

SECOND DAY AFTER RECESS
AND THIRD DAY

Bismarck, April 8, 1971

The House reconvened at 10 a.m., pursuant to recess taken, with President Wenstrom presiding.

Delegate Christensen pointed out that there may be need for the Convention to continue their duties on Friday, April 9, 1971, if the organizational meeting was not completed this evening.

President Wenstrom appointed Delegates Longmire, Hoffner and Christensen to the Temporary Committee on Resolutions.

Delegate Longmire moved that the Report of the Temporary Committee on Credentials, Offices, Elections and Vacancies be removed from the table, which motion prevailed.

President Wenstrom announced that the Report of the Committee on Credentials, Offices, Elections and Vacancies would be read by the Chief Clerk section by section, allowing time for discussion on those sections where discussion was deemed necessary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Temporary Committee on Credentials, Offices, Elections and Vacancies recommends the following:

Section 1: That the qualifications and credentials of all delegates are in order.

Section 2: Duties of the president:

The president shall be the chief executive of the convention and all other officers and employees shall be subject to his general supervision. He shall preside at sessions of the convention and of the committee of the whole, and exercise the usual powers and perform the usual duties of a presiding officer. He shall preserve order and decorum. He may speak to points of order and, subject to an appeal to the convention or to the committee of the whole, shall decide points of order. He may vote in all elections, on all questions taken by ayes and nays, except the president may not vote twice, once to cause a tie vote and then again to break it.

Section 3: The Constitutional Convention shall elect a first vice-president and a second vice-president who shall carry out such duties and powers as assigned by the president.

If the president is temporarily absent or temporarily unable to preside, the first vice-president, or, in the absence or inability of the first vice-president to preside, the second vice-president shall exercise the powers and perform the duties of the president and shall preside over the convention or the committee of the whole. If a vacancy occurs in the office of president, the first vice-president shall temporarily exercise the powers of the office of president until the convention elects a president to fill the office.

Delegate Stanton moved to amend the Report of the Temporary Committee on Credentials, Offices, Elections and Vacancies as follows:

From Section 3, delete the following: "If a vacancy occurs in the office of president, the first vice-president shall temporarily exercise the powers of the office of president until the convention elects a president to fill the office."

The motion was seconded and the motion failed on a division vote with 44 ayes, 53 nays, 1 absent and not voting.

Section 4: The Constitutional Convention shall elect one of its delegates as secretary, and the duties of the secretary shall be as follows:

The secretary shall have custody and preserve all proposals, resolutions, committee reports, and all other records, books, documents and papers of the convention. He shall not permit them to be taken out of his custody except in the regular course of the business of the convention.

He shall certify and deliver to the Secretary of the State the revisions or alteration of or amendments to the constitution as approved by the convention for submission to the electorate.

He shall cause to be kept and furnish to each delegate a printed Journal of the proceedings of the convention for the previous day which, when approved by the convention, shall be the official Journal of the convention. He shall also cause to be kept and to be submitted to the convention for approval a verbatim record of the proceedings of sessions of the convention and meetings of the committee of the whole. He shall have such other duties as stipulated in these rules, but, after consultation with the president, he may delegate part of his duties to employees designated by the president. He may not, however, delegate the duty of certifying the revision or alteration of or amendment to the constitution approved by the convention for submission to the electorate.

Delegate Baker moved that Section 4 be amended by deleting the word "verbatim" in the fourth paragraph of the section, second sentence, following "a" and before the word "record".

Motion was seconded and carried.

Section 5: The officers be elected by a majority of the elected delegates by secret ballot.

Section 6: If a permanent vacancy occurs in the office of president, the first vice-president shall temporarily preside until the convention elects a president to fill the office in the same manner in which the officer was first elected.

If a permanent vacancy occurs in the office of any of the vice-presidents or in the office of the secretary, the president shall appoint a member to exercise the powers of that vacant office until the convention fills the vacancy in the same manner in which the officer was first elected.

Delegate Stanton moved to amend the Report of the Temporary Committee on Credentials, Offices, Elections and Vacancies as follows:

From Section 6, delete the following: "If a permanent vacancy occurs in the office of president, the first vice-president shall temporarily preside until the convention elects a president to fill the office in the same manner in which the officer was first elected.", and insert in lieu thereof, "If a permanent vacancy occurs in the office of president, the first vice-president shall assume the office and duties of the president of the Convention."

The motion was seconded. The motion failed on a division vote of 47 ayes, 49 nays, 2 absent and not voting.

Section 7: If a permanent delegate vacancy in the convention occurs when the convention is not in session, the president in consultation with the vice-presidents and the delegate or delegates from that district, shall appoint a delegate from that district in which the vacancy occurred.

Delegate Paulson moved to amend the Report to delete Section 7 from the Report, which motion was seconded.

Delegate Sinner moved that the amendment be amended as follows:

Insert in lieu of the deleted Section 7. "If a permanent delegate vacancy in the Convention occurs, it shall be the first order of business for the Convention when it convenes to appoint by election a replacement delegate from the district from which the vacancy occurs.

The motion was seconded, and was later withdrawn.

The question then was on the motion of Delegate Paulson to delete Section 7 from the Report, which motion prevailed.

Delegate Longmire moved that the report be adopted as amended, which motion prevailed and the report was adopted.

Delegate Paulson moved that the Committee on Credentials, Offices, Elections and Vacancies now draw an additional rule for governing election should a vacancy of a delegate occur in the interim between the organizational session and the meeting of the Constitutional Convention in January, 1972, which motion was seconded, and the motion carried.

The Committee on Credentials, Offices, Elections and Vacancies are instructed to draft such a rule for governing election should a vacancy of a delegate occur in the interim.

REPORT OF SELECT COMMITTEE

Mr. President: Your Temporary Committee on Employment recommends that the President of the Convention, after consulting with the appropriate committee of the Convention, and within budget limits, be authorized and directed to employ temporary secretarial help and an Executive Director for the Convention, and further, that the Executive Director, with the approval of the President and within budget limits, be authorized and directed to employ such other professional staff and employees deemed necessary for conducting the affairs of his office, and further, with the approval of each committee chairman, and also within budget limits, be authorized and directed to provide professional and other service deemed necessary for each committee.

Delegate Litten moved that the report be adopted.

ROLL CALL

The roll was called and there were 96 ayes, 0 nays, 2 absent and not voting.

Those voting in the affirmative were:

Aas	Engelter	Knudson	Roney
Aubol	Engstrom	Kretschmar	Rosendahl
Baker	Erickson	Kwako	Rude
Bassingthwaite	Fallgatter	Lamb	Rundle
Bender	Fiedler	Lander	Sanstead
Benson	Fritzell	Larsen	Saugstad
Benz	Geelan	Lerberg	Scheel
Berg	Gipp	Litten	Schmit
Billey	Griffin	Longmire	Simonson
Binek	Hartl	McElroy	Sinner
Birkeland	Haugen	McIntyre	Solberg
Brakke	Hendrickson	Maxwell	Sondreal
Burbidge	Hernett	Meidinger	Stanton
Burke	Hildebrand	Miller	Sullivan
Byrne	Hill	Nething	Thompson
Cart	Hoffner	Nicholas	Trenbeath
Chase	Hoghaug	O'Toole	Tudor
Christensen	Hougen	Omdahl	Unruh
Daniels	Hubrig	Paulson	Urdahl
Dawson	Huckle	Pearce	Vogel
Decker	Jestrab	Peters	Wallin

Devine	Kelsch	Peterson	Warner
Diehl	Kessel	Poulson	Wicks
Dobson	Ketchum	Quam	Mr. President

Absent and not voting:

Butler Hardmeyer

The motion carried and the report of the Temporary Committee on Employment was adopted.

MOTION

Delegate Litten moved that the following janitors and engineer:

Jacob Ell
 Alph Johnson
 John Dorrheim
 Matt Roehrich
 Edwin Keller

be paid \$15.40 each per day for the days of April 6, 7, and 8, 1971, which motion was seconded.

ROLL CALL

The roll was called and there were 95 ayes, 0 nays, absent and not voting, 3.

Those voting in the affirmative were:

Aas	Engstrom	Kretschmar	Rosendahl
Aubol	Erickson	Kwako	Rude
Baker	Fallgatter	Lamb	Rundle
Bassingthwaite	Fiedler	Lander	Sanstead
Bender	Fritzell	Larsen	Saugstad
Benson	Geelan	Lerberg	Scheel
Benz	Gipp	Litten	Schmit
Berg	Griffin	Longmire	Simonson
Billey	Hartl	McElroy	Sinner
Binek	Haugen	McIntyre	Solberg
Birkeland	Hendrickson	Maxwell	Sondreal
Brakke	Hernett	Meidinger	Stanton
Burbidge	Hildebrand	Miller	Sullivan
Burke	Hill	Nething	Thompson
Byrne	Hoffner	Nicholas	Trenbeath
Cart	Hoghaug	O'Toole	Tudor
Chase	Hougen	Omdahl	Unruh
Christensen	Hubrig	Paulson	Urdahl
Daniels	Huckle	Pearce	Vogel
Dawson	Jestrab	Peters	Wallin
Decker	Kelsch	Peterson	Warner
Diehl	Kessel	Poulson	Wicks
Dobson	Ketchum	Quam	Mr. President
Engelter	Knudson	Roney	

Absent and not voting:

Butler Devine Hardmeyer

Motion prevailed.

Delegate Longmire suggested for the record that the Executive Director or President try to negotiate with the Director of Institutions to absorb the janitorial costs for the plenary session of the Constitution Convention in 1972, since the Convention is operating on such a tight budget.

Delegate Hoghaug moved that the absent members be excused, which motion prevailed.

Delegate Longmire moved that the Convention stand adjourned, which motion prevailed.

ROY GILBREATH, Chief Clerk

THIRD DAY

Bismarck, April 8, 1971

The Convention was called to order by President Wenstrom. Prayer was offered by Rev. John H. Nicolai, Trinity Lutheran Church, Bismarck, North Dakota.

"O God, Almighty as Thou art, we seek Your continued direction to this Assembly as they conclude the first phase of their responsibility. Lead them in the election of the vice presidents and the secretary, and in the formulating of the permanent committees and the setting forth of the guidelines. Guide and direct each member and every committee as they do their homework during this year. May the final draft be one which will serve Your people and be to them a guide and help so that truth and justice might prevail in all things and that all men might be brought to live together in peace and harmony.

"To these ends, then, we ask for Your presence and direction. In the name of the Christ. Amen."

Roll was called, and all Delegates were present except Delegate Butler.

A quorum was declared by President Wenstrom.

REVISION AND CORRECTION OF THE JOURNAL

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the First Day after Recess and the Second Day and recommends that the same be corrected as follows:

Page 1, line 37, delete "Kretschmeir" and insert in lieu thereof "Kretschmar"

Page 2, line 23, delete "Birklund" and insert in lieu thereof "Birkeland"

Page 29, line 3, delete "95" and insert in lieu thereof "96" and following "nay," delete "2" and insert "1" in lieu thereof.

Page 29, line 29, add "Mr. President"

Page 29, line 31, delete "Mr. President"

And when so corrected recommends that the same be approved.

DELEGATE DOBSON, Chairman

Delegate Simonson moved that the report be adopted, which motion prevailed.

Delegate Unruh moved that the name of the Third Procedural Committee listed on page 28 of the Journal be changed to "Style and Drafting," which motion was seconded and carried.

Delegate Unruh submitted the following on the Scope of Procedural Committees and Recommendations regarding substantive committees from the Committee on Committees:

SCOPE OF PROCEDURAL COMMITTEES

1. **Budget Committee** — This committee shall have the duty to allocate all funds and approve all expenditures within the limits set by the delegates.
2. **Style and Drafting** — This committee shall have the duty to redraft the final report of each substantive committee into a concise, cohesive and standardized form. Such committee shall prepare a technical revision of the present constitution so that substantive changes made by this convention may be easily substituted for current provisions at the appropriate time.
3. **Public Information** — This committee shall have the duty to cause implementation of the most feasible methods to inform North Dakota residents of the action of this convention and to promote their acceptance of a new constitution.
4. **Rules** — This committee shall have the duty to prepare and amend from time to time, rules for the operation of the convention during the interim and plenary session, subject to the unanimous consent of the president and vice-presidents. This shall include the right to change the composition of standing committees as regards number, scope and membership.
5. **Coordinating and Transition** — This committee shall have the duty to resolve questions on conflicts, duplications and omissions

that occur in standing committees. This committee also shall have the duty to determine how and when the new Constitution would be implemented.

