 12:50 p.m. Engrossment and Enrollment at 1 p.m.

Mr. Hellenthal announced that anyone who would like to compare the election district descriptions with the map might do so between 1 p.m. and 4 p.m., in Room 404 of the Mines Building.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

AFTER RECESS

The question being "Shall Mr. Robertson's amendment to Section 7 of Article XI be adopted?", the roll was called with the following result:

Yeas: 39 - Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Hinckel, Johnson, King, Laws, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, White, Wien and Mr. President

Nays: 10 - Coghill, Emberg, V. Fischer, Gray, Hilscher, Kilcher, Knight, McNees, Peratrovich, and VanderLeest

Absent: 6 - Armstrong, Barr, Hurley, Londborg, Nolan, and Walsh

and so the amendment was adopted.

The President referred the Article to the Rules Committee for assignment to the calendar.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended, that the Article on the Initiative, Referendum and Recall be advanced to third reading, read by title only and placed on final passage. Mr. White and Mr. Cooper objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Nays: 13 - Cooper, V. Fischer, Hilscher, Johnson, Laws, Londborg, Metcalf, Poulsen, Reader, Robertson, Rosswog, Sweeney, and White

Absent: 2 - Barr and Nolan

and so the rules were suspended.

Article XI was read the third time. After debate by Mr. Robertson, Mr. Sundborg, Mr. V. Fischer, Mr. Marston and Mr. Doogan, Mr. McCutcheon moved the previous question. Mr. Doogan seconded. On voice vote the previous question was ordered.

The question being "Shall Article XI, the Initiative, Referendum and Recall become a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, White, Wien, and Mr. President

Nays: 10 - V. Fischer, Johnson, Laws, Londborg, McCutcheon, McNaly, Poulsen, Reader, Robertson, and Walsh

Absent: 2 - Barr and Nolan

and so the article was adopted.

COMMITTEE REPORTS

Mr. Sundborg asked unanimous consent to revert to committee reports. There being no objection, it was so ordered.

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

Two articles of the constitution totalling ten pages had been adopted by the Convention. The articles which had passed second reading totalled 67 pages. The Committee had finished work on one additional article of 6 pages in length, leaving about 7 articles totalling around 50 pages still to go.

As a result of the work ahead for Style and Drafting, Mr. Sundborg asked whether the Convention would hold shorter plenary sessions so Style and Drafting could have more time to work.

The President suggested the possibility of not meeting until 1:30 p.m. daily for plenary sessions.

Mr. Johnson moved that the Convention adopt a policy that the plenary sessions begin at 1:30 p.m. daily for the next few days. Mr. Hellenthal seconded.

Mr. Cooper moved to amend the motion to 3 p.m.

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

AFTER RECESS

Mr. Doogan requested the privilege of the floor to discuss the need for working as long as possible in plenary session to get the work done.

After further discussion by Mr. Hellenthal, Mr. Sundborg, Mr. Taylor and Mr. Metcalf, the question was called. On voice vote the motion carried and the policy of meeting in plenary session from 1:30 p.m. on, was adopted.

Mr. Sundborg asked unanimous consent that the Convention adjourn at 5:40 p.m. this date. Mr. Doogan objected. Mr. Sundborg so moved. Mr. R. Rivers seconded. On voice vote the motion was adopted.

Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment as to Committee Proposal No. 6a, which the Committee had found correctly engrossed and enrolled, be adopted. There being no objection, it was so ordered. Committee Proposal No. 6a was referred to the Committee on Style and Drafting.

SECOND READING OF PROPOSALS

Committee Proposal No. 16 was considered again.

The amendment offered by Mr. Smith to add a new Section 2 being before the Convention, discussion by Mr. McNealy, Mr. Smith, Mr. White, and Mr. R. Rivers followed. Mr. McCutcheon rose to a point of order during Mr. R. Rivers' argument to state he was arguing an amendment to the amendment and not the amendment. The President stated that Mr. McCutcheon's point of order was well taken.

After Mr. Buckalew spoke on the amendment, Mr. McCutcheon moved the previous question. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 27 - Awes, Buckalew, Collins, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hilscher, Hinckel, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, Taylor, and VanderLeest

Nays: 27 - Armstrong, Barr, Boswell, Coghill, Cooper, Davis, Emberg, Hellenthal, Hermann, Johnson, Kilcher, King, Laws, McNealy, Nerland, Poulsen, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Absent: 1 - Hurley

and so the previous question was not ordered.

After further discussion by Mr. V. Rivers and Mr. Kilcher, Mr. Sundborg spoke regarding a transitional measure he would offer on the same subject. Mr. McCutcheon rose to object that the matter Mr. Sundborg was speaking on was not before the Convention.

Mr. Sundborg moved the adoption of the following amendment to the amendment:

Strike the language of the proposed amendment and substitute the following: "Section 2. Provisions of the act admitting Alaska to the Union which should require consent by the people of Alaska to any condition, or inclusion in the state constitution of any language, not expressed in this constitution shall be presented for ratification at the first general election at which a governor is chosen. If ratified, such provisions shall be incorporated in this constitution as though they were an original part hereof."

Mrs. Hermann rose to a point of order to state that the amendment destroys the original intent of Mr. Smith's amendment and was not acceptable.

The President declared a short recess.

AFTER RECESS

The President stated that Mrs. Hermann's point of order was well taken and that the amendment to the amendment was not in order at this time.

After further discussion on Mr. Smith's amendment by Mr. Hellenthal, Mr. Hinckel, Mr. Barr, Mr. Johnson, Mr. V. Rivers, Mr. McNeese, and Mr. Armstrong, Mr. Smith closed the argument. Mr. Coghill asked a question of Mr. Smith and Mr. V. Rivers requested a roll call vote. The roll was called with the following result:

Yeas: 46 - Armstrong, Aves, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNeese, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, Walsh, White, Wien, and Mr. President

Nays: 7 - Barr, Coghill, Cooper, King, McNealy, Sundborg and Sweeney

Absent: 2 - Hurley and VanderLeest

and so the amendment was adopted.

Mr. White rose to speak on personal privilege regarding the amendment just adopted.

Mr. White served notice of intention to reconsider his vote on Mr. Smith's amendment to Section 2 of Committee Proposal No. 16.

Mr. Johnson rose to a point of order that Mr. White served notice under personal privilege.

The President stated that he was certain that it had not been Mr. White's intention to do so and recognized it as a separate request.

Mr. Taylor moved that the rules be suspended and that Mr. White's reconsideration be taken up at this time. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 17 - Collins, H. Fischer, Hinckel, Knight, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Peratrovich, Poulsen, Reader, V. Rivers, Taylor, Walsh, and Mr. President

Nays: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Johnson, Kilcher, King, Laws, Londborg, McNealy, Marston, Nolan, Nordale, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, White, and Wien

Absent: 2 - Hurley and VanderLeest

and so the rules were not suspended.

Mr. McNealy asked unanimous consent that Committee Proposal No. 17a be considered at this time and that Committee Proposal No. 17 be held in abeyance. There being no objection, it was so ordered.

Committee Proposal No. 17a was read the first time.

Mr. McNealy asked unanimous consent that the rules be suspended and that Committee Proposal No. 17a be advanced to second reading. Mr. Robertson had a question regarding material from C. P. 17 not being in 17a. The President declared a short recess.

AFTER RECESS

There being no objection, Committee Proposal No. 17a was read the second time.

Mr. Hurley moved the adoption of the following amendment to Section 2:

Line 2, page 1, change "Juneau" to "Palmer".

Mr. McCutcheon seconded.

After discussion by Mr. Hurley, Mr. V. Fischer, Mr. V. Rivers, Mr. Coghill, Mr. White and Mr. McNealy, the President declared a short recess.

AFTER RECESS

Mr. Taylor moved the adoption of the following amendment to the amendment:

After the word "Palmer" strike period and insert the words: "whenever the town of Palmer shall be able to provide a capitol building and other facilities comparable with the facilities and buildings available at Juneau."

The President ruled the amendment to the amendment out of order because it was not germane to the question.

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

Yeas: 12 - Davis, H. Fischer, Harris, Hurley, Kilcher, Laws, Londborg, McCutcheon, Poulsen, Reader, V. Rivers, and White

Nays: 40 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Lee, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, and Mr. President

Absent: 3 - Buckalew, McLaughlin, and VanderLeest

and so the amendment failed.

Mr. McNees moved the adoption of the following amendment:

Strike Section 2. Mr. Marston seconded.

Mr. Sundborg asked questions of Mr. McNees. Mr. Hurley rose to a point of order that questions should be directed through the Chair.

Further discussion followed by Mr. V. Rivers, Mr. Johnson, Mr. V. Fischer, Mr. Buckalew and Mr. McNealy. Mr. McCutcheon rose to a point of order that the Chairman of the Committee did not need to justify the section, that the question was whether the section should be retained or deleted. Mr. Armstrong asked Mr. McNealy to explain why he felt the section should be retained.

Mr. Emberg asked whether the seat of government would still be in Juneau during the transitional period if the section were deleted. Considerable discussion followed and it was stated that there could be a question as to whether the provision in the Organic Act would carry over.

The question was called and Mr. Robertson requested a roll call vote. The question being "Shall Mr. McNees' amendment be adopted?", the roll was called with the following result:

Yeas: 9 - Cross, V. Fischer, Hurley, Kilcher, Laws, McNees, Poulsen, V. Rivers, and White

Nays: 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, and Mr. President

Absent: 2 - Marston and VanderLeest

and so the amendment failed.

Mr. Kilcher asked for the reading of his proposed amendment.

Mr. R. Rivers stated he had an amendment on the Chief Clerk's desk which had been there before Mr. McNees' amendment had been considered and the President had stated it would be the next in order.

Mr. Kilcher rose to a point of order to inquire whether it was in order to assign priority to amendments.

Mr. V. Rivers requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Kilcher moved the adoption of the following amendment:

Section 2, line 2, change period to a comma and add "unless decided otherwise by law."

Mr. Poulsen seconded. Mr. Sundborg requested a roll call vote. The roll was called with the following result:

Yeas: 20 - Collins, Cross, Davis, H. Fischer, V. Fischer, Hellenthal, Hurley, Kilcher, Londborg, McNees, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Walsh, White, Wien, and Mr. President

Nays: 31 - Armstrong, Awes, Barr, Boswell, Cooper, Doogan, Emberg, Gray, Harris, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratovich, Riley, Robertson, Stewart, Sundborg, Sweeney, and Taylor

Absent: 4 - Buckalew, Coghill, Marston, and VanderLeest

and so the amendment failed.

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

Section 2. Strike the section and substitute the following:

"Unless otherwise determined as hereinafter set forth the capital of the State of Alaska shall be at Juneau.

"Within 5 years from the admittance of Alaska as a State of the Union, the legislature shall establish a capital site survey commission to study the merits and demerits of potentially suitable sites for the permanent capital in line with the best interests of the people of the whole state. Upon completion of its studies the commission shall report to the Legislature and to the public. The legislature shall then provide for a referendum by the people at a statewide election or series of statewide elimination elections until a majority of the voters voting on the proposition have concurred on a particular site, after which the seat of government shall be retained at Juneau or changed as rapidly as feasible to the new site, as the case may be."

Mr. Hinckel seconded.

After discussion by Mr. R. Rivers, Mr. V. Rivers asked unanimous consent that the amendment be mimeographed. Mr. V. Fischer asked whether Mr. R. Rivers would not withdraw the amendment and submit a new amendment which had been revised.

Mr. Cross stated that the amendment was similar to the proposal adopted by the Resolutions Committee on the same subject.

Mr. Gray rose to a point of personal privilege. Mr. V. Rivers rose to a point of order to state that a delegate cannot debate under personal privilege.

Mr. Cooper objected to the unanimous consent request of Mr. V. Rivers.

The President declared a short recess.

AFTER RECESS

Mr. R. Rivers moved that the amendment be mimeographed. Mr. V. Rivers seconded. The President stated that since it was a suspension of the rules, it would require a two-thirds' vote. The roll was called with the following result:

Yeas: 15 - Barr, Boswell, Cross, Doogan, Gray, Lee, Londborg, McLaughlin, Nerland, Nordale, Poulsen, Reader, Riley, Smith, and Walsh

Nays: 37 - Armstrong, Awes, Coghill, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, McCutcheon, McNealy, McNees, Metcalf, Nolan, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, White, Wien, and Mr. President

Absent: 2 - Marston and VanderLeest

Abstaining: 1 - Buckalew

Before the result of the roll call was announced, Mr. V. Fischer stated that the rules provide for mimeographing of lengthy amendments.

The President stated that Mr. Fischer was correct.

The President stated that he was in error in putting the motion.

Mr. Barr moved to rescind.

Mr. Peratrovich stated that the motion was out of order since it could be reached by a motion to reconsider.

The President declared a short recess.

AFTER RECESS

The President announced that the motion had failed of adoption and the amendment was ordered mimeographed under the rules of the Convention.

Mr. Robertson rose to speak on a matter of personal privilege to state that Committee Proposal No. 4 adopted by the Resolutions Committee was not the same as Mr. R. Rivers' amendment.

Mr. Harris served notice of reconsideration on his vote on Mr. Kilcher's amendment to Section 2.

Section 20 of Committee Proposal No. 17a was considered at this time. Mr. McNealy asked Mr. Buckalew to explain the section.

A general discussion of the section followed by Mr. Buckalew, with questions from Mr. Johnson and Mr. Coghill.

Mr. Hellenthal moved the adoption of the following amendment to Section 20:

Delete lines 8 to 14 inclusive, on page 1 and line 1 on page 2 and the words "state legislature" on line 2 of page 2 and substitute a capital "T" in the word "the" on line 2 so that the last two sentences of the indented material are retained.

Mr. Johnson rose to a point of order that amendments were not in order at this time, that this was merely the discussion period.

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

Further discussion continued by Mr. Robertson, Mr. Emberg, Mr. Coghill, Mr. McCutcheon, Mr. V. Fischer, Mr. Lee and Mr. Barr.

The President declared a five-minute recess.

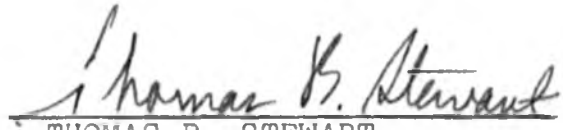
AFTER RECESS

Mr. Johnson moved and asked unanimous consent that the Convention adjourn until 1:30 p.m., Wednesday. The following committee announcements were made: Administration Wednesday morning at 10 a.m. at Apt. 1012, Polaris Building; Ordinances on adjournment; Style and Drafting on adjournment.

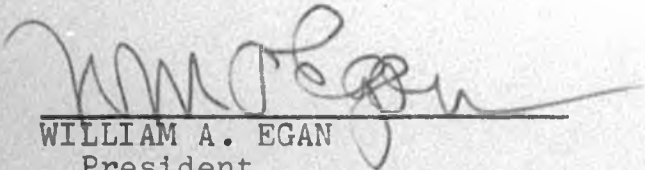
Mr. Coghill reported he had received another shipment of the report of the White House Conference on Education and had sufficient copies for all delegates.

Mrs. Hermann suggested that since there would be a great deal of work in connection with thanking various people for assistance, etc., during the Convention, that a committee should be appointed. Mr. Coghill reported that the Committee on Administration was already taking care of this.

There being no objection to the unanimous consent request, the Convention adjourned at 5:25 p.m. until 1:30 p.m., Wednesday.


THOMAS B. STEWART
Secretary

Attested:


WILLIAM A. EGAN
President