

TENTH DAY

Bismarck, January 14, 1972

The Convention was called to order at 9:00 a.m., with President Wenstrom presiding.

Prayer was offered by Rev. James Rogers, Pastor, Zion Lutheran Church, Bismarck.

"Heavenly Father, you who have created all things and have so abundantly provided for our needs, we come before you this morning with praise and thanksgiving for all the many blessings which you have showered upon our nation and especially upon our state of North Dakota over the past years. We thank you for stable government, for prosperity, for farmlands, for industry. Help us to realize that all these things are gifts from your mercy.

"And now, as we move forward, as we look toward the future, as we prepare for the years ahead, we ask for your help and guidance. Give us all wisdom and understanding as we write this new constitution which, if accepted by the voters of this state, will govern not only us, but also our children and our children's children. Give us clear minds so that we may keep what is good, so that we may write what will be beneficial and fair to all. Help us to put the interests of our state and its people above our own personal interests. Above all, help us to speak and to act so that all things will be done to your glory and to the glory of your Son, our Savior, Jesus Christ, in whose name we ask all this. Amen."

Roll was called, and all Delegates were present except Delegates Benz, Dawson, Gipp, Hill, Kelsch and Tudor.

A quorum was declared by the President.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Committee Proposal No. 1-13

Committee Proposal No. 1-20

Committee Proposal No. 1-39

Committee Proposal No. 1-43

And find the same correctly engrossed.

DELEGATE ERICKSON, Chairman

Delegate Aubol moved that the report be adopted, which motion prevailed, and the report was adopted.

CORRECTION AND REVISION OF THE JOURNAL

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 12th day of January, 1972, and recommends that the same be corrected as follows:

On page 159, in lines 44 and 45, delete the words "first passage

of the proposal, as amended" and insert in lieu thereof the words "adoption of the amendment"

And when so corrected recommends that the same be approved.

DELEGATE SIMONSON, Chairman

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

ANNOUNCEMENTS

Delegate Kelsch reported his presence at the convention.

Delegate Gipp reported his presence at the convention.

Delegate Hill reported his presence at the convention.

CONSIDERATION OF AMENDMENTS

Delegate Hoffner has moved that the amendments to Proposal 1-40 as recommended by the Committee on Legislative Functions and as printed on page 174 of the Journal be adopted, which motion prevailed.

INTRODUCTION OF COMMITTEE PROPOSALS

Committee on Finance and Taxation introduced:

Committee Proposal No. 1-96. Be it resolved by the North Dakota Constitutional Convention that section 185 of the constitution of the state of North Dakota be repealed; and that a new section to the constitution of the state of North Dakota be created; both of which pertain to public business.

Was read the first time and referred to the Committee on Finance and Taxation.

REPORTS OF SUBSTANTIVE COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Committee Proposal No. 1-23 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed committee proposal delete lines 10 through 15 and insert in lieu thereof the following:

"RAISING OF REVENUES. The legislative assembly shall provide for the raising of revenues sufficient to defray the expenses of the state for each year. A two-thirds vote of the members-elect in each house of the legislative assembly may provide an annual property tax, based on value, for state purposes for not in excess of two years unless re-enacted."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

DELEGATE HAUGEN, Chairman

Delegate Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, Resources and Public Lands to whom was referred Committee Proposal No. 1-95 has had the same under consideration and recommends that the same do pass.

DELEGATE MEIDINGER, Chairman

Delegate Meidinger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, Resources and Public Lands to whom was referred Committee Proposal No. 1-94 has had the same under consideration and recommends that the same do pass.

DELEGATE MEIDINGER, Chairman

Delegate Meidinger moved that the report be adopted, which motion prevailed and the report was adopted.

ANNOUNCEMENT

Delegate Dawson reported his presence at the Convention.

FIRST READING OF PROPOSALS

Committee Proposal No. 1-13. Be it resolved by the North Dakota Constitutional Convention that sections 203, 204, and 205 of the constitution of the state of North Dakota be repealed; and that article XIII of the constitution of the state of North Dakota be created; all of which pertain to the compact with the United States.

Which has been read.

Delegate Omdahl moved that Proposal 1-13 be amended as follows:

On page 1, of the engrossed bill, delete lines 12 through 25.

On page 2, of the engrossed bill delete lines 1 through 14, and insert in lieu thereof the following:

The legislative assembly shall provide by law for compliance of the state with the effective provisions of the Organic Law provided in an act of March 2, 1861, Chapter 86, 12 United States Statutes at Large 239, and the Enabling Act of Congress approved on February 22, 1889, 25 United States Statutes at Large 676, Chapter 180.

Which motion failed.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 87; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

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

Those voting in the negative were:

Baker	Engelter	Maxwell	O'Toole
Daniels	McIntyre	Nething	Omdahl

Absent and not voting:

Benz	Hubrig	Tudor
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So the proposal passed and the title was agreed to.

ANNOUNCEMENT

Delegate Sinner announced that the Hon. Quentin Burdick, United States Senator was in the chamber.

The courtesy of the floor was granted to Senator Burdick, and

President Wenstrom appointed Delegates Simonson and Stanton as a committee to escort Senator Burdick to the rostrum.

Delegate Haugen moved that the remarks of Senator Burdick be printed in the Journal, which motion prevailed.

Senator Burdick:
 "Mr. President and Delegates:

"I am just passing through, returning to Congress on Sunday. I want to say I welcome this opportunity to say just a word of hello because we are in Phase II — it is a historic moment, the first since 1889. For that reason I am pleased to be here.

"I don't have any advice or any suggestions, and I believe if I did it would be improper for me to voice them, so shall simply say you are engaged in a very important part of North Dakota history, and I know it is going to take the collective judgment and collective wisdom to work out a great document.

"So, to be brief, best of luck. I know you will do what is best for the great State of North Dakota."

MOTION

Delegate Hoffner moved that the rules be suspended; that proposals 1-43 and 1-42 shall be placed at the head of the calendar; that both proposals shall thereupon be open for discussion as follows:

- a. Three designated Legislative Function Committee members shall speak no more than 15 minutes on proposal 1-43
- b. Three designated members shall speak for no more than 15 minutes on 1-42
- c. That thereafter both proposals shall be open for discussion: that at the conclusion of the discussion the delegates shall be polled individually by the clerk at which time they shall state their preference — either bicameral or unicameral; that prior to said vote, no amendment or other motion shall be in order; that the proposal that carries the majority of votes of those voting shall thereupon be deemed placed at the top of the calendar on the 10th order for first passage, which motion prevailed.

Committee Proposal No. 1-43. Be it resolved by the North Dakota Constitutional Convention that section 25 of Article II of the constitution of the state of North Dakota be repealed; and that section 1 of Article II to the constitution of the state of North Dakota be created; both of which pertain to the legislative system.

Was read and discussed.

Committee Proposal No. 1-42. Be it resolved by the North Dakota Constitutional Convention that section 25 of Article II of the constitution of the state of North Dakota be repealed; and that section 1 of Article II to the constitution of the state of North Dakota be created; both of which pertain to the legislative system.

Was read and discussed.

Delegate Devine moved that the voting machine be used to poll the delegates on their choice, which motion the President ruled out of order.

ROLL CALL

A poll of the Delegates disclosed 61 Delegates favoring a bicameral legislature, 35 favoring a unicameral legislature, 2 absent and not voting.

Those voting in favor of the bicameral legislature were:

Aas	Dawson	Huckle	Roney
Baker	Decker	Ketchum	Rude
Bassingthwaite	Devine	Knudson	Rundle
Bender	Diehl	Kretschmar	Saugstad
Berg	Engstrom	Kwako	Scheel
Billey	Erickson	Lander	Schmit

Binek	Fallgatter	Litten	Solberg
Brakke	Fiedler	Longmire	Sondreal
Burbidge	Gipp	McElroy	Stanton
Burke	Griffin	Meidinger	Thompson
Butler	Hartl	Nething	Trenbeath
Byrne	Haugen	Nicholas	Unruh
Cart	Hernett	Pearce	Urdahl
Chase	Hildebrand	Peters	Warner
Christensen	Hoffner	Poulson	Mr. President
Daniels			

Those voting in favor of unicameral legislature were:

Aubol	Hill	Lerberg	Rosendahl
Benson	Hoghaug	McIntyre	Sanstead
Birkeland	Hougen	Maxwell	Simonson
Dobson	Hubrig	Miller	Sinner
Engelter	Jestrab	O'Toole	Sullivan
Fritzell	Kelsch	Omdahl	Vogel
Geelan	Kessel	Paulson	Wallin
Hardmeyer	Lamb	Peterson	Wicks
Hendrickson	Larsen	Quam	

Absent and not voting:
Benz Tudor

FIRST READING OF PROPOSALS

Committee Proposal No. 1-43. Be it resolved by the North Dakota Constitutional Convention that section 25 of Article II of the constitution of the state of North Dakota be repealed; and that section 1 of Article II to the constitution of the state of North Dakota be created; both of which pertain to the legislative system.

Which has been read.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 68; nays, 27; absent and not voting, 3.

Those voting in the affirmative were:

Aas	Decker	Ketchum	Rundle
Baker	Devine	Knudson	Saugstad
Bassingthwaite	Diehl	Kretschmar	Scheel
Bender	Engstrom	Kwako	Schmit
Berg	Erickson	Lander	Solberg
Billey	Fallgatter	Litten	Sondreal
Binek	Fiedler	Longmire	Stanton
Brakke	Fritzell	McElroy	Sullivan
Burbidge	Gipp	Meidinger	Thompson
Burke	Griffin	Nething	Trenbeath
Butler	Hartl	Nicholas	Unruh
Byrne	Haugen	Paulson	Urdahl
Cart	Hernett	Pearce	Vogel
Chase	Hildebrand	Peters	Wallin
Christensen	Hoffner	Poulson	Warner
Daniels	Huckle	Roney	Wicks
Dawson	Kessel	Rude	Mr. President

Those voting in the negative were:

Aubol	Hendrickson	Lamb	Omdahl
Benson	Hill	Larsen	Quam
Birkeland	Hoghaug	Lerberg	Rosendahl
Dobson	Hougen	McIntyre	Sanstead
Engelter	Hubrig	Maxwell	Simonson
Geelan	Jestrab	Miller	Sinner
Hardmeyer	Kelsch	O'Toole	

Absent and not voting:

Benz Peterson Tudor

So the proposal passed and the title was agreed to.

MOTIONS

Delegate Hoffner moved that Committee Proposal 1-42 be referred to the Committee on Legislative Functions, which motion prevailed.

Delegate Scheel moved that Resolution C be introduced, which motion prevailed.

Committee on Resolutions introduced:

Resolution No. C. A resolution expressing the best wishes of the North Dakota Constitutional Convention to the Constitutional Convention of the State of Montana.

Delegate Scheel moved that the rules be suspended, and Resolution C be read in its entirety, placed in the Journal, not printed as a Proposal, and placed on final passage, which motion prevailed.

Page One

RESOLUTION No. C

Introduced by Committee on Resolutions

1 A resolution expressing the best wishes of the North Dakota
2 Constitutional Convention to the Constitutional Convention of
3 the State of Montana.

4
5 WHEREAS, along the length and breadth of this land there is
6 a concerted effort to revise and reform many state constitutions
7 in order that these basic documents reflect the changes and
8 advancements that have occurred in this century affecting our
9 society and way of life; and

10 WHEREAS, the citizens of the states of North Dakota and
11 Montana, having recognized that there may be a need for such
12 revision and reform have authorized Constitutional Conventions
12a to
13 undertake this effort; and

14 WHEREAS, the delegates to the North Dakota Constitutional
15 Convention have now been in plenary session for 10 days and
15a recognize
16 the monumental problems confronting them as they attempt to
16a revise
17 and rewrite the North Dakota constitution of 1889; and

18 WHEREAS, the delegates to the Montana Constitutional
18a Convention
19 are now assembled in Helena for the same basic purposes,
19a having
20 determined that a proposed revision of their own constitution
20a was
21 advisable;

22 NOW, THEREFORE, BE IT RESOLVED BY THE NORTH
22a DAKOTA
23 CONSTITUTIONAL CONVENTION:

24 That this Convention express its sincere wishes for a most
25 successful organizational meeting and that the delegates to the

Page Two

1 Montana Constitutional Convention may produce a revised
2 constitution so nearly perfect that it may be second only to that
3 created by the state of North Dakota.

4 BE IT FURTHER RESOLVED, that a copy of this resolution
4a be
5 forwarded to the President of the Montana Constitutional
5a Convention.

The question then was on the adoption of Resolution C, which Resolution was adopted on a voice vote.

President Wenstrom declared the Convention stand in recess until 1:00 p.m.

The Convention reconvened at 1:00 p.m., with President Wenstrom presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Committee Proposal No. 1-40

And find the same correctly engrossed.

DELEGATE ERICKSON, Chairman

Delegate Urdahl moved that the report be adopted, which motion prevailed, and the report was adopted.

INTRODUCTION OF COMMITTEE PROPOSALS

Committee on Finance and Taxation introduced:

Committee Proposal No. 1-97. Be it resolved by the North Dakota Constitutional Convention that section 176 of the constitution of the state of North Dakota be repealed; and that a new section to the constitution of the state of North Dakota be created; both of which pertain to tax uniformity and exemptions.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF PROPOSALS

Committee Proposal No. 1-20. Be it resolved by the North Dakota Constitutional Convention that sections 131, 132, 133, 134, 136, 137, 138, 140, 141, 143, 144 and 145 of the constitution of the state of North Dakota be repealed; and that Article X to the constitution of the state of North Dakota be created; all of which pertain to corporations.

Which has been read.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Aas	Fallgatter	Kretschmar	Roney
Aubol	Fiedler	Kwako	Rosendahl
Baker	Fritzell	Lamb	Rude
Bassingthwaite	Geelan	Lander	Sanstead
Bender	Gipp	Larsen	Saugstad
Benson	Griffin	Lerberg	Scheel
Berg	Hardmeyer	Litten	Schmit
Billey	Hartl	Longmire	Simonson
Binek	Haugen	McElroy	Sinner
Birkeland	Hendrickson	McIntyre	Solberg
Brakke	Hernett	Maxwell	Sondreal
Chase	Hildebrand	Meidinger	Stanton
Christensen	Hill	Miller	Sullivan
Daniels	Hoffner	Nething	Thompson
Dawson	Hoghaug	Nicholas	Unruh
Decker	Hougen	O'Toole	Urdahl
Devine	Hubrig	Omdahl	Vogel
Diehl	Huckle	Pearce	Wallin

Dobson	Jestrab	Peters	Warner
Engelter	Kelsch	Peterson	Wicks
Engstrom	Ketchum	Poulson	Mr. President
Erickson	Knudson	Quam	

Those voting in the negative were:

Cart

Absent and not voting:

Benz	Butler	Paulson	Trenbeath
Burbidge	Byrne	Rundle	Tudor
Burke	Kessel		

So the proposal passed and the title was agreed to.

Committee Proposal No. 1-24. Be it resolved by the North Dakota Constitutional Convention that sections 177, pertaining to hail tax; 180, pertaining to poll tax; 181, pertaining to passage of laws to carry out provision of finance and taxation article; and 187, pertaining to certificate of indebtedness to be signed by auditor and secretary of state; of the constitution of the state of North Dakota, be repealed.

Which has been read.

ROLL CALL

The question being on the first passage of the proposal, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

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

Absent and not voting:

Benz	Butler	Hougen	Paulson
Burbidge	Byrne	Kessel	Rundle
Burke	Hernett	Litten	Tudor

So the proposal passed and the title was agreed to.

Committee Proposal No. 1-25. Be it resolved by the North Dakota Constitutional Convention that sections 79 and 80 of the constitution of the state of North Dakota be repealed; and that a new section to the constitution of the state of North Dakota, pertaining to the veto power of the governor, be created.

Which has been read.

Delegate Dobson moved that Proposal 1-25 be amended as follows:

On page 1, line 15, after the word "strike" delete the words "or reduce".

On page 1, line 18, after the word "not" delete the words "reduced or"

Which motion prevailed.

Delegate Nething moved that the rules be suspended, and that Proposal 1-25 be deemed properly engrossed and placed on the calendar for first passage, which motion prevailed.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 87; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

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

Those voting in the negative were:

Engelter	O'Toole	Omdahl	Peterson
Hill			

Absent and not voting:

Benz	Butler	Rundle	Tudor
Burke	Roney		

So the proposal passed and the title was agreed to.

Committee Proposal No. 1-26. Be it resolved by the North Dakota Constitutional Convention that section 77 of the constitution of the state of North Dakota be repealed; and that a new section to the constitution of the state of North Dakota, pertaining to gubernatorial succession, be created.

Which has been read.

Delegate Paulson moved that Proposal 1-26 be re-referred to the Executive Functions Committee for such amendments as suggested, and aligning this proposal with Proposal 1-33 so there will be no conflict in the matter, which motion prevailed.

Committee Proposal No. 1-27. Be it resolved by the North Dakota Constitutional Convention that sections 75 and 76 of the constitution of the state of North Dakota be repealed; and that a new section to the constitution of the state of North Dakota, pertaining to powers and duties of the governor, be created.

Which has been read.

Delegate Hernett moved that Proposal 1-27 be amended as follows:

On Page 1, in Line 1, following "75" delete the word "and" and insert in lieu thereof ",", and following "76" insert ",", and 78".

On Page 1, in Line 6, following "75" delete the word "and" and insert in lieu thereof ",", and following "76" insert ", and 78".

Which motion prevailed.

Delegate Hernet moved that the rules be suspended, and that Proposal 1-27 be deemed properly engrossed and placed on the calendar for first passage as amended, which motion prevailed.

Delegate Kelsch moved that Proposal 1-27 be amended as follows:

In Line 15 of Page 1, after the word "concerning" insert the words "performance of"

And renumber the lines accordingly.

Which motion prevailed.

Delegate Nething moved that the rules be suspended, and that Proposal 1-27 be deemed properly re-engrossed and placed on the calendar for first passage as amended, which motion prevailed.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

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

Those voting in the negative were:

Cart

Absent and not voting:

Benz	Hernet	Rundle	Solberg
Burke	Nicholas	Sanstead	Tudor
Butler	Roney		

So the proposal passed and the title was agreed to.

Committee Proposal No. 1-28. Be it resolved by the North Dakota Constitutional Convention that sections 73 and 84 of the constitution of the state of North Dakota be repealed; and that a new section to the constitution of the state of North Dakota, pertaining to qualifications and compensation of elected officials, be created.

Which has been read.

Delegate Dawson moved that Proposal 1-28 be amended as follows:

In line 15, after the period, delete the word "Their" and insert in lieu thereof "The" and after the word "compensation" insert the words "of elected officials"

And renumber the lines accordingly, which motion prevailed.

Delegate Dawson moved that the rules be suspended, and that Proposal 1-28 be deemed properly engrossed and placed on the calendar for first passage, as amended, which motion prevailed.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 87; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

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

Those voting in the negative were:

Gipp	Larsen		
Absent and not voting:			
Benz	Hernett	Rundle	Tudor
Burke	Roney	Sanstead	Warner
Butler			

So the proposal passed and the title was agreed to.

Committee Proposal No. 1-39. Be it resolved by the North Dakota Constitutional Convention that section 45 of Article II of the constitution of the state of North Dakota be repealed; and that section 10 of Article II to the constitution of the state of North Dakota be created; both of which pertain to legislative compensation.

Which has been read.

Delegate Sinner moved that Proposal 1-39 be amended as follows:

In line 13, delete the word "revision" and insert in lieu thereof the word "increase"

In line 14, delete the word "revision" and insert in lieu thereof the word "increase"

Which motion prevailed.

Delegate Sinner moved that the rules be suspended, and that Proposal 1-39 be deemed properly engrossed and placed on the calendar for first passage, which motion prevailed.

ROLL CALL

The question being on the first passage of the proposal, as amended, the roll was called and there were ayes, 85; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Aas	Erickson	Kretschmar	Poulson
Aubol	Fallgatter	Kwako	Quam

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Baker	Fiedler	Lamb	Rosendahl
Bassingthwaite	Fritzell	Lander	Rude
Bender	Geelan	Larsen	Saugstad
Benson	Gipp	Lerberg	Scheel
Berg	Griffin	Litten	Schmit
Billey	Hardmeyer	Longmire	Simonson
Binek	Hartl	McElroy	Sinner
Birkeland	Haugen	McIntyre	Solberg
Brakke	Hendrickson	Maxwell	Sondreal
Burbidge	Hildebrand	Meidinger	Stanton
Byrne	Hoffner	Miller	Sullivan
Chase	Hougen	Nething	Thompson
Christensen	Hubrig	Nicholas	Trenbeath
Daniels	Huckle	O'Toole	Unruh
Decker	Jestrab	Omdahl	Urdahl
Devine	Kelsch	Paulson	Vogel
Diehl	Kessel	Pearce	Wallin
Dobson	Ketchum	Peters	Wicks
Engelter	Knudson	Peterson	Mr. President
Engstrom			

Those voting in the negative were:

Cart	Hill	Hoghaug
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Absent and not voting:

Benz	Dawson	Rundle	Tudor
Eurke	Hernett	Sanstead	Warner
Butler	Roney		

So the proposal passed and the title was agreed to.

Delegate Saugstad moved that the following Proposals be re-referred to the Committee on Style and Drafting:

- Committee Proposal No. 1-13
- Committee Proposal No. 1-43
- Committee Proposal No. 1-20
- Committee Proposal No. 1-24
- Committee Proposal No. 1-25
- Committee Proposal No. 1-27
- Committee Proposal No. 1-28
- Committee Proposal No. 1-39

Which motion prevailed.

Delegate Saugstad moved that the absent Delegates be excused, which motion prevailed.

Delegate Saugstad moved that the Convention be adjourned until 9:00 a.m., Monday, January 17, 1972, which motion prevailed.

ROY GILBREATH, Chief Clerk