RECOMMENDATIONS REGARDING
SUBSTANTIVE COMMITTEES
FROM COMMITTEE ON COMMITTEES

1. **Preamble, Bill of Rights, and Suffrage**
Sections 1-24, sections 203, 208, 209 and 213, including all individual rights of person and property (with a committee membership of 15)
2. **Legislative Functions**
Sections 25-70, sections 121-129, sections 194-202, sections 211 and 214, including election, removal, initiative, referendum, amendments and legislative apportionment (with a committee membership of 20)
3. **Executive Functions**
Sections 71-84, sections 188-193, (also see section 215), all functions of State Government, including public institutions, penal systems, and state officials (with a committee membership of 15)
4. **Judicial Functions and Political Subdivisions**
Sections 85-120, Compact sections 203-207, judicial power, jurisdiction, and methods of selection of judges; Section 130 and sections 166-173, includes cities, counties, and townships and related areas of local government (with a committee membership of 15)
5. **Finance and Taxation**
Sections 174-187, Articles 56 and 60, (also see section 203), includes debt limitation, revenue and taxation (with a committee membership of 15)
6. **Education, Resources, and Public Lands**
Sections 131-146, sections 147-165, sections 210, 212, and 215-216, Article 54, includes elementary, secondary, and higher education, human resources, natural resources, economic resources, and public land (with a committee membership of 17)

The above suggested sections of the Constitution are to assist each committee in its research and does not preclude each committee researching other sections and/or amendments which would relate to the subject matter needed for complete analysis by each committee.

Delegate Baker moved that the Committee Assignment Preference Sheets as submitted by the Delegates be printed in the Journal, which motion was seconded, and the motion carried.

Rep. Haugen moved that the Convention recess subject to the call of the chair, which motion prevailed.

President Wenstrom declared the Convention in recess until 1 p.m.

The Convention reconvened at 1 p.m., with President Wenstrom presiding.

President Wenstrom ordered that the Report of the Temporary Committee on Rules would be presented section by section, allowing time for discussion of each section as deemed necessary by the Convention.

REPORT OF SELECT COMMITTEES

Mr. President: Your Temporary Committee on Rules recommends the following rules:

Rule 1

Quorum and Majority

A majority of the total number of delegates (50) shall constitute a quorum. A smaller number, but not less than 15 of the delegates present and voting, may adjourn from day to day and may compel

the attendance of absent delegates by any means adopted by a majority of those present.

A majority of the total number of delegates (50) shall be required for approval of any section to be included in a proposed constitution or amendments to the constitution.

When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a greater number shall be required by law.

All meetings and records of the convention shall be open to the public.

**Rule 2
Officers**

**Rule 3
Duties of the President**

**Rule 4
Powers and Duties of Vice Presidents**

**Rule 5
Duties of the Secretary**

**Rule 6
Vacancies**

**Rule 7
Staff**

**Rule 8
Committees**

**Rule 9
Designation of Committee Members**

**Rule 10
Designation of Committee Chairmen and Vice Chairmen**

**Rule 11
Committee Meetings**

A committee shall meet at the call of the chairman, who shall also set its agenda, or upon the written request of a majority of the members or at the direction of the convention.

All meetings and records of the convention shall be open to the public.

All committees and subcommittees and hearings shall be open to the public and the news media.

Committees and subcommittees may hold meetings and public hearings in the city of Bismarck, or upon the affirmative vote of the majority of the members of the committee and after consultation with and approval by the president, may hold meetings and public hearings at any other place in the state.

No committee shall sit during the sessions of the convention without special leave of the convention by a majority vote of those voting.

A majority of any committee constitutes a quorum, but the question of the presence of a quorum of a committee may not be raised on the consideration of a proposal before the convention, unless the question has been raised before the committee.

Committees may meet jointly with the consent of their respective chairmen.

Prior to the plenary session, no committee meetings or hearings may be held unless notice thereof is given in the following manner:

The president of the Convention shall be furnished a written notice, signed by the Chairman or members of the committee calling the meeting. The notice shall state the date, hour, and the place of the proposed meeting (which shall not be less than 96 hours after the president has been furnished such notice) and the proposal number or subject matter to be considered. The president shall mail or deliver a copy of the notice to all delegates of the Convention, who have introduced proposals on the subject matter to be considered, at least 72 hours prior to the time set for such meeting, and shall post such notice in the State Capitol at least 72 hours prior to the time set for such meetings.

During the plenary session, no committee hearings shall be held unless such a notice shall have been delivered to the president and posted in the State Capitol at least 24 hours prior to such hearings.

Delegate Baker moved to amend Rule 11 in the following manner:

In Paragraph 6 of Rule 11, following the words, "A majority of any committee constitutes a quorum" delete the "," and insert in lieu thereof "." and delete the balance of that paragraph.

Motion was seconded, and carried.

Delegate Lerberg moved to amend Rule 11 by deleting from Paragraph 8 of Rule 11, following the words "all delegates of the Convention," delete the words "who have introduced proposals on the subject matter to be considered," which motion was seconded and carried.

Delegate Kelsch moved to amend Rule 11 by striking paragraph 4 of Rule 11, and inserting in lieu thereof the following:

"Committees shall hold meetings and public hearings in the city of Bismarck, or upon the affirmative vote of the majority of the members of the committee and after consultation with and approval by the president, subcommittees may hold public hearings at any other place in the state."

Motion was seconded, and the motion carried on a division vote of 46 ayes and 44 nays, 8 absent and not voting.

Rule 12 Powers of Committees

No committee or delegate shall incur any expense chargeable to the convention unless such expense is budgeted or approved by the president or is authorized by resolution of the convention. No motion or resolution calling for an expenditure of money shall be acted upon by the convention without first being referred to an appropriate committee for consideration or recommendation.

A committee, by a majority vote of its number, may provide for the appointment by the committee chairman of subcommittees composed of delegates named to the committee. A committee may grant the powers here authorized to any subcommittee.

Committees or subcommittees may take testimony under oath or affirmation.

A recorded roll call vote on any matter before a committee shall be taken on demand by any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar, both of which shall be available to the news media and interested members of the public.

A committee, after consultation with and approval by the president, may direct that a verbatim record be kept of any portion of its proceedings.

Delegate Pearce moved to amend Rule 12 by adding the following paragraph:

"The Budget Committee shall have the duty to allocate all funds and approve all expenditures and shall have the power to transfer funds from item to item in the budget."

The motion was seconded, and the motion carried.

Delegate Cart moved to amend Rule 12 as follows:

In paragraph 6 of Rule 12, delete the word "verbatim".

The motion was seconded, and the motion failed.

Delegate Kelsch moved that the matter of defining the scope and powers of the Committee on Style and Drafting be delegated to the Permanent Committee on Rules to be appointed prior to the opening of the plenary session, which motion was seconded and carried.

Rule 13

Reports of Committees

The affirmative vote of a majority of the members of a committee having the right to vote shall be necessary to report a proposal out of committee.

Reports by subcommittees shall be considered by the entire committee before recommending any action thereon by the convention.

All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's action.

The report or reports of a minority of any committee shall be received in the same manner as the majority report and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor.

At least three of the members of any committee may make a minority report.

Delegate O'Toole moved to amend Rule 13 by adding the following paragraph:

"The minutes of interim committees or sub-committees shall be sent to all delegates of the Convention."

The motion was seconded and carried.

Rule 14

Roll Call

The clerk of the convention shall call the roll at the opening of each session of the convention and announce whether or not a quorum is present. He shall announce the names of the delegates absent with leave of the convention and the names of delegates absent without leave, and enter the names of all absentees upon the Journal.

Leave of the convention may be obtained by application to the President or clerk of the convention or their designated representatives.

Rule 15

Calls of the Convention

Calls of the convention may be ordered upon motion by the affirmative vote of the majority of the members present and voting but the total vote in favor of such call shall not be less than 15.

After a call of the convention is ordered the doors shall be closed and the members shall not be permitted to leave the floor of the convention without permission of the president or the convention.

The sergeant-at-arms shall notify all members within the bar of the convention of the call.

The roll of the convention shall be called and the absentees noted.

The sergeant-at-arms may, upon motion, be dispatched after the absentees. In such case, a list of the absentees shall be furnished by the clerk of the convention to the sergeant-at-arms, who shall bring such absentees to the floor of the convention with all possible speed.

In case the sergeant-at-arms requires assistance in addition to the regularly appointed assistant sergeant-at-arms of the convention,

the president, upon motion, may deputize as a special assistant sergeant-at-arms any person properly qualified.

The convention may proceed to business under a call of the convention pending the arrival of the absentees.

Delegate Longmire moved that Rule 15 be amended by adding the following paragraph:

“A call of the Convention may be dispensed with by a majority vote of the members.”

The motion was seconded, and later was withdrawn.

Delegate Kelsch moved that Rule 15 concerning Calls of the Convention be referred to the Permanent Committee on Rules to be appointed prior to the plenary session of the Convention, which motion was duly seconded, and carried.

Rule 16 Order of Business

The order of business of the Convention shall be as follows:

1. Call to order
2. Invocation
3. Roll call
4. Reading and approval of Journal
5. Reports of standing committees
6. Reports of select committees
7. Communications
8. Introduction and first reading and reference of proposals
9. Second reading of proposals
10. Third reading of proposals
11. Motions and resolutions
12. Unfinished business
13. Special orders of the day
14. General orders of the day

Any subject matter made the special order for a particular day, not having been reached on that day, shall come up for consideration under the order of “Unfinished Business” at the next succeeding session of the convention.

Delegate Pearce moved that Rule 16 be amended by deleting from item No. 4 the word “Reading”, which motion was seconded and carried.

Rule 17 Journal . . . Transcript . . . Calendar

The clerk of the Convention shall keep a Journal of the proceedings of the Convention in conformity with the rules, supervise the daily publication thereof and make such corrections as may be necessary.

The Journal shall contain all formal actions of the Convention, including the introduction of all proposals, motions and resolutions, and the actions of the Convention thereon. The clerk of the Convention shall furnish each delegate a copy of the Journal of the previous day.

The clerk of the Convention, under the direction of the President, shall maintain a calendar of the business of the Convention and he shall furnish each delegate with a copy of the calendar for that day and a list of committee meetings scheduled for the following day.

A Convention reporter shall keep a verbatim record by electronic recording device or otherwise of Convention proceedings and shall, within the time prescribed in his appointment, by the Convention, provide a verbatim transcript of all proceedings of the sessions of the Convention.

Rule 18 Proposals . . . Introduction

All matters intended to become a part of any revised constitution or constitutional amendment shall be introduced by a delegate or

delegates in the form of a proposal and endorsed by the delegate or delegates introducing them or shall originate as committee proposals.

A proposal introduced by a delegate shall be designated a delegate proposal.

A proposal introduced by a committee shall be designated a committee proposal.

All proposals shall be introduced by delivery to the clerk of the Convention on a form prescribed by him. Proposals shall be reproduced and distributed under the direction of the clerk of the Convention.

When a delegate proposal is introduced it shall be referred by the President to the proper standing committee.

No delegate proposal may be introduced after the 20th day of the Convention.

Delegate Baker moved that Rule 18 be amended by deleting the figure "20th" in the last sentence, and inserting in lieu thereof the figure "5th".

The motion was seconded, and the motion carried.

Delegate Omdahl moved that Rule 18 be further amended by adding the following paragraph:

"During the interim period between the organizational session and the plenary session of the Convention, proposals shall be received by the President and referred to the proper standing committee."

The motion was duly seconded, and carried.

Delegate Longmire moved that the Convention stand recessed for ten minutes, which motion prevailed.

The Convention reconvened with President Wenstrom presiding.

Rule 19

Proposals . . . Order of Consideration

The regular order to be taken by proposals introduced in the Convention shall be as follows:

1. Introduction, first reading by title, reference to a committee or committees by the President, and reproduction and distribution unless otherwise ordered by a majority of the delegates voting.
2. Report of committee and placing on the calendar of the Convention under General Orders of the Day.
3. Consideration by the Convention in order of report from committee.
4. Reference to the committee on language and structure.
5. Report of committee on language and structure to the Convention.
6. Second reading, vote on passage.
7. Re-reference to committee on language and structure for incorporation in final draft.
8. Report by committee on language and structure of any complete revision of or proposed amendment to the Constitution.
9. Consideration by the Convention on third reading and passage of any complete revision by article and as a whole, or in the case of any amendment by sections as a whole.

Delegate Maxwell moved that wherever in the rules the term "Committee on Language and Structure" appears, there be inserted in lieu thereof "Committee on Style and Drafting", which motion was duly seconded and carried.

Rule 20

Proposals . . . Amendments

Proposals and Amendments to be Written . . . No delegate or committee proposal or amendment shall be considered unless it is sub-

44 JOURNAL OF THE CONSTITUTIONAL CONVENTION

mitted in writing and a copy thereof delivered to the floor desk of each delegate prior to the time the amendment is offered.

Amendments to be Germane . . . No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 21

Proposals . . . Majority Vote

A majority of the total number of delegates (50) shall be required for approval of any section to be included in a proposed constitution or amendments to the constitution. The vote shall be taken by yeas and nays and entered on the Journal.

No proposal shall be finally voted upon by the convention except after the expiration of 72 hours from its introduction.

Voting by Electrical Roll Call System

When taking the yeas and nays on any question to be voted upon the electrical roll call system may be used and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system the president or presiding officer shall announce: "The question is on the passage of (designation of matter to be voted upon). All in favor of such question shall vote "yea"; those opposed shall vote "nay". The Convention will now proceed to vote."

After affording the delegates sufficient time in which to vote, the presiding officer shall announce: "Have all voted?" and after a short pause shall then say: "Does any delegate desire to change his vote?" and after another short pause shall say: "The clerk shall proceed to record the vote."

The clerk shall immediately start the vote recording equipment, and when completely recorded the president shall announce the result to the Convention. The clerk shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the clerk has recorded the vote.

No delegate shall vote for another delegate nor shall any person not a delegate cast a vote for any delegate. Any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the Convention may determine.

Rule 22

Proposals . . . Consideration Without Committee Recommendation

After one session day's notice a committee on motion passed by the affirmative vote of a majority of all the delegates may be required to report, with or without a recommendation, any proposal referred to the committee.

Rule 23

Presentation and Endorsement of Petitions

Petitions received by any officer of the Convention or by any delegate may be initialed by the recipient, and handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration.

Rule 24

Committee of the Whole

Chairman . . . When the Convention shall have decided to go into the Committee of the Whole, the President shall preside at sessions of the committee.

Consideration of Committee Reports . . . When the Convention deems it necessary, it may by a majority vote of those voting resolve itself into a Committee of the Whole to consider committee reports, or any other Convention business, and no business shall be in order until the whole of the reports or other Convention business is considered or passed over, or the committee rise. Unless a particular proposal is ordered up, the Committee of the Whole shall consider, act upon or pass over all matters referred to it by the Convention in the order of their reference.

Reading . . . Debate . . . Amendment . . . In the Committee of the Whole proposals shall be read through, debated and acted upon by sections. All amendments shall be in writing and shall be reported to the Convention by the chairman.

Motion That Committee of the Whole Rise . . . A motion that the Committee of the Whole shall rise shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided by a majority vote of those present and voting.

Reconsideration . . . A motion to reconsider shall be in order in the Committee of the Whole and may be adopted by a majority vote of those present and voting.

Application of Convention Rules . . . The rules of the Convention shall be observed in the Committee of the Whole, as far as they may be applicable, except that it cannot adjourn the convention; a majority of those present and voting shall govern its action; it cannot refer matters to any other committee, except the Committee on Language and Structure; and a motion to postpone indefinitely or a call of the Convention shall not be in order.

A delegate may speak more than once in the Committee of the Whole.

A journal of the proceedings in the Committee of the Whole shall be kept as in Convention.

Rule 25

Motions and Resolutions

Stating Motions and Resolutions . . . When a motion is made, it shall be stated by the president, or if in writing, it shall be handed to the clerk of the Convention and read aloud before being debated.

Every resolution, other than a proposal, shall be read by title, and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full before it is considered.

Reduced to Writing . . . Every motion shall be reduced to writing if the President or a majority of those voting shall request it, and all motions, oral or written, shall be entered upon the Journal, together with the name of the delegates making it, unless withdrawn by the maker or ruled out of order by the president.

Division of Question . . . Any delegate may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinct that when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall be deemed indivisible.

Withdrawal of Motions . . . After a motion has been stated by the President or read by the clerk of the Convention, it shall be deemed to be in possession of the Convention, but may be withdrawn by the maker at any time before being amended or put to a vote.

Rule 26

Putting the Question

The president shall put all questions in this form: "As many as are in favor of (as the question may be), say 'aye' and after the affirmative vote is expressed, "as many as are opposed, say 'no'".

If the president is in doubt as to the vote, he may order a division of the Convention.

A division of the Convention may be had on the demand of five delegates.

A roll call of the Convention may be deemed by ten delegates.

On a tie vote the question shall be determined as lost.

All questions shall be put in the order in which they are moved, except in case of privileged motions.

Delegate Geelan moved that Rule No. 26 be amended as follows:

In paragraph four of Rule 26, delete the word "deemed" and insert in lieu thereof the word "demanded".

The motion was duly seconded, and carried unanimously.

Rule 27

Debate

Limitation on Debate . . . The Convention may limit the time of debate on any subject matter before the Convention, designate a method of allocating the period allowed for debate among delegates and take appropriate action to control dilatory procedure.

Times Delegates May Speak . . . No delegate may speak more than once on the same question without leave of the President or a majority of those present and voting unless he be the mover of the matter pending or chairman of the committee that reported it, said chairman's designee or unless another delegate has yielded his time to speak.

Conduct in Debate . . . When any delegate is about to speak in debate or present any matter to the Convention, he shall rise and address himself to "Mr. President"; he shall not speak until recognized and when recognized he shall confine himself to the question under debate, and avoid personalities.

Delegate Called to Order . . . If any delegate in speaking transgresses the rules of the Convention, the President shall call him to order; in which case that delegate shall immediately sit down and shall not rise unless to explain or proceed in order.

Conduct on the Floor . . . While the President is putting any question, or while the roll is being called or taken no delegate shall walk out; nor shall any delegate engage in discourteous conduct at any time.

Delegate Rundle moved that Rule No. 27 be amended as follows:

In paragraph two of Rules 27, following the words "Times Delegates May Speak", delete the balance of the paragraph, and substitute in lieu thereof, "No delegate may speak more than once on the same question until all other delegates have spoken, and then he may speak a second time, unless he be the mover of the matter pending or chairman of the committee that reported it, said chairman's designee or unless another delegate has yielded his time to speak."

The motion was duly seconded, but the motion failed to carry.

Rule 28

Motions for the Previous Question

The method of ordering the previous question shall be as follows:

Any delegate may move the previous question and unless otherwise stated the motion shall apply to the pending question only.

This being seconded by at least five delegates, the presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by two-thirds of the delegates voting.

After the seconding of the motion for the previous question and prior to ordering the same, a Call of the Convention may be ordered; but after ordering the previous question nothing shall be in order prior to the decision of the pending question except

demands for the yeas and nays,
points of order

appeals from the decision of the Chair
 A motion to adjourn or to take a recess
 all of which shall be decided without debate.

When a motion to reconsider is taken under the previous question and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered.

If the Convention shall refuse to order the previous question, the consideration on the subject shall be resumed as though no motion for the previous question had been made.

Rule 29

Motion for Reconsideration

Any delegate may move for a reconsideration of any question at the same or next succeeding session of the Convention or the Committee on Language and Structure may move for reconsideration on any subsequent day if notice of the intention to do so is given in writing to the clerk of the convention who shall enter this notice in the Journal.

After the next succeeding session it shall take a two-thirds vote for a motion to re-consider.

Rule 30

Appeals

Form of Question on Appeals . . . On all appeals from decisions of the Chair, the question shall be "Shall the ruling of the Chair stand?" which question shall be decided by a majority of those voting.

Debate on Appeals . . . No delegate shall speak on the question of an appeal more than once without leave of the Convention by a majority vote of those voting.

Tabling Appeals . . . An appeal may be laid on the table but shall not carry with it the subject matter before the Convention at the time such appeal is taken.

Rule 31

Precedence of Motions

When a question is under debate, no motion shall be received but

1. To fix the time to which to adjourn
2. To adjourn
3. To take a recess
4. To reconsider
5. To lay on the table
6. For a quorum call of the Convention
7. To limit debate
8. For the previous question
9. To postpone to a day certain
10. To commit
11. To amend
12. To postpone indefinitely

Such motions shall take precedence in the order in which they are listed, and shall be decided by a majority vote of those voting, except the motion to postpone indefinitely, which shall be passed only by a majority vote of all the delegates (50) elected.

When a recess is taken while any question is pending, consideration of such question shall be resumed upon reassembling unless otherwise determined.

When a proposal is being considered at any stage of procedure and a motion is made to postpone indefinitely or to commit, amendments to the proposal shall first be in order before taking a vote on any such motion.

Rule 32

Motions Not Debatable

A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn is pending.

A motion to adjourn, a motion to lay on the table, and all matters relating to questions of order shall be decided without debate.

A motion for a recess, pending the consideration of other business, shall not be debatable.

Rule 33

Practice in Unprovided Cases

In all cases not provided by these rules the authority shall be Robert's Rules of Order Revised (1951 edition).

Rule 34

Convention Floor

Assignment of Seats . . . Except in the case of the delegates who have been elected as officers of the Convention, the seats of the delegates on the Convention floor shall be arranged in alphabetical order by surnames.

If a vacancy occurs the person selected to fill the vacancy shall continue to have the seat of the delegate who vacated the position.

Admission to Floor . . . No person, other than a Convention delegate, an officer, employee or news correspondent accredited by the President shall be admitted on the floor of the Convention unless by the vote of the delegates.

The words "floor of the Convention" shall mean the space of the main floor of the Convention, excluding the space designated for visitors and for the press.

Press Representatives . . . The President shall assign accredited news correspondents press facilities in the Convention chamber. News correspondents using cameras, tape recorders and similar devices shall conduct themselves so as not to interfere with the orderly course of the proceedings of the session.

Rule 35

Disclosure of Personal Economic Interest

Every delegate who is present, before the vote is declared from the chair, must vote for or against the question before the Convention unless the Convention excuse him; provided, however, that any delegate who has a personal or private interest in any proposal shall disclose that fact to the Convention and shall not vote thereon without the consent of the Convention.

Delegate Solberg moved to delete Rule 35, which motion was seconded. The motion was then withdrawn.

Delegate Solberg moved that Rule 35 be amended by deleting Rule 35 as shown in the Report of the Rules Committee, and there be inserted in lieu thereof:

Rule 35

Delegates Must Vote

Every delegate who is present, before the vote is declared from the chair, must vote for or against the question before the Convention unless the Convention excuses him.

The motion was duly seconded and carried.

Rule 36

Lobbyists

All provisions of Chapter 54-05 of the North Dakota Century Code concerning lobbying shall apply to the Constitutional Convention and its committees.

Delegate Litten moved that the Committee Report be amended by deleting Rule 36, which motion was seconded and carried.

Rule 37

Amendment or Suspension of Rules

These rules may be amended by the affirmative vote of a majority of all the delegates (50) to this Convention after the proposed amendment has been considered by the Committee on Rules and has been

in the possession of the delegates not less than two session days prior to its consideration.

A rule may be suspended by the affirmative vote of a majority of all the delegates (50) to the Convention.

Delegate Baker moved that Rule 37 be amended by deleting the words "a majority" in the first sentence and inserting in lieu thereof "two-thirds" and deleting "(50)" from the first sentence, which motion was seconded, and later withdrawn.

Delegate Kelsch moved that Rule 37 which deals with the rules of the plenary session be referred to the Permanent Rules Committee, and that the Committee Report be amended by deleting Rule 37 and the following be inserted in lieu thereof:

Rule 37

Amendment or Suspension of Rules

While the convention is not in session, the Rules Committee may amend the rules from time to time subject to the unanimous approval of the president and vice-presidents.

This shall include the right to change the composition of standing committees as regards number, scope, and membership, with the consent of the committee and delegates concerned.

Upon reconvening of the Convention, any such amendments to the rules shall be presented to the Convention and before they may be deemed thereafter binding must be approved by an affirmative vote of a majority of all the delegates (50) to the Convention.

The president shall mail each delegate the text of any rule so amended within ten days of the amendment.

The motion was seconded, and the motion carried.

Rule 38

Convention Day

A session shall begin and end within a calendar day, and the first day of the plenary session shall commence at 10:00 a.m. on the third day of January, 1972, and each session thereafter shall commence at such time as shall be set by the President, or upon majority vote of the Convention.

Delegate Pearce moved that the Committee Report be amended by the following rule to become Rule No. 36:

The Convention authorize the Convention President or a person designated by him to approve all vouchers on behalf of the Convention for the expenditure of funds for the payment of all proper costs and expenses of the Convention, its committees, and its employees.

The motion was seconded.

ROLL CALL

Roll was called and there were ayes, 97; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aas	Engstrom	Knudson	Roney
Aubol	Erickson	Kretschmar	Rosendahl
Baker	Fallgatter	Kwako	Rude
Bassingthwaite	Fiedler	Lamb	Rundle
Bender	Fritzell	Lander	Sanstead
Benson	Geelan	Larsen	Saugstad
Benz	Gipp	Lerberg	Scheel
Berg	Griffin	Litten	Schmit
Billey	Hardmeyer	Longmire	Simonson
Binek	Hartl	McElroy	Sinner
Birkeland	Haugen	McIntyre	Solberg
Brakke	Hendrickson	Maxwell	Sondreal
Burbidge	Hernett	Meidinger	Stanton
Burke	Hildebrand	Miller	Sullivan
Byrne	Hill	Nething	Thompson

Cart	Hoffner	Nicholas	Trenbeath
Chase	Hoghaug	O'Toole	Tudor
Christensen	Hougen	Omdahl	Unruh
Daniels	Hubrig	Paulson	Urdahl
Dawson	Huckle	Pearce	Vogel
Decker	Jestrab	Peters	Wallin
Devine	Kelsch	Peterson	Warner
Diehl	Kessel	Poulson	Wicks
Dobson	Ketchum	Quam	Mr. President
Engelter			

Absent and not voting:

Butler

The motion carried.

Delegate Sinner moved that Rule 18 be amended as follows:

Following the title "PROPOSALS . . . INTRODUCTION" add the following:

"Any citizen or group of citizens of the State of North Dakota may, until the 1st of September 1971, submit in writing directly to the President of the Convention any ideas for consideration by the Convention. The president shall refer all such material to an appropriate committee of the Convention. The committee may, after consideration of the ideas, prepare any proposals it deems appropriate for presentation to the entire Convention."

After the word "All" in the first line insert the word "other."

The motion was seconded, and carried on a division vote of 63 ayes, 34 nays, 1 absent and not voting.

Delegate Hoffner moved that the Convention reconsider the action by which it amended paragraph 4 of Rule 11, which motion was seconded and carried.

Delegate Hoffner moved that the amendment to paragraph 4 of Rule 11 be stricken, and that paragraph 4 of Rule 11 remain in the form as originally drawn by the Temporary Committee on Rules. The motion was seconded, which motion carried.

Delegate Geelan moved that the report as amended be adopted, which motion prevailed.

Delegate Geelan moved that the reports of the following committees as those reports have been amended and then adopted by this Convention shall be deemed the rules of this Convention, and that the president of the Convention shall have said rules prepared and renumbered as a single set of rules and for said purpose shall have authority to alter and edit as to form, but not substance, and thereupon shall mail a copy thereof to each delegate. That the reports covered hereby are:

- 1) Report of the Temporary Committee on Rules
- 2) Report of the Temporary Committee on Committees
- 3) Report of the Temporary Committee on Credentials, Offices and Elections
- 4) Report of the Temporary Committee on Employment

That should any inconsistency in language or substance exist in the several reports, that the report of the Committee on Rules as amended and adopted shall prevail.

Delegate Geelan moved that the report be adopted as amended.

Delegate Hendrickson moved that the motion to adopt the Report of the Temporary Committee on Rules be laid on the table, which motion was seconded, and failed.

The question then was on the motion for the adoption of the report of the Temporary Committee on Rules which motion was seconded and duly carried.

Delegate O'Toole moved that a rising vote of commendation be given to Delegate Geelan and the members of the Temporary Committee on Rules for their fine work. The motion was seconded and carried.

Delegate Longmire presented the following resolutions on behalf of the Temporary Resolutions Committee:

**NORTH DAKOTA CONSTITUTIONAL CONVENTION
RESOLUTION No. 1**

A resolution expressing the appreciation of the Convention to Governor William L. Guy for his services at the organizational session.

WHEREAS, the North Dakota Constitutional Convention has satisfactorily completed its organizational functions at its opening session; and

WHEREAS, Governor William L. Guy, as the Temporary Chairman and only officer of the Convention prior to its organization, both personally and with the cooperation of others, was responsible for necessary arrangements and preparations for the organizational session of the North Dakota Constitutional Convention; and

WHEREAS, Governor Guy served as Temporary Chairman of the Convention and very fairly and impartially presided over the opening proceedings of the Convention and did much to enhance the dignity and decorum of the session; and

WHEREAS, the expeditious handling of the organizational functions would have been impossible without full cooperation and participation of Governor Guy;

NOW, THEREFORE, BE IT RESOLVED BY THE NORTH DAKOTA CONSTITUTIONAL CONVENTION IN ITS ORGANIZATIONAL SESSION that the Convention express its deep and sincere appreciation to Governor William L. Guy for his services in making preparations for the Constitutional Convention and for serving as Temporary Chairman of the Convention; and

BE IT FURTHER RESOLVED that a copy of this resolution signed by the President be forwarded by the Acting Chief Clerk of the Convention to Governor William L. Guy.

Passed this 8th day of April, 1971.

FRANK WENSTROM, President

**NORTH DAKOTA CONSTITUTIONAL CONVENTION
RESOLUTION No. 2**

A resolution expressing appreciation to persons, departments, and organizations assisting in the Constitutional Convention and participating in its organizational session.

WHEREAS, the North Dakota Constitutional Convention has met in its organizational session and has satisfactorily performed its organizational functions; and

WHEREAS, a large parliamentary body such as this Convention cannot be organized or commence operations without prior planning and assistance; and

WHEREAS, governmental and private organizations did participate in the formal opening of the Convention and added much to the decorum and dignity of the proceedings;

NOW, THEREFORE, BE IT RESOLVED BY THE NORTH DAKOTA CONSTITUTIONAL CONVENTION IN ITS ORGANIZATIONAL SESSION that the Convention expresses its appreciation to the North Dakota National Guard, the Department of Institutions, and the Legislative Council for their planning and preparations for the organizational session of the Convention, and for their assistance and courtesies following the convening of the Convention; and

BE IT FURTHER RESOLVED that the Convention expresses its appreciation to Reverend James M. Butler and Right Reverend William F. Garvin in providing the invocation and benediction at the opening session; and

BE IT FURTHER RESOLVED that the Convention commends and expresses its appreciation to the Mandan High School Band and the

Valley City High School Chorus for their participation in the opening day program and for adding so much to the success and dignity of the opening day program; and

BE IT FURTHER RESOLVED that copies of this resolution properly signed by the President shall be forwarded by the Acting Chief Clerk of the Convention to each of the persons, departments, and organizations named.

Passed this 8th day of April, 1971.

FRANK WENSTROM, President

NORTH DAKOTA CONSTITUTIONAL CONVENTION
RESOLUTION No. 3

A resolution expressing appreciation to Mary College for its sponsorship of an educational seminar upon constitutional revision.

WHEREAS, the North Dakota Constitutional Convention has satisfactorily completed its organizational functions at its opening sessions; and

WHEREAS, Mary College, for the purpose of providing information and assistance to the delegates to the Convention, held a seminar upon its campus in the month of December 1970 which provided a very useful program for the information and assistance of the delegates in organizing and understanding the duties of a Constitutional Convention, as well as providing an opportunity for the delegates to meet and learn to know one another;

NOW, THEREFORE, BE IT RESOLVED BY THE NORTH DAKOTA CONSTITUTIONAL CONVENTION IN ITS ORGANIZATIONAL SESSION that it expresses its appreciation to Mary College for its very fine contribution toward the organization and operation of the North Dakota Constitutional Convention; and

BE IT FURTHER RESOLVED that a copy of this resolution signed by the President be forwarded by the Acting Chief Clerk of the Convention to the President of Mary College.

Passed this 8th day of April, 1971.

FRANK WENSTROM, President

Delegate Scheel moved that the name of General L. A. Melhouse be added to Resolution 2 in regard to the work done by the National Guard. The motion was seconded and carried.

Delegate Engelter moved that the secretary be instructed to cast a unanimous vote for the motion to adopt the three resolutions, which motion was seconded and carried unanimously.

Delegate Omdahl called the attention of the Convention to the work done in preparing for this organizational session by Delegates Byrne, Hill, Pearce, Geelan and Kelsch, and the gratitude of the Convention was expressed to those named.

Delegate Dobson then called the attention of the Convention to the work of the Bureau of Governmental Affairs of the University of North Dakota, Lloyd B. Omdahl, Director, in preliminary work for the Convention, and the thanks of the Convention was extended to that Bureau.

Delegates Longmire moved that the Convention stand at ease subject to the call of the chair, which motion prevailed.

The Convention reconvened, with President Wenstrom presiding.

Delegate Rude moved that the President appoint a committee of two to escort Congressman Arthur A. Link to the rostrum, which motion prevailed.

President Wenstrom appointed Delegates Rude and Litten to escort the Honorable Arthur A. Link, U. S. Congressman, to the rostrum.

President Wenstrom then introduced Congressman Link to the Convention.

Congressman Link: "President Wenstrom, Delegates to this Constitutional Convention — I am almost tempted to say, Fellow Members of the Assembly:

"Certainly this desk force is very familiar to me — Roy and Barbara, and looking over the Assembly here, I see former members of the House, members who presently serve in the House, members of the Senate and former members of the Senate. I see Donnell Haugen, who occupied the chair of Minority Leader in 1953 when I was privileged to serve as his assistant. I am pleased to see Bill Baker here, who crusaded for an incentive program where teachers were given an incentive payment for attending school which would be forgiven if they came back to teach in North Dakota, as we had teacher recruitment problems at the time.

"I see former State Senator Rollie Meidinger, Lloyd Omdahl, and our good friend Mr. Paulson, who was part of every Legislative Session for so many years. I see Agnes Geelan, representing one of the most important commissions in the state. Welcome to this Assembly, Gail Hernet . . . Elmer Cart.

"I am on my way home. I just got off the plane, and was unaware that the convention was in progress at this time. We had to come up to the capitol and two delegates stepped out and said there was a break now. I have no prepared text. I am here to shake a few hands, but my observations here tell me something that is very reassuring. I have mentioned only a few of the people but in each case you have identified yourself in a particular area that is an important part of this great state, and in a broader sense of this great nation, and it is from that background that the strength and basis comes forth for your deliberations. If I can leave no thought other than that, it is because of the excellent diversity of experience that is represented here that the State of North Dakota is sitting in good hands. The responsibilities are great and the opportunities are challenging, the rewards to you as individuals and the benefits to the state will go into posterity. I know each of you shares the deep concern and knows the weight and load of your responsibility. I wish you well, and I commend each of you for having had this opportunity. It is one that I know you will discharge faithfully.

"Thank you for the opportunity to say hello, and on a personal note, may I invite each and every one of you, if you have an opportunity, to come to Washington to stop and see us. We have a great country. We have great national problems, but with the dedication of men and women such as you here today, and with the dedication of men and women such as we have in Congress, no problems are too great for our democracy to solve.

"Thank you for this opportunity and congratulations."

Delegate Longmire moved that the remarks of Congressman Link be printed in the Journal, which motion was seconded and carried.

President Wenstrom announced that nominations were now open for First Vice President.

Delegate Longmire moved that nominations be limited to one nominating speech and two seconding speeches with the nominating speech limited to no more than three minutes, and each seconding speech limited to one minute. This motion was seconded, and carried unanimously.

Delegate Trenbeath: "Mr. President and Fellow Delegates:

"On many occasions I have had the opportunity to nominate people to important positions but never before have I had the privilege of placing a candidate before a group asking for their favorable consideration of a man possessing such extensive qualifications for the office under consideration.

"I wish I had the time to expand upon these qualities because they should be recorded in the Journal. But let posterity know it

would be safe to say that those delegates, or anyone else who has been acquainted with Bill Pearce, would readily agree he is probably one of the most knowledgeable persons here concerning the subject before us, and has the administrative capabilities to expedite the work ahead of us.

"Because of many years of my awareness of this man's ability, I will admit to being guilty of attempting to convince some Burleigh County people to make sure this man became an elected delegate to this convention.

"Now I have two basic reasons for placing this name before you for your favorable consideration.

"First, he lives here at home base where most of the administrative work and decisions must be made. There is bound to be many menial tasks and probably daily chores to conduct. It will be impossible for our president to be in Bismarck all the time. Surely it would be more convenient and efficient for the President to have the First Vice President located here on the scene for any assistance required.

"Second, as you people must have observed these past two days, it would be a complete waste of talent and ability not to elevate him to this very important position.

"So, for these reasons, it is one of my greatest privileges to place in nomination the name of William R. Pearce of Bismarck for the office of First Vice President."

Delegate Saugstad: "Mr. President:

"At this time I take a great deal of pleasure in seconding the nomination of a tremendous individual — namely Mr. William Pearce, as First Vice President."

Delegate Hartl: "Mr. President, Fellow Delegates:

"I wish to second the nomination of Delegate William Pearce for the office of first vice president of this convention.

"The ability, knowledge and experience of William Pearce on matters of constitutional importance have often been demonstrated in our courts and are well known throughout our state.

"An astute student of our Constitution, his background and experience show him to be well qualified. The convention structure of our sister states of Illinois, Arkansas and Maryland — in each instance — indicated the utilization of an individual well known as a constitutional lawyer — a person versed in the field of constitutional law and research.

"I believe William Pearce has this knowledge and ability and it gives me great pleasure to second his nomination."

There being no further nominations, Delegate Cart moved that the nominations be closed, and the Convention cast a unanimous ballot for Delegate William R. Pearce for First Vice President, which motion was duly seconded and carried unanimously.

President Wenstrom announced the election of William R. Pearce as First Vice President of the Constitution Convention.

Nominations were then opened for the office of Second Vice President.

Delegate Miller: "It gives me a great deal of pleasure to place in nomination for the office of Second Vice President a fellow delegate from my district, Stan Saugstad. You are aware of his attributes because of his work here and you have read the biographical sketch in the book, so it is not going to be necessary for me to go into great detail. I think he would be a tremendous asset to this Convention as Second Vice President, to round out the team we will have in the hierarchy of this convention. Thank you very much."

Delegate Lerberg:

"I am very happy to second the nomination of Stan Saugstad as

a neighbor of my District. He is a farmer, and I don't see too much evidence of a farmer in this convention, so I am happy to second his nomination."

Delegate Hoghaug:

"I am happy to second the nomination of Stan Saugstad as Second Vice President. He has served in this House and has an excellent record. I am happy to second his nomination."

Delegate Sinner: "Mr. President, Fellow Delegates:

"I am here to nominate Delegate Richard Dobson for the position of Second Vice President of this Convention.

"All of us would be honored to be elected to this position and many are in different ways qualified, but it must be the final goal of this Constitutional Convention — the goal of a model Constitution accepted by the people, that guides all of our actions.

"And that is why I nominate Dick Dobson. The officers of this Convention will be called upon again and again to represent the Convention and its work before the public. That representation before the public may be their main work. To do this, they must not only understand the Constitution, but they must also understand and be able to identify with every segment of our population. Because an unusually high percentage of our people are under 30 years of age, it is imperative that we elect one younger man to assist in doing this, and he must be a man who has the ability, the experience and the commitment to do it. I can think of no one better qualified than Delegate Dobson. He has for many years been an observer of North Dakota government. He has been an observer, not casually, but as the governmental editor of the Minot Daily News. He knows the failings of government, he knows its strengths. He has never been cynical about it, but he has always been a thoughtful, helpful, and constructive critic of it.

"And while Delegate Dobson probably knows government as well as any man here, he is not personally involved in either a governmental position nor immersed in the commitments of a political party.

"Because then, Dick Dobson is a young man, uniquely knowledgeable, uniquely experienced, and uniquely positioned in the mass media to be a vice-president for all the people, the final goal of this Convention argues strongly for his election. Mr. President, I hereby nominate Delegate Richard Dobson to be the Second Vice President of the North Dakota Constitutional Convention."

Delegate Chase: "Mr. President, Fellow Delegates:

"It is with personal pleasure that I second the nomination of Dick Dobson for Second Vice President. Born May 29, 1935 — Minot. Graduate of Minot High School and Carleton College, Northfield, Minnesota with a degree in government and international relations. Served two years in the U. S. Army. Honor graduate, Army Information School, Fort Slocum, New York.

"Since 1961, he has worked for the Minot Daily News, reporting on legislative sessions, political conventions and campaigns, and governmental affairs. He also serves as a vice president and a director of the Minot Daily News.

"He is married to the former Rosalie Thingelstad of Northwood, North Dakota. They have two children — Diane, 2, and Mark, who was born three weeks ago.

"Dick is recognized statewide as a fair, impartial and thorough newspaper writer. Would bring these same qualities to this office.

"I think it is very important to elect one of the younger delegates as an officer of this convention, that of second vice president.

"Taking nothing away from any other candidates, Dick does have genuine interest and enthusiasm that will last through the many

deliberations of this body and be a real help to all delegates and our esteemed President. I ask not only for your support for Dick, but more important, your vote and the vote of the delegate on either side of you."

Delegate Litten moved that nominations for Second Vice President be closed, which motion prevailed.

President Wenstrom appointed Delegates Byrnes, Longmire and Solberg as election tellers.

Results of the votes cast indicated Delegate Saugstad 50 votes, and Delegate Dobson 46 votes.

President Wenstrom ruled that Delegate Saugstad was elected Second Vice President.

Delegate Dobson moved that a unanimous ballot be cast for Stanley Saugstad as Second Vice President, which motion was duly seconded and carried unanimously.

President Wenstrom announced that nominations were now open for Secretary of the Constitutional Convention.

Delegate Maxwell: "Mr. President:

"I have the honor to nominate a woman whose name is almost synonymous with constitution improvement in the State of North Dakota, my fellow delegate from the 21st district, Lois Vogel.

"I doubt there is any one person who has been more closely identified with constitutional reform in this state than Mrs. Vogel. Back in the early 60's, she was on the State Board of the League of Women Voters, when the highly regarded service organization adopted constitutional revision as its statewide study program. It was Lois Vogel who did the bulk of the research for the program and she is the one who prepared materials for discussion groups. She is the author of the history of the North Dakota Constitution, a remarkable work, found in one of the resource materials that have been furnished to you. She is even at this time the State Chairman of the League Committee on Constitutional Revision.

"While most of the rest of us sat back in idle complacency, it was Lois Vogel who for years was stimulating throughout the state public interest in the project we are now so much a part of.

"The League of Women Voters also played a cardinal role in the successful "vote yes" campaign for this Constitutional Convention; and it was Lois Vogel who appeared several times on statewide television programs in support of that campaign, helping to put it over.

"Fellow delegates, you will recall that under the law, the Secretary, together with the President, certifies the final product of our effort. The name of Lois Vogel on that final document would, I think, be a highly fitting tribute to her, and the good work she has done. It would also be an expression of gratitude to the many other women of this state, who through the League have promoted constitutional reform in the past, and whose further support we will no doubt be courting in the future.

"Mr. President, I am proud to submit the name of Lois Vogel as a candidate for Secretary of the Convention."

Delegate Byrne: "Mr. President:

"I am pleased to second the nomination of Delegate Vogel as Secretary of this Convention. I believe the Eastern part of the state should be recognized, but primarily she should be recognized for the great part that the League of Women Voters has played in the passage of this enabling legislation. I feel very deeply that the women should be recognized as a group by this body. I became involved before the election, along with Delegate Meidinger, and knew what they were doing, and I did everything in my power to aid them in a very fine campaign and the campaign was successful. It made this convention possible. I have known Delegate Vogel's family for many

years. They are one of the finest families in the state of North Dakota. It is indeed a great pleasure to second the nomination of Lois Vogel for Secretary of this Convention.

Delegate Simonson: "Mr. President:

"I am pleased to second the nomination of Lois Vogel for Secretary. Her excellent qualifications have been presented and are impressive enough not to require repeating. Of primary importance is her availability and willingness to serve. She is energetic in her endeavors and as the health of the delegates is a matter of general concern of this body, I am certain that female tenacity alone can assure us that she will survive the burdens of this office. We must also give serious consideration to a broad representation geographically if we are truly to represent North Dakota. As a Northwest district delegate, it is an added pleasure to offer for your consideration a delegate from an extreme Southeast district.

"I am proud to second the nomination of Mrs. Lois Vogel for Secretary of this Constitutional Convention."

Delegate Knudson: "Mr. President:

"For the office of secretary of the Constitutional Convention, I wish to place in nomination the name of a man well known to most of the citizens of our state, a native son of the west river country and a resident of that area for more than six decades, one of those who last fall encouraged the people of that area to vote for this constitutional convention, a man who has served the public in many capacities including school board officer in several communities, city auditor in two different cities, even as a coach of a championship junior baseball team (this is the one of his accomplishments he is most proud of. Incidentally, in his younger days, he was an outstanding athlete himself, in sports from boxing to basketball to rodeo). Most recently, he has served a number of sessions in the North Dakota Legislature. He has demonstrated his ability to express himself many times, at many places, including this convention, where at the beginning of our session he was the first delegate to make a motion (which motion incidentally, did prevail).

"Mr. President, I am proud to have the privilege of placing in nomination the name of my friend, the Honorable Earl C. Rundle, of District 39, for the office of secretary."

Delegate Peterson: "Mr. President:

"I am pleased to second the nomination of my neighbor, Earl Rundle, for the position of Secretary of the Constitutional Convention.

"Earl is a full time farmer and rancher and a former newspaper publisher and editor. His ability to express himself in clear concise down-to-earth English will be a definite asset in serving as secretary of this convention."

Delegate Sanstead: "Mr. President:

"Delegate Earl Rundle and I started out true to form Tuesday by voting opposite on the very first roll call of the Convention. I have reason to believe that divergence may continue — but even so, I know and respect Earl's independent stance and his strong devotion to duty, his diligence, and patience and his faith in the deliberative process. I believe he would do a good job to assure that the functions and duties of the secretary will be carried out in an exemplary manner.

"Tuesday, our distinguished President was referred to as a man comparable to a tall oak tree. I am pleased to second the nomination of my friend, frequent opponent, and seatmate, for I feel he is representative of the best in a short oak 'stump'."

Delegate Thompson: "Mr. President:

"I am pleased at this time to place in nomination a man who is completely qualified to serve as Secretary of the Constitutional Convention, Mr. Dave Nething from Jamestown. Mr. Nething is a family man who has lived in Jamestown all his life. He has been active in

community affairs in Jamestown, and was graduated from Jamestown College. Thereafter he attended Law School of the University of North Dakota, and after getting his law degree he was an Assistant Attorney General, and then started a practice of law in Jamestown, where he was Assistant States Attorney. He is presently a Senator, but in spite of that, he has promised to limit his appearances and their number. He has learned the workings of the capitol and, therefore, can perform the requirements of his position. He is big enough to control the records of the Convention and could even carry them if necessary."

Delegate Dawson: "Mr. President and Fellow Delegates:

"It is with extreme confidence in the ability of Dave Nething that I second his nomination for Secretary. This Convention requires a vigorous young man with extensive qualifications to carry out the duties and responsibilities of secretary as outlined in Section 4 of the Report of the Select Committee. Dave Nething meets all of the requirements for this important position, and besides, he lives on the east bank of the James River. I urge your support and your vote for Dave Nething as Secretary of this Constitutional Convention."

Delegate Hernet: "Mr. President:

"I also wish to second the nomination of Dave Nething as Secretary of this Convention. As mentioned this morning, the duties of the Secretary were spelled out by the Credentials Committee, and I know of no one in this convention better qualified for this position. I am very happy at this time to second the nomination of my very good friend and fellow Senator, Dave Nething from Jamestown, as Secretary."

Delegate Solberg moved that nominations for Secretary be closed, which motion prevailed.

The result of the first ballot for Secretary indicated Vogel 43 votes, Rundle 13 and Nething 41.

Delegate Rundle: "Mr. President:

"I feel that I am a practical man. I have the alibi that I am the victim of geography. I feel that I have the ability and charm necessary to be a secretary. However, a western president, central west vice-president have been elected. I had planned on running and decided to go through with it. After all a person will lose a ball game now and then and this hasn't been my first defeat.

"Another reason I didn't want to drop out of the race sooner was that I wanted to hear the nice things Delegates Knudson, Sanstead and Bea Peterson had to say about me. Some days a person doesn't hear a kind word and I appreciate the things said about me, and I sincerely thank Delegates Knudson, Sanstead, and Peterson. I also wish to thank those who voted for me and I assure you there are no hard feelings.

"Therefore, at this time, I ask that my name be withdrawn as a candidate for secretary of this convention."

President Wenstrom accepted the withdrawal of Delegate Rundle as a nominee for the Office of Secretary of the Constitutional Convention.

The tally of the second ballot indicated Vogel 50 votes and Nething 47 votes.

President Wenstrom declared Delegate Vogel the Secretary of the Constitutional Convention.

Delegate Nething moved that the Secretary be instructed to cast a unanimous ballot for Delegate Vogel as Secretary of the Constitutional Convention, which motion was seconded and prevailed.

Delegate Longmire moved that Delegate Rundle be appointed to escort the newly elected officers to the rostrum, which motion prevailed.

President Wenstrom introduced to the Convention Vice President William R. Pearce.

Vice President Pearce: "No one here is crying out for oratory. Thank you very much."

President Wenstrom introduced Secretary Vogel.

Secretary Vogel: "May I say when I a little reluctantly accepted the position of the League of Women Voters Study Program assignment in 1963 — in which I had little interest and knew nothing about it — I did not realize that eight years later I would be here. I was grateful for being selected as a delegate and being able to do something rather than merely talk about it. I am pleased to be honored by being elected secretary."

President Wenstrom introduced Second Vice President Saugstad.

Vice President Saugstad: "Fellow Delegates, thank you, and I hope you have a good trip home."

REPORT OF SELECT COMMITTEE

Mr. President: Your Temporary Committee on Credentials, Office, Elections and Vacancies recommends the following:

Section —. In the event a permanent Delegate vacancy occurs in the Convention, the President and the two Vice Presidents together with the remaining delegates of the district in which the vacancy occurs shall constitute a nominating committee. The nominating committee shall nominate not more than two nominees from the district in which the vacancy occurred.

The President of the Convention shall cause official ballots to be prepared and sent to each delegate. The ballots shall contain the names of the nominees and shall also provide for a space for a write-in vote.

The President shall cause instructions to be sent with the ballot to each delegate eligible to vote. The instructions shall provide that the ballot will be placed in a ballot envelope which will be sealed and placed in a mailing envelope. The ballot envelope and mailing envelope shall be mailed with the instructions to the delegate. The instructions shall also contain the address to which the mailing envelope (in which the ballot envelope is contained) is to be mailed. The envelopes containing the ballot envelope shall be retained under the custody of the President.

The President shall designate an election committee consisting of three delegates and shall convene the committee for purposes of canvassing the ballots cast.

The instructions to the delegate shall also contain information as to when the ballot must be physically present in the place designated by the President.

The election committee at the appointed date and hour shall examine the envelope in which the ballot envelope was forwarded to determine that the name of the delegate on the return address is a qualified delegate entitled to vote. After the committee is satisfied that it is an authorized person casting the vote, the envelope shall be opened and the ballot envelope shall be placed unopened in a box. This process shall be followed until all mail envelopes have been inspected and opened and the ballot envelope placed in a box.

After all ballot envelopes have been placed in a box they shall be removed under the supervision of the election committee, opened and the vote recorded. After the ballots have been counted and canvassed, the election committee shall certify the results of the election.

Certification of the election committee shall be authenticated by the President and same shall then constitute an election certificate.

Delegate Hardmeyer moved that the report be adopted as amended.

Delegate Hildebrand moved that the Report of the Temporary Committee on Credentials, Office, Elections and Vacancies be amended as follows:

In Paragraph 2 of the Report, in the second sentence following the words: "The ballots shall contain the names of the nominees" place a "." and delete the balance of the sentence. The motion was seconded and the motion carried.

Delegate Peters moved to amend the report as follows:

Add to the first paragraph of the report the following: "In the event there were other candidates in the November election in the District in which the vacancy has occurred, it is recommended that they be given first consideration by the nominating committee to fill the vacancy in accordance with the number of votes they received."

The motion was seconded and failed on a division vote of 40 to 56, 2 absent and not voting.

Delegate Hardmeyer moved that the report be amended as follows:

In paragraph one of the report, following the word "Section" insert the numeral "7", and following the words "In the event a permanent Delegate vacancy occurs in the Convention" add the words "when not in session".

The motion was seconded and carried.

The question then was on the motion of Delegate Hardmeyer to adopt the report of the Temporary Committee on Credentials, Office, Elections and Vacancies as amended, which motion was seconded and carried by a vote of 77 ayes, 20 nays, and 1 absent and not voting.

Delegate Pearce moved that the Convention commend President Wenstrom for his conduct of the convention, which motion prevailed. President Wenstrom was given a rising vote of thanks.

President Wenstrom: "I most sincerely thank you members of this Convention. You have been a wonderful group of people.

"First, I was privileged to be elected to be your President — a terrific honor in itself. It would be impossible for any chairman to have received more full cooperation from any group of delegates — I don't care where — than what I received from you. I sincerely appreciate everything you have done — not only for me but for what you have done out of your desire and interest and your willingness to cooperate to carry out the purpose for which we are here. I sincerely thank you."

Delegate Unruh discussed the following committee preferences:

SUBSTANTIVE COMMITTEE PREFERENCES

No. 1 Preamble, Bill of Rights and Suffrage

(15 members)

Name	Dist.	Name	Dist.
Decker	5	Huckle	24
Hubrig	5	Schmit	26
Fiedler	11	Geelan	27
Thompson	15	Daniels	28
Burbidge	16	Urdahl	29
Lamb	17	O'Toole	32
Maxwell	21	Tudor	32
Bender	23		

No. 2 Legislative Functions

(20 members)

Name	Dist.	Name	Dist.
Dobson	5	Stanton	21
Benson	6	Sinner	22
Haugen	8	Wicks	24
Hoffner	12	Solberg	32
Berg	14	Pearce	32
Hendrickson	18	Hildebrand	33
Omdahl	18	Kelsch	34
Diehl	20	Peters	35
Butler	21	Hardmeyer	38
Paulson	21	McIntyre	39

No. 3 Executive Functions

(15 members)

Name	Dist.	Name	Dist.
Simonson	2	Vogel	21
Baker	5	Brakke	23
Rosendahl	6	Nething	29
Chase	8	Hernett	30
Birkeland	13	Byrne	32
Sondreal	20	Hill	32
Dawson	21	Rude	36
Scheel	21		

No. 4 Judicial Functions and Political Subdivisions

(15 members)

Name	Dist.	Name	Dist.
Wallin	2	Warner	25
Aubol	4	Kessel	27
Bassingthwaite	10	Kretschmar	30
Hartl	12	Fallgatter	31
Roney	13	Engelter	34
Hoghaug	15	Gipp	35
Longmire	18	Rundle	39
Hougen	19		

No. 5 Finance and Taxation

(15 members)

Name	Dist.	Name	Dist.
Cart	3	Kwako	14
Lerberg	4	Burke	16
Aas	5	Unruh	18
Saugstad	7	Erickson	26
Miller	7	McElroy	29
Nicholas	9	Ketchum	31
Quam	10	Binek	37
Trenbeath	11		

No. 6 Education, Resources, and Public Lands

(17 members)

Name	Dist.	Name	Dist.
Jestrab	1	Poulson	22
Sullivan	3	Engstrom	25
Sanstead	5	Billey	28
Larsen	9	Meidinger	29
Devine	17	Benz	33
Lander	18	Christensen	36
Fritzell	18	Peterson	37
Griffin	19	Knudson	38
Litten	21		

PROCEDURAL COMMITTEE PREFERENCES

No. 1 Budget Committee

Name	Dist.	Name	Dist.
Lerberg	4	Burbidge	16
Decker	5	Lamb	17
Baker	5	Omdahl	18
Larson	9	Hendrickson	18
Nicholas	9	Litten	21
Quam	10	Erickson	26
Fiedler	11	Schmit	26
Roney	13	Kessel	27
Kwako	14	Solberg	32
Thompson	15	Peters	35
Hoghaug	15		

No. 2 Rules Committee

Name	Dist.	Name	Dist.
Sanstead	5	Bender	23
Hubrig	5	Wicks	24
Rosendahl	6	Geelan	27
Saugstad	7	Meidinger	29
Haugen D.	8	Fallgatter	30
Trenbeath	11	Pearce	32
Hartl	12	Engelter	34
Scheel	21	Kelsch	34

No. 3 Style and Drafting

Name	Dist.	Name	Dist.
Jestrab	1	Huckle	24
Cart	3	Engstrom	25
Aas	5	McElroy	29
Dobson	5	Urdahl	29
Benson	6	Kretschmar	30
Unruh	18	Tudor	32
Hougen J.	19	Hildebrand	33
Vogel	21	Rude	36
Dawson	21	Binek	37
Stanton	21	Knudson	38
Maxwell	21		

No. 4 Public Information

Name	Dist.	Name	Dist.
Simonson	2	Sondreal	20
Wallin	2	Diehl	20
Sullivan	3	Paulson, J.	21
Bassingthwaite	10	Poulson, H.	22
Hoffner	12	Brakke	23
Birkeland	13	Hernett	30
Berg	14	Benz	33
Lander	18	Peterson	37
Fritzell	18	Hardmeyer	38
Longmire	18	Rundle	39
Griffin	19	McIntyre	39

No. 5 Coordinating and Transition

Name	Dist.	Name	Dist.
Aubol	4	Billey	28
Miller	7	Daniels	28
Chase	8	Nething	29
Burke	16	Ketchum	31
Devine	17	Byrne	32
Butler	21	O'Toole	32
Sinner	22	Hill	32
Warner	25	Gipp	35

Delegate Sinner mentioned that in only ten instances was a member tentatively assigned to a substantive committee which was not the Delegate's first choice.

Delegate Dobson moved that the House reconsider the action by which the Convention agreed to print the Committee Assignment Preference Slips in the Journal, which motion was seconded and carried.

The question then was on the motion to print the Committee Assignment Preference Slips in the Journal, which motion had been seconded, and which motion now failed.

Delegate Omdahl moved that the President be authorized to make such interim decisions as he may deem necessary, but not authorized by specific action of the Convention, to expedite the functions of the convention, provided that no action shall be taken contrary to the express will of the convention. This motion was duly seconded and carried.

President Wenstrom announced in response to an inquiry that letters of application for employment at the plenary session be mailed to Frank Wenstrom, President, Constitutional Convention, State Capitol, Bismarck.

Delegate Peterson announced that Joseph P. Pisciotte of the University of Illinois had taken the time to observe the action of the Constitutional Convention's organizational session and was thanked for making this effort.

Following are the Constitutional Convention Rules as adopted by the Convention:

CONSTITUTIONAL CONVENTION RULES

Rule 1. QUORUM AND MAJORITY

A majority of the total number of delegates (50) shall constitute a quorum. A smaller number, but not less than 15 of the delegates present and voting, may adjourn from day to day and may compel the attendance of absent delegates by any means adopted by a majority of those present.

A majority of the total number of delegates (50) shall be required for approval of any section to be included in a proposed constitution or amendments to the constitution.

When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a greater number shall be required by law.

All meetings and records of the convention shall be open to the public.

Rule 2. OFFICERS

The officers of the Constitutional Convention shall be:

President
 First Vice President
 Second Vice President
 Secretary

who shall be delegates to the convention and elected by the majority vote of the entire convention.

Rule 3. DUTIES OF THE PRESIDENT

The president shall be the chief executive of the Convention and all other officers and employees shall be subject to his general supervision. He shall preside at sessions of the convention and of the committee of the whole, and exercise the usual powers and perform the usual duties of a presiding officer. He shall preserve order and decorum. He may speak to points of order and, subject to an appeal to the convention or to the committee of the whole, shall decide points of order. He may vote in all elections, on all questions taken by ayes and nays, except the president may not vote twice, once to cause a tie vote and then again to **break it**.

The president is authorized to make such interim decisions as he may deem necessary, but not authorized by specific action of the Convention, to expedite the functions of the Convention, provided no action be taken contrary to the expressed will of the Convention.

Rule 4. POWERS AND DUTIES OF VICE PRESIDENTS

The first vice president and second vice president, as elected by the Constitutional Convention, shall carry out such duties and powers as assigned by the president.

If the president is temporarily absent or temporarily unable to preside, the first vice president, or, in the absence or inability of the first vice president to preside, the second vice president shall exercise the powers and perform the duties of the president and shall preside over the convention or the committee of the whole. If a vacancy occurs in the office of president, the first vice president shall temporarily exercise the powers of the office of president until the Convention elects a president to fill the office.

Rule 5. DUTIES OF THE SECRETARY

The secretary shall have custody and preserve all proposals, resolutions, committee reports, and all other records, books, documents and papers of the Convention. He shall not permit them to be taken out of his custody except in the regular course of the business of the Convention.

He shall certify and deliver to the Secretary of the State the revisions or alteration of or amendments to the constitution as approved by the Convention for submission to the electorate.

He shall cause to be kept and furnish to each delegate a printed Journal of the proceedings of the convention for the previous day which, when approved by the Convention, shall be the official Journal of the Convention. He shall also cause to be kept and to be submitted to the Convention for approval a record of the proceedings of sessions of the Convention and meetings of the committee of the whole. He shall have such other duties as stipulated in these rules, but, after consultation with the president, he may delegate part of his duties to employees designated by the president. He may not, however, delegate the duty of certifying the revision or alteration of or amendment to the constitution approved by the convention for submission to the electorate.

Rule 6. VACANCIES

If a permanent vacancy occurs in the office of president, the first vice president shall temporarily preside until the Convention elects a president to fill the office in the same manner in which the officer was first elected.

If a permanent vacancy occurs in the office of any of the vice presidents or in the office of the secretary, the president shall appoint a member to exercise the powers of that vacant office until the Convention fills the vacancy in the same manner in which the officer was first elected.

In the event a permanent Delegate vacancy occurs in the Convention when not in session, the President and the two vice presidents together with the remaining delegates of the district in which the vacancy occurs shall constitute a nominating committee. The nominating committee shall nominate not more than two nominees from the district in which the vacancy occurred.

The President of the Convention shall cause official ballots to be prepared and sent to each delegate. The ballots shall contain the names of the nominees.

The President shall cause instructions to be sent with the ballot to each delegate eligible to vote. The instructions shall provide

that the ballot will be placed in a ballot envelope which will be sealed and placed in a mailing envelope. The ballot envelope and mailing envelope shall be mailed with the instructions to the delegate. The instructions shall also contain the address to which the mailing envelope (in which the ballot envelope is contained) is to be mailed. The envelopes containing the ballot envelope shall be retained under the custody of the President.

The President shall designate an election committee consisting of three delegates and shall convene the committee for purposes of canvassing the ballots cast.

The instructions to the delegate shall also contain information as to when the ballot must be physically present in the place designated by the President.

The election committee at the appointed date and hour shall examine the envelope in which the ballot envelope was forwarded to determine that the name of the delegate on the return address is a qualified delegate entitled to vote. After the committee is satisfied that it is an authorized person casting the vote, the envelope shall be opened and the ballot envelope shall be placed unopened in a box. This process shall be followed until all mail envelopes have been inspected and opened and the ballot envelopes placed in a box.

After all ballot envelopes have been placed in a box they shall be removed under the supervision of the election committee, opened and the vote recorded. After the ballots have been counted and canvassed, the election committee shall certify the results of the election.

Certification of the election committee shall be authenticated by the President and the same shall then constitute an election certificate.

Rule 7. STAFF

The President may employ such personnel as he may deem essential.

Rule 8. COMMITTEES

The President of the Convention shall appoint the following six substantive committees:

1. Preamble, Bill of Rights and Suffrage
2. Legislative Functions, Elections, Removal and Amendments
3. Executive Functions
4. Judicial Functions and Political Subdivisions
5. Finance and Taxation
6. Education, Resources, and Public Lands

The President of the Convention shall appoint the following five procedural committees:

1. Budget
2. Rules
3. Style and Drafting
4. Public Information
5. Coordinating and Transistion

Rule 9. DESIGNATION OF COMMITTEE MEMBERS

The President shall appoint, after giving due consideration to the requests of the delegates, the members of the committees.

Rule 10. DESIGNATION OF COMMITTEE CHAIRMEN AND VICE CHAIRMEN

The President shall appoint the Chairman and Vice Chairman of all committees.

Rule 11. COMMITTEE MEETINGS

A committee shall meet at the call of the chairman, who shall also set its agenda, or upon the written request of a majority of the members or at the direction of the convention.

All meetings and records of the Convention shall be open to the public.

All committees and subcommittees and hearings shall be open to the public and the news media.

Committees and subcommittees may hold meetings and public hearings in the city of Bismarck, or upon the affirmative vote of the majority of the members of the committee and after consultation with and approval by the president, may hold meetings and public hearings at any other place in the state.

No committee shall sit during the sessions of the Convention without special leave of the Convention by a majority vote of those voting.

A majority of any committee constitutes a quorum.

Committees may meet jointly with the consent of their respective chairmen.

Prior to the plenary session, no committee meetings or hearings may be held unless notice thereof is given in the following manner: The president of the Convention shall be furnished a written notice, signed by the Chairman or members of the committee calling the meeting. The notice shall state the date, hour, and the place of the proposed meeting (which shall be not less than 96 hours after the president has been furnished such notice) and the proposal number or subject matter to be considered. The president shall mail or deliver a copy of the notice to all delegates of the Convention, at least 72 hours prior to the time set for such meeting, and shall post such notice in the State Capitol at least 72 hours prior to the time set for such meetings.

During the plenary session, no committee hearings shall be held unless such a notice shall have been delivered to the president and posted in the State Capitol at least 24 hours prior to such hearings.

Rule 12. POWERS OF COMMITTEES

No committee or delegate shall incur any expense chargeable to the Convention unless such expense is budgeted or approved by the president or is authorized by resolution of the Convention. No motion or resolution calling for an expenditure of money shall be acted upon by the convention without first being referred to an appropriate committee for consideration or recommendation.

A committee, by a majority vote of its number, may provide for the appointment by the committee chairman of subcommittees composed of delegates named to the committee. A committee may grant the powers here authorized to any subcommittee.

Committees or subcommittees may take testimony under oath or affirmation.

A recorded roll call vote on any matter before a committee shall be taken on demand by any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar, both of which shall be available to the news media and interested members of the public.

A committee, after consultation with and approval by the president, may direct that a verbatim record be kept of any portion of its proceedings.

The Budget Committee shall have the duty to allocate all funds and approve all expenditures and shall have the power to transfer funds from item to item in the budget.

Rule 13: REPORTS OF COMMITTEES

The affirmative vote of a majority of the members of a committee having the right to vote shall be necessary to report a proposal out of committee.

Reports by subcommittees shall be considered by the entire committee before recommending any action thereon by the Convention.

All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's action.

The report or reports of a minority of any committee shall be received in the same manner as the majority report and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor.

At least three of the members of any committee may make a minority report.

The minutes of interim committees or subcommittees shall be sent to all delegates of the Convention.

Rule 14. ROLL CALL

The clerk of the Convention shall call the roll at the opening of each session of the Convention and announce whether or not a quorum is present. He shall announce the names of the delegates absent with leave of the Convention and the names of delegates absent without leave, and enter the names of all absentees upon the Journal.

Leave of the Convention may be obtained by application to the President or clerk of the Convention or their designated representatives.

Rule 15. CALLS OF THE CONVENTION

Calls of the Convention may be ordered upon motion by the affirmative vote of the majority of the members present and voting but the total vote in favor of such call shall be not less than 15.

After a call of the convention is ordered, the doors shall be closed and the members shall not be permitted to leave the floor of the Convention without permission of the President of the Convention.

The sergeant-at-arms shall notify all members within the bar of the Convention of the call.

The roll of the Convention shall be called and the absentees noted.

The sergeant-at-arms may, upon motion, be dispatched after the absentees. In such case, a list of the absentees shall be furnished by the clerk of the Convention to the sergeant-at-arms, who shall bring such absentees to the floor of the Convention with all possible speed.

In case the sergeant-at-arms requires assistance in addition to the regularly appointed assistant sergeants-at-arms of the Convention, the President, upon motion, may deputize as a special assistant sergeant-at-arms any person properly qualified.

The Convention may proceed to business under a call of the Convention pending the arrival of the absentees.

A call of the Convention may be dispensed with by a majority vote of the members.

Rule 16. ORDER OF BUSINESS

The order of business of the Convention shall be as follows:

1. Call to order
2. Invocation
3. Roll call
4. Approval of Journal
5. Reports of standing committees
6. Reports of select committees
7. Communications
8. Introduction and first reading and reference of proposals
9. Second reading of proposals
10. Third reading of proposals
11. Motions and resolutions
12. Unfinished business
13. Special orders of the day
14. General orders of the day

Any subject matter made the special order for a particular day, not having been reached on that day, shall come up for considera-

tion under the order of "Unfinished Business" at the next succeeding session of the Convention.

Rule 17. JOURNAL. TRANSCRIPT. CALENDAR.

The clerk of the Convention shall keep a Journal of the proceedings of the Convention in conformity with the rules, supervise the daily publication thereof and make such corrections as may be necessary.

The Journal shall contain all formal actions of the Convention, including the introduction of all proposals, motions and resolutions, and the actions of the Convention thereon. The clerk of the convention shall furnish each delegate a copy of the Journal of the previous day.

The clerk of the Convention, under the direction of the President, shall maintain a calendar of the business of the Convention, and he shall furnish each delegate with a copy of the calendar for that day and a list of committee meetings scheduled for the following day.

A Convention reporter shall keep a verbatim record by electronic recording device or otherwise of Convention proceedings and shall, within the time prescribed in his appointment by the Convention, provide a verbatim transcript of all proceedings of the sessions of the Convention.

Rule 18. INTRODUCTION OF PROPOSALS

Any citizen or group of citizens of the State of North Dakota may, until the 1st of September, 1971, submit in writing directly to the President of the Convention any ideas for consideration by the Convention. The President shall refer all such material to an appropriate committee of the Convention. The committee may, after consideration of the ideas, prepare any proposals it deems appropriate for presentation to the entire Convention.

All other matters intended to become a part of any revised constitution or constitutional amendment shall be introduced by a delegate or delegates in the form of a proposal and endorsed by the delegate or delegates introducing them or shall originate as committee proposals.

A proposal introduced by a delegate shall be designated a delegate proposal.

A proposal introduced by a committee shall be designated a committee proposal.

All proposals shall be introduced by delivery to the clerk of the Convention on a form prescribed by him. Proposals shall be reproduced and distributed under the direction of the clerk of the Convention.

When a delegate proposal is introduced, it shall be referred by the President to the proper standing committee.

No delegate proposal may be introduced after the 5th day of the Convention.

During the interim period between the organizational session and the plenary session of the Convention, proposals shall be received by the President and referred to the proper standing committee.

Rule 19. ORDER OF CONSIDERATION OF PROPOSALS

The regular order to be taken by proposals introduced in the Convention shall be as follows:

1. Introduction, first reading by title, reference to a committee or committees by the President, and reproduction and distribution unless otherwise ordered by a majority of the delegates voting.
2. Report of committee and placing on the calendar of the convention under General Orders of the Day.
3. Consideration by the Convention in order of report from committee.
4. Reference to the Committee on Style and Drafting.
5. Report of Committee on Style and Drafting to the Convention.

6. Second reading, vote on passage.
7. Re-reference to Committee on Style and Drafting for incorporation in final draft.
8. Report by Committee on Style and Drafting of any complete revision of or proposed amendment to the Constitution.
9. Consideration by the Convention on third reading and passage of any complete revision by article and as a whole, or in the case of any amendment by sections as a whole.

Rule 20. AMENDMENTS TO PROPOSALS

Proposals and amendments to be written. No delegate or committee proposal or amendment shall be considered unless it is submitted in writing and a copy thereof delivered to the floor desk of each delegate prior to the time the amendment is offered.

Amendments to be germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 21. MAJORITY VOTE REQUIRED ON PROPOSALS

A majority of the total number of delegates (50) shall be required for approval of any section to be included in a proposed constitution or amendments to the constitution.

The vote shall be taken by ayes and nays and entered on the Journal.

No proposal shall be finally voted upon by the Convention except after the expiration of 72 hours from its introduction.

Voting by electrical roll call system.

When taking the ayes and nays on any question to be voted upon, the electrical roll call system may be used and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the president or presiding officer shall announce: "The question is on the passage of (designation of matter to be voted upon). All in favor of such question shall vote 'aye'; those opposed shall vote 'nay'. The convention will now proceed to vote."

After affording the delegates sufficient time in which to vote, the presiding officer shall announce: "Have all voted?" and after a short pause shall then say "Does any delegate desire to change his vote?" and after another short pause shall say: "The clerk shall proceed to record the vote."

The clerk shall immediately start the vote recording equipment, and when completely recorded the President shall announce the results to the convention. The clerk shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegates shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the clerk has recorded the vote.

No delegate shall vote for another delegate nor shall any person not a delegate cast a vote for any delegate. Any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the Convention may determine.

Rule 22. CONSIDERATION OF PROPOSALS WITHOUT COMMITTEE RECOMMENDATION

After one session day's notice, a committee, on motion passed by the affirmative vote of a majority of all the delegates, may be required to report, with or without a recommendation, any proposal referred to the committee.

Rule 23. PRESENTATION AND ENDORSEMENT OF PETITIONS

70 JOURNAL OF THE CONSTITUTIONAL CONVENTION

Petitions received by any officer of the Convention or by any delegate may be initialed by the recipient, and handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration.

Rule 24. COMMITTEE OF THE WHOLE

Chairman. When the Convention shall have decided to go into the Committee of the Whole, the president shall preside at sessions of the committee.

Consideration of Committee Reports. When the Convention deems it necessary, it may by a majority vote of those voting resolve itself into a Committee of the Whole to consider committee reports, or any other Convention business, and no business shall be in order until the whole of the reports or other Convention business is considered or passed over, or the committee rise. Unless a particular proposal is ordered up, the Committee of the Whole shall consider, act upon or pass over all matters referred to it by the Convention in the order of their reference.

Reading, Debate, Amendment. In the Committee of the Whole proposals shall be read through, debated and acted upon by sections. All amendments shall be in writing and shall be reported to the Convention by the chairman.

Motion that the Committee of the Whole rise. A motion that the Committee of the Whole shall rise shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided by a majority vote of those present and voting.

Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole and may be adopted by a majority vote of those present and voting.

Application of Convention Rules. The Rules of the Convention shall be observed in the Committee of the Whole, as far as they may be applicable, except that it cannot adjourn the Convention; a majority of those present and voting shall govern its action; it cannot refer matters to any other committee, except the Committee on Style and Drafting; and a motion to postpone indefinitely or a call of the Convention shall not be in order.

A delegate may speak more than once in the Committee of the Whole.

A journal of the proceedings in the Committee of the Whole shall be kept as in Convention.

Rule 25. MOTIONS AND RESOLUTIONS

Stating Motion and Resolutions. When a motion is made, it shall be stated by the President, or if in writing, it shall be handed to the clerk of the Convention and read aloud before being debated.

Every resolution, other than a proposal, shall be read by title, and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full before it is considered.

Reduced to Writing. Every motion shall be reduced to writing if the President or a majority of those voting shall request it, and all motions, oral or written, shall be entered upon the Journal, together with the name of the delegates making it, unless withdrawn by the maker or ruled out of order by the President.

Division of Question. Any delegate may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinct that when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall be deemed indivisible.

Withdrawal of Motions. After a motion has been stated by the President or read by the clerk of the Convention, it shall be deemed

to be in possession of the Convention, but may be withdrawn by the maker at any time before being amended or put to a vote.

Rule 26. PUTTING THE QUESTION

The President shall put all questions in this form: "As many as are in favor of (as the question may be), say 'aye.'" and after the affirmative vote is expressed, "As many as are opposed, say 'no'."

If the President is in doubt as to the vote, he may order a division of the Convention.

A division of the Convention may be had on the demand of five delegates.

A recorded roll call vote of the Convention may be demanded by ten delegates.

On a tie vote the question shall be determined as lost.

All questions shall be put in the order in which they are moved, except in case of privileged motions.

Rule 27. DEBATE

Limitation on Debate. The Convention may limit the time of debate on any subject matter before the Convention, designate a method of allocating the period allowed for debate among delegates and take appropriate action to control dilatory procedure.

Times Delegates May Speak. No delegate may speak more than once on the same question without leave of the President or a majority of those present and voting unless he be the mover of the matter pending or chairman of the committee that reported it, said chairman's designee or unless another delegate has yielded his time to speak.

Conduct in Debate. When any delegate is about to speak in debate or present any matter to the Convention, he shall rise and address himself to "Mr. President"; he shall not speak until recognized and when recognized he shall confine himself to the question under debate, and avoid personalities.

Delegate Called to Order. If any delegate in speaking transgresses the rules of the Convention, the President shall call him to order; in which case that delegate shall immediately sit down and shall not rise unless to explain or proceed in order.

Conduct on the Floor. While the President is putting any question, or while the roll is being called or taken, no delegate shall walk out; nor shall any delegate engage in discourteous conduct at any time.

Rule 28. MOTIONS FOR THE PREVIOUS QUESTION

The method for ordering the previous question shall be as follows:

Any delegate may move the previous question and, unless otherwise stated, the motion shall apply to the pending question only.

This being seconded by at least five delegates, the presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by two-thirds of the delegates voting.

After the seconding of the motion for the previous question and prior to ordering the same, a Call of the Convention may be ordered; but after ordering the previous question, nothing shall be in order prior to the decision of the pending question except demands for the ayes and nays, points of order, appeals from the decision of the Chair, a motion to adjourn or to take a recess, all of which shall be decided without debate.

When a motion to reconsider is taken under the previous question and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered.

72 JOURNAL OF THE CONSTITUTIONAL CONVENTION

If the convention shall refuse to order the previous question, the consideration on the subject shall be resumed as though no motion for the previous question had been made.

Rule 29. MOTION FOR RECONSIDERATION

Any delegate may move for a reconsideration of any question at the same or next succeeding session of the Convention or the Committee on Style and Drafting may move for reconsideration on any subsequent day if notice of the intention to do so is given in writing to the clerk of the Convention who shall enter this notice in the Journal.

After the next succeeding session it shall take a two-thirds vote for a motion to reconsider.

Rule 30. APPEALS

Form of Question on Appeals. On all appeals from decisions of the Chair, the question shall be "Shall the ruling of the Chair stand?" which question shall be decided by a majority of those voting.

Debate on Appeals. No delegate shall speak on the question of an appeal more than once without leave of the Convention by a majority vote of those voting.

Tabling Appeals. An appeal may be laid on the table but shall not carry with it the subject matter before the Convention at the time such appeal is taken.

Rule 31. PRECEDENCE OF MOTIONS

When a question is under debate, no motion shall be received but

1. To fix the time to which to adjourn
2. To adjourn
3. To take a recess
4. To reconsider
5. To lay on the table
6. For a quorum call of the Convention
7. To limit debate
8. For the previous question
9. To postpone to a day certain
10. To commit
11. To amend
12. To postpone indefinitely

Such motions shall take precedence in the order in which they are listed, and shall be decided by a majority vote of those voting, except the motion to postpone indefinitely, which shall be passed only by a majority vote of all the delegates (50) elected.

When a recess is taken while any question is pending, consideration of such question shall be resumed upon reassembling unless otherwise determined.

When a proposal is being considered at any stage of procedure and a motion is made to postpone indefinitely or to commit, amendments to the proposal shall first be in order before taking a vote on any such motion.

Rule 32. MOTIONS NOT DEBATABLE

A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn is pending.

A motion to adjourn, a motion to lay on the table, and all matters relating to questions of order shall be decided without debate.

A motion for a recess, pending the consideration of other business, shall not be debatable.

Rule 33. PRACTICE IN UNPROVIDED CASES

In all cases not provided by these rules, the authority shall be Roberts Rules of Order Revised (1951 edition).

Rule 34. CONVENTION FLOOR

Assignment of Seats. Except in the case of the delegates who have been elected as officers of the Convention, the seats of the delegates on the Convention floor shall be arranged in alphabetical order by surnames.

If a vacancy occurs, the person selected to fill the vacancy shall continue to have the seat of the delegate who vacated the position.

Admission to Floor. No person, other than a Convention delegate, an officer, employee or news correspondent accredited by the President shall be admitted on the floor of the Convention unless by the vote of the delegates.

The words "Floor of the Convention" shall mean the space of the main floor of the Convention, excluding the space designated for visitors and for the press.

Press Representatives. The President shall assign accredited news correspondents press facilities in the Convention chamber. News correspondents using cameras, tape recorders and similar devices shall conduct themselves so as not to interfere with the orderly course of the proceedings of the session.

Rule 35. DELEGATES MUST VOTE

Every delegate who is present, before the vote is declared from the chair, must vote for or against the question before the Convention unless the Convention excuses him.

Rule 36. EXPENDITURE OF FUNDS

The Convention authorizes the Convention President or a person designated by him to approve all vouchers on behalf of the Convention for the expenditure of funds for the payment of all proper costs and expenses of the Convention, its committees, and its employees.

Rule 37. AMENDMENT OR SUSPENSION OF RULES

While the Convention is not in session, the Rules Committee may amend the rules from time to time subject to the unanimous approval of the president and vice-presidents.

This shall include the right to change the composition of standing committees as regards number, scope, and membership, with the consent of the committee and delegates concerned.

Upon reconvening of the Convention, any such amendments to the rules shall be presented to the Convention and before they may be deemed thereafter binding must be approved by an affirmative vote of a majority of all the delegates (50) to the Convention.

The President shall mail each delegate the text of any rule so amended within 10 days of the amendment.

Rule 38. CONVENTION DAY

A session shall begin and end within a calendar day, and the first day of the plenary session shall commence at 10:00 A.M. on the third day of January, 1972, and each session thereafter shall commence at such time as shall be set by the President or upon majority vote of the convention.

In compliance with Rule 9, President Wenstrom made the following committee appointments, with designation of Chairmen and Vice Chairmen to be made at a later time:

SUBSTANTIVE COMMITTEES

1. Preamble, Bill of Rights and Suffrage

Name	Dist.	Name	Dist.
Decker	5	Huckle	24
Hubrig	5	Schmit	26
Fiedler	11	Geelan	27
Thompson	15	Daniels	28
Burbidge	16	Urdahl	29
Lamb	17	O'Toole	32
Maxwell	21	Tudor	32
Bender	23		

2. Legislative Functions

Name	Dist.	Name	Dist.
Dobson	5	Stanton	21
Benson	6	Sinner	22
Hoffner	12	Wicks	24
Berg	14	Solberg	32
Kwako	14	Pearce	32
Hendrickson	18	Hildebrand	33
Omdahl	18	Kelsch	34
Diehl	20	Peters	35
Butler	21	Hardmeyer	38
Paulson	21	McIntyre	39

3. Executive Functions

Name	Dist.	Name	Dist.
Simonson	2	Vogel	21
Baker	5	Brakke	23
Rosendahl	6	Nething	29
Chase	8	Hernett	30
Birkeland	13	Byrne	32
Sondreal	20	Hill	32
Dawson	21	Rude	36
Scheel	21		

4. Judicial Functions and Political Subdivisions

Name	Dist.	Name	Dist.
Wallin	2	Warner	25
Aubol	4	Kessel	27
Bassinghwaite	10	Kretschmar	30
Hartl	12	Falgatter	31
Roney	13	Engelter	34
Hoghaug	15	Gipp	35
Longmire	18	Rundle	39
Hougen	19		

5. Finance and Taxation

Name	Dist.	Name	Dist.
Cart	3	Trenbeath	11
Lerberg	4	Burke	16
Aas	5	Unruh	18
Saugstad	7	Erickson	26
Miller	7	McElroy	29
Haugen	8	Ketchum	31
Nicholas	9	Binek	37
Quam	10		

6. Education, Resources, and Public Lands

Name	Dist.	Name	Dist.
Jestrab	1	Poulson	22
Sullivan	3	Engstrom	25
Sanstead	5	Billey	28
Larsen	9	Meidinger	29
Devine	17	Benz	33
Lander	18	Christensen	36
Fritzell	18	Peterson	37
Griffin	19	Knudson	38
Litten	21		

PROCEDURAL COMMITTEES

1. Budget Committee

Name	Dist.	Name	Dist.
Baker	5	Litten	21
Roney	13	Pearce	32
Lamb	17		

2. Rules Committee

Name	Dist.	Name	Dist.
Hubrig	5	Geelan	27
Saugstad	7	Fallgatter	31
Trenbeath	11	Kelsch	34
Wicks	24		

3. Committee on Style and Drafting

Name	Dist.	Name	Dist.
Cart	3	Vogel	21
Dobson	5	Tudor	32
Unruh	18	Knudson	38
Maxwell	21		

4. Public Information Committee

Name	Dist.	Name	Dist.
Simonson	2	Diehl	20
Wallin	2	Sondreal	20
Sullivan	3	Paulson	21
Dobson	5	Poulson	22
Bassingthwaite	10	Brakke	23
Birkeland	13	Solberg	32
Berg	14	Benz	33
Fritzell	18	Peterson	37
Lander	18	McIntyre	39
Omdahl	18	Rundle	39
Griffin	19		

5. Coordination and Transition Committee

Name	Dist.	Name	Dist.
Chase	8	Billey	28
Burke	16	Nething	29
Butler	21	Byrne	32
Sinner	22	Hill	32
Warner	25		

76 JOURNAL OF THE CONSTITUTIONAL CONVENTION

Delegate Hoghaug moved that the absent members be excused, which motion prevailed.

Delegate Longmire moved that the House stand adjourned, subject to the call of the President, which motion was seconded and duly carried.

The Convention stood adjourned at 7:50 p.m.

ROY GILBREATH, Chief Clerk