

Journal

of the

Balanced Budget Planning Convention

Phoenix, Arizona
September 12, 2017 – September 15, 2017

LEADERSHIP

PRESIDENTRepresentative Kelly Townsend
Arizona

VICE-PRESIDENTRepresentative Ken Ivory
Utah

SECRETARY.....David Guldenschuh
Georgia

**JOURNAL OF THE BALANCED BUDGET
AMENDMENT PLANNING CONVENTION
PHOENIX, ARIZONA**

September 12, 2017

First Day

The Balanced Budget Amendment Planning Convention assembled in the chambers of the Arizona House of Representatives. Delegate Tom Buford from the State of Kentucky sounded the gavel at 12:00 noon.

Chairman Buford announced that, without objection, commissioners and guests would please rise and remain standing for the invocation, the presentation of the Colors, the Pledge of Allegiance, singing of the National Anthem and the posting of the Colors.

The invocation was given by Pastor Brent Loveless.

The National Anthem was performed by Alyson Precie.

The Colors were posted by the Phoenix Central United States Army Color Guard.

The Pledge of Allegiance to the Flag of the United States of America was led by Delegate Hal Wick of South Dakota.

Chairman Buford directed the audience to be seated and invited those in attendance to direct their attention to the screen for a brief presentation.

Chairman Buford introduced Speaker Javan D. Mesnard of Arizona and President Pro Tempore Steve Montenegro of Arizona who addressed the delegation as follows:

Commissioners and guests, my name is J.D. Mesnard and I have the honor of serving as Speaker of the Arizona House of Representatives. I want to welcome you to Arizona for the 2017 Balanced Budget Amendment Planning Convention. Specifically, welcome to Phoenix, our capitol, where, at 105 degrees, it's really a nice cool day!

The Arizona Legislature is truly honored to host this planning convention – to lay the groundwork for an Article V Convention, which we hope will take place in the near future.

Each of you has your own reasons for being here. Mine, is that I love this country. I believe it to be the greatest nation that has ever existed. But I am greatly concerned that our country is not on a sustainable fiscal path.

And contrary to what some would like us to believe, the responsibility for helping to get our fiscal house in order does not just rest with Congress. Nor is Congress the end all be all for governing this country. In fact, a critical responsibility of the states in this great Union is in helping to keep our federal government in check.

That value of Federalism was a bedrock principle that our Founding Fathers captured in the design of government put forth in the Constitution of the United States, which was being finalized this very week, exactly 230 years ago.

I believe it is time for the states to start flexing our constitutional muscles, just as our Founding Fathers envisioned. And one vital tool for facilitating that, was instilled by our Founders in Article V of the Constitution. That is, the power of the states to propose amendments, especially as a means of constraining the power of the federal government.

In 1798, then Vice President Thomas Jefferson, in correspondence with a state legislator, wrote, *“I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government; I mean an additional article taking from the Federal Government the power of borrowing.”*

Well, it might be more than two centuries late, but I hope that soon we will be able to give President Jefferson his wish—for our own sake.

Thank you all for your attendance at this important convention, and, most of all, thank you for your dedication and commitment to our country's future. It's an honor to be with you. Now, let's get to work.

September 12, 2017

First Day

Senator Pro Tempore Montenegro addressed the delegation as follows:

Good Afternoon friends. On behalf of the Arizona Senate I want to welcome you to history. It has been more than 150 years since a convention of states. So, today's gathering is long overdue. And our issue, a Balanced Budget Amendment, is likely the most important topic we could be addressing.

In 1789, Thomas Jefferson said "I wish it were possible to obtain a single amendment, taking from the Federal Government the power of borrowing."

In 1994, Reagan spoke, after Congress failed to act on a Congressional Amendment, writing "We can't depend on Congress to discipline itself. It is clear that we must rely on the states to force Congress to act on our amendment. Fortunately, our nation's founders gave us the means to amend the Constitution through action of state legislatures." He continued "Unless we act quickly, the people in the White House and those running Congress will bankrupt America."

In 1994, the national debt that Reagan feared would bankrupt our nation stood at \$4.7 Trillion dollars. Yesterday, for the first time, it topped \$20 Trillion dollars.

When the world decides it is no longer interested in bankrolling Congress' irresponsible ways, the crash that follows will be swift and severe. That is why, "We, the people", in order to preserve our nation for future generations, have chosen to take action to rein in Congress, and to pursue that single amendment that Thomas Jefferson recommended to us 228 years ago.

Good luck and God speed.

Speaker Javan D. Mesnard introduced Gary Banz, alternate Delegate from Oklahoma who addressed the delegation as follows:

Thank you for that more than generous introduction. Like you, I am honored to have been selected as a commissioner to represent my state at this historic gathering. It is an assignment we must embrace with humility but pledge to commit our best effort to realize the purpose for which this Pre-Convention Convention was called.

Thank you, Representative Kelly Townsend for providing leadership as the Chair of the planning committee for this gathering. Thank you, Speaker J.D. Mesnard and Arizona Legislature, for passage of HCR2022, a resolution that elevates this gathering to official state sponsored status. With it you have extended to the other forty-nine equal sovereigns an invitation to join you on this day, at this hour, at this place, to address an issue facing our nation that simply no longer can be ignored. We have assembled because there is a crisis concerning the national debt and there is a Constitutional remedy. Thank you, commissioners, for answering the call to address this challenge in convention.

I am reminded of a legend that summarizes what we face today. It is a story about a farmer who had a work-horse whose useful days had long passed. Despite the extra cost incurred by keeping the animal, the farmer kept the family favorite for special events. One of those occasions was when travelers unfamiliar with the countryside got too close to the edge of the road and found themselves stuck in the ditch. There would be a knock on the door and request for help. The farmer would go to the barn, hitch-up Ole Buddy, and make his way to the spot of trouble. Once he had Ole Buddy hooked up to the car, he would begin to give the command for action. "Pull Nellie, pull!" Ole Buddy remained motionless. "Pull Buster, pull!" Nothing. "Pull Coco, pull!" Again, nothing. Then the farmer would move close to Ole Buddy's ear and say, "Pull Buddy, pull!" Immediately Ole Buddy would engage, strain against the shoulder harness and in quick order the car was out of the ditch. After the farmer gathered the equipment, the recipient of the assistance would ask the predictable question, "Why did you call the horse by the wrong name three times before getting it right?" The farmer answered, "You see, Ole Buddy is blind and if he thought he was the only one pulling he would not even try."

It is tempting to think we are the only ones pulling for action to address our national debt. We are not blind. We can look around the room, and it is obvious not all the states are here. Nevertheless, we have gathered to act. We meet under the authority of, and responsibility given to state legislatures, by our founding fathers in Article V of the United States Constitution. We cannot hide behind the excuse that there are not enough engaged in this effort and fail to try. **We are here**, and every day our movement gathers more followers.

September 12, 2017

First Day

There is a direct correlation with what we are attempting in Phoenix this week and the historic events of Mount Vernon in 1785, and Annapolis in 1786, that led to what we call the Constitutional Convention gathering in Philadelphia, May to September of 1787.

In less than a decade after Independence, the new nation, operating under the Articles of Confederation, was experiencing enormous problems. These problems were tearing away at unity needed to remain viable as a new nation on the world stage. Weakness of the Articles - and there were many - made it impossible to address the conflicts that surfaced between and among states over trade, taxes, and use of waterways. Shays rebellion, an uprising of western Massachusetts farmers over taxes, caused concern about how adequate the Articles of Confederation were to address these challenges.

The “miracle in Philadelphia,” a convention of states operating independent of the Articles of Confederation authority, remedied many of the weaknesses found in the Articles of Confederation. The Constitution, ultimately ratified by all thirteen states with rigorous debate in state conventions, now had an executive to carry out laws passed by Congress, a legislative body reflecting the compromise between large and small states, a Supreme Court to sort out disputes between states, regulations for interstate commerce, a provision to collect taxes, and most importantly, the elimination of the “tyranny of one,” a requirement of unanimous support to amend the document. More important to our gathering here in Phoenix is the language included in Article V that gives state legislatures equal standing with Congress to propose language for changes to the Constitution. So, why are we here? What is the issue we face? What are the options at our disposal to address the problem? How do we operate within the Constitution to bring about change? Most of us would agree there is a plethora of issues facing our nation. However, there is one that rises above the others at this point in our history. Our Constitution in Article 1, Section 8, lists the enumerated powers of the federal government. One of those powers is to borrow money without restriction or restraint.

On the surface that is not a problem so long as some measure of self-discipline accompanies the decision making about accruing national debt. There is a growing number of national leaders who believe we cannot sustain the course of borrowing created by past Presidential and Congressional decision-making.

The amount needed for interest to service the existing debt in an annual budget will expand like a cancer, eating away at our capacity to provide core functions of government. We have looted trust funds, we are at the mercy of foreign lenders, and we are now printing money to finance our current level of federal government spending.

I taught driver education after school and during summer months for about twenty years. If you want a thrill-a-minute, sign up for that duty. The only tool I had at my disposal that gave me some degree of control was a dual brake attached to my side of the car. Congress is behind the wheel and we are in the front seat with one item at our disposal to exercise some degree of control. How many “bridge-out” or “dead-end” warning signs must we pass before we decide to use the tool we have been given in our federal system?

Why a Balanced Budget Amendment? Congress will not discipline itself. With a national debt of more than twenty trillion dollars, spending is out of control. Our borrowing to cover annual deficits and requiring subsequent generations to pay it back, is hardly a legacy of which we can be proud.

There is a fiscal storm coming our way. It will destroy us without a shot being fired by our enemies. This storm bears each of our names because it is one of our own making. Even though we have no control over how adverse weather in nature begins or where it will end, science can determine the path, wind speed, and the amount of rainfall to expect. Some very intelligent people are flying the storm warning flags about consequences we can expect to endure unless we intervene with an evasive plan of action. Unlike the conditions spawned by nature, we can unravel financial conditions that will spell disaster to the American way of life as we know it. Congress, drunk with its own power, is having a party on the deck of our ship of state while it sinks under the weight of red ink. **Uncontrolled debt is a threat to our national security.**

That is the problem that ultimately needs to be addressed, but it is not why we are here. The framers of the Constitution faced the crisis of a young nation falling apart under the Articles of Confederation. They resolved it within the authority of the existing governing structure of their day. It is time state legislatures use provisions of Article V to address the debt crisis we face today.

September 12, 2017

First Day

Let me make this point clear. We are not here to write the language for a proposed amendment. That will be the exclusive mandate of those commissioners selected to gather at a future date when, according to the language in Article V of the Constitution, Congress is required to call a convention of states, having received applications in the form of resolutions from two-thirds of the states. That will officially trigger what is most appropriately called an Article V Convention or convention for proposing amendments. Our purpose at this pre-convention is to deliberate and make recommendations that a future convention of equal state sovereigns can adopt to conduct their business.

Simon Sinek, in his book titled "*Start with Why*," outlines the principle that should govern our behavior the next three days. Participate in what we are doing and how we are doing it, but never lose sight of why we were called to meet. We have been summoned here to focus on two items: (1) draft and approve a set of rules, and (2) deliberate the parameters for selecting a site for a future convention for proposing amendments. It will be easy to become distracted by wanting to engage in conversation about how restraints can be placed on the federal fiscal affairs, but we must remain focused like a laser on the two tasks selected for this gathering.

Our national history is packed with examples of heroic deeds in defense of life, liberty, and pursuit of happiness. Let me offer two quick examples. The first goes back to a gathering in Philadelphia in 1776. It is an extraordinary act that demonstrates total commitment to a cause. Representatives from the colonies were meeting in Philadelphia at what historians refer to as the Second Continental Congress. Each colony had an equal vote in the deliberations. Delaware was represented by George Read, Thomas McKean, and Caesar Rodney. The main topic of discussion, and possible vote, was the question of independence from the oppressive control of the British crown. George Read and Thomas McKean were split on the question. Caesar Rodney was back in Delaware battling bouts of asthma, a fever, and facial cancer. McKean sent a message to Rodney requesting him to come to break the tie so Delaware's vote would count. Through the night Rodney rode in a thunderstorm the ninety miles from his home in southern Delaware to Philadelphia. According to Wikipedia, he arrived "in his boots and spurs on July 2, just as the voting was beginning, to cast his lot for liberty." The state of Delaware commemorated his commitment by selecting Rodney's image on horseback for the design for its quarter in the state series. The next time one of those quarters passes through your hand ask yourself the question, "What am I doing for my country?"

Fast forward to the second generation following World War II. This incident unfolded immediately following the attack on the Twin Towers in New York City and the Pentagon in Washington, DC, on September 11, 2001, sixteen years ago yesterday. It was First Lieutenant Heather (pilot call-sign Lucky) Penney and her commander Colonel Marc Sasseville who were given orders to scramble their F-16s to intercept and bring down United Airlines Flight #93. That flight had been hijacked and was thought to be headed for either the US Capitol or the White House.

Having just returned from two weeks of training in Nevada, the planes they were flying were still equipped with dummy bullets. No live ammunition, no missiles, just their own planes. As they quickly donned their flight suits, Commander Sasseville caught the eye of his wingman and said, "I'm going for the cockpit." Without hesitation, Lieutenant Penney responded with, "I'll take the tail."

Reports from first responders at the Pentagon said it was quite a boost of morale when they saw those two F-16s, with afterburners fully engaged, race to defend against any additional attack. Fortunately, they never encountered Flight 93. With a calm resolve in his voice uttering the command, "Let's roll," it was civilian heroes like Todd Beamer and others on the doomed flight who kept the hijackers from completing their mission.

Those who volunteer for military service are modern day heroes and they are ready to make whatever sacrifice is needed to defend our nation. They don't wear jerseys. We don't create posters of them to display on our bedroom walls. They wear the uniform of our nation. It is our responsibility to make sure the annual interest on the national debt is not greater than the resources we provide for them to fly, fight, and win against enemies who would do us harm. Can we do anything less?

World history is full of examples of individuals who exhibited great courage in the face of making tough decisions. In 49 BC Julius Caesar crossed a small stream in northern Italy revealing his intentions and giving all of history a phrase, "crossing the Rubicon," that marks the point of no return.

September 12, 2017

First Day

After months of planning and preparation, General Dwight D. Eisenhower stood alone in an hour of decision. After consulting weather reports one final time he ordered the largest military campaign the world has ever seen, D-Day, to be launched simply by uttering the words, "O.K. Let's Go!"

Whether it is a part of ancient history, modern history, or more recent current events, mankind everywhere has a profound respect for those who respond to the call for action in times of adversity and crisis. The reality is very few of us will be called upon to respond in such an extreme manner. However, there are individuals in this movement who have given an entire adult lifetime to the cause of sound fiscal policy. Others have invested life savings to keep this effort viable. Still others have given up everything they own to travel this nation with the message that now is the time to act to save us from the consequences of financial collapse.

How will you answer the question that inevitably will come from your children or grandchildren? For me this question comes from Michelle, Mindy, Mark, Nathan, Caleb, Hannah, Hailey, Maggie, and Lily, "Dad/Grandpa, you were there, what did you do?"

Next Sunday, September 17th, is national Constitution Day. Much will be written about our iconic document and how it has endured. Perhaps some attention will even be given to what transpires here in Phoenix this week.

Commissioner colleagues, we can no longer look the other way and continue to abdicate our rightful place in our federal republic. ***We have been given a purpose to gather, it is our time, it is our day, and it is our call to act.*** Today we stand on the shoulders of dedicated Americans who gave us the tools we need to seek solutions to any problem we face. It is with an unwavering resolve we commit to finding consensus around which we can build a stronger future for our posterity. This is not a red and blue gathering. It is a red, white, and blue beacon of hope the world needs to see. Commissioners, are we ready? With all due respect and honor to Todd Beamer, "let's roll."

Speaker Javan D. Mesnard introduced Delegate Nancy Barto of Arizona who presented the following. Report of the Arizona Balanced Budget Amendment Planning Convention Committee:

Regarding the appointment of Permanent Officers and Auxiliary Staff

1. Arizona recommends Jim Drake, Arizona House of Representatives Chief Clerk as the Convention's Parliamentarian. Mr. Drake meets the qualifications for this position as outlined in the proposed rules.
2. We further recommend Joe Kubaki to serve as Sergeant at Arms. Mr. Kubaki is currently serving the Arizona Senate as Sergeant at Arms.
3. Arizona will provide a list of names of staff for recommendation that are qualified and available to serve as support staff for the Convention and its committees.

Regarding Committees

1. Arizona's Temporary Rules provide for the following committees:
 - a. Rules Committee
 - b. Convention Planning Committee
 - i. Subcommittees created by the Convention Planning Committee as needed
 - c. Credentials Committee

Regarding temporary Committee Chairs:

1. Arizona assigns Rep. Bob Thorpe to preside as temporary Chair of the Convention Planning Committee and Sen. Steve Smith as temporary Chair of the Rules Committee.

Regarding the Planning Convention Rules

1. Arizona provides the Convention with a set of temporary rules to convene the Convention. The Convention may choose to adopt or change the rules as needed.

Regarding the credentialing of Commissioned delegates

1. The Planning Convention Committee has accepted the Delegate Selection Letters of 19 States, appointing 74 delegates, and 12 alternates to the Arizona Balanced Budget Amendment Planning Convention.

September 12, 2017

First Day

2. The Committee recommends, and the Arizona House Speaker determines that no other non-delegate be allowed on the floor during session, save for the credentialed press, photographer, and documentarian.

Speaker Mesnard expressed appreciation to Delegate Nancy Barto of Arizona.

The roll was called, by state which indicated the following:

State	Delegates	Alternates
Alabama	1	
Arizona	7	7
Georgia	3	
Idaho	10	
Indiana	4	
Iowa	2	1
Kansas	1	
Kentucky	1	
Michigan	1	
Minnesota	5	
Missouri	1	
New Hampshire	6	
Oklahoma	6	2
South Carolina	1	
South Dakota	3	
Tennessee	7	
Utah	6	2
West Virginia	1	
Wyoming	5	

Speaker Mesnard announced the results of the roll call:

States Present	Delegates Present	Alternates Present
19	71	12

Motion by Delegate from Iowa that the temporary Rules of the Planning Convention that were distributed to the delegates on September 11, 2017 at 5:15 p.m., be adopted. Carried.

Speaker Javan D. Mesnard announced that the Chair would receive nominations for President of the Balanced Budget Amendment Planning Convention.

Delegate from Georgia placed in nomination the name of Commissioner Kelly Townsend from Arizona.

Commissioner from Utah placed in nomination the name of Commissioner Ken Ivory from Utah.

Motion by Delegate Anthony Kern of Arizona that the nominations be closed. Carried.

Speaker Javan D. Mesnard announced that, without objection the house would stand at recess subject to the sound of the gavel. Carried at 1:11 p.m.

September 12, 2017

First Day

Speaker Javan D. Mesnard called the Balanced Budget Amendment Planning Convention to order at 1:25 p.m.

Motion by Delegate from Utah that floor speeches be permitted from commissioners who had been nominated for President of the Balanced Budget Amendment Planning Convention. Speaker Javan D. Mesnard announced that nominees would be granted 3 minutes.

Delegate Ken Ivory of Utah, addressed the delegation and withdrew his name from nomination of President of the Balanced Budget Amendment Planning Convention.

Delegate Kelly Townsend of Arizona, addressed the delegation as follows:

Delegates, I wanted to first of all thank you for coming. A lot of you have travelled, some from places like Florida, that were not exactly safe to get out of. It warms my heart to have you here in Arizona in our humble legislature. I want to tell you how much respect I have for Representative Ken Ivory. I will never forget the leadership that he exhibited in Williamsburg last year when we had the simulated Convention of States. He led us with integrity, with skill, with wisdom, and was just a beautiful soul up there. With the things he offered to us, he will go down in history as a leader in the Article V movement. It is a difficult thing to see this happen, but I thank him for doing that. I appreciate all of you here, and it's a humbling thing to have your support and I wanted to thank you, and will say some other words later.

Speaker Javan D. Mesnard announced that Delegate Kelly Townsend of Arizona was elected by acclamation as President of the Balanced Budget Amendment Planning Convention.

Speaker Javan D. Mesnard announced that the Chair would receive nominations for Vice-President of the Balanced Budget Amendment Planning Convention.

Delegate Kelly Townsend of Arizona placed in nomination the name of Delegate Ken Ivory of Utah.

Speaker Javan D. Mesnard announced that Delegate Ken Ivory of Utah, was elected by acclamation as Vice-President of the Balanced Budget Amendment Planning Convention.

Speaker Javan D. Mesnard announced that the Chair would receive nominations for Secretary of the Balanced Budget Amendment Planning Convention.

Delegate Chuck Hufstetler of Georgia placed in nomination the name of Delegate David Guldenschuh of Georgia.

Speaker Javan D. Mesnard announced that Delegate David Guldenschuh of Georgia, was elected by acclamation as Secretary of the Balanced Budget Amendment Planning Convention.

Newly elected President of the Balanced Budget Amendment Planning Convention, Delegate Kelly Townsend of Arizona assumed the Chair and commented extemporaneously:

I would like to start out (without objection) by reading a scripture. A dear friend sent this to me (Tom Dodson) to encourage me and so I wanted to share it with you, to encourage you as well. It is Romans, Chapter 15, verse 13 & 14, where Paul says, *"May the God of hope fill you with all joy and peace as you trust in him so that you may overflow with hope by the power of the Holy Spirit. I myself am convinced, my brothers and sisters, that you yourselves are full of goodness, filled with knowledge and competent to instruct one another."* I was really grateful that he sent that to me because it is how I feel about you guys, as delegates, as commissioners. I am filled with hope.

It was a hard season, I must admit, watching what has been going on with our country. Watching what was happening with our Constitution and the blatant disregard by our leaders, and the things that were happening, such as indefinite detention that was implemented via the NDAA I will admit I was losing hope over where we were going as a country. Then I discovered the Article V movement. I became involved in 2013 at the Mount Vernon Assembly, alongside so many of you who have been working on this for years, some for decades. Suddenly I had hope again. I had hope because of your competence as Legislators.

Going to these meetings of the Assembly of State Legislatures, The Convention of States, the Balanced Budget Amendment, and working with Legislators from around the country, where some are saying about us, "Oh they're no Hamilton, they're no Jefferson, they're not the Founding Fathers." No, we are not, but we are stewards. We are up to bat, and we are the stewards now. The thing I've noticed over all of this time is your brilliance. How careful you are. Your knowledge base. Your boldness, and most of all, your courage. That has given me hope that there's something that we can do as Americans. Those around us, our constituents, are able to pick up the phone and

September 12, 2017

First Day

call us. We're the closest to them, we hear their fears, and we feel and understand them ourselves. We know that they are looking to us to do something.

When I read that this morning, "*I myself am convinced, my brothers and sisters, that you yourselves are full of goodness, filled with knowledge and competent to instruct one another,*" I was compelled to ask you to consider that not only are you delegates, be ambassadors for Article V. Whether it's the BBA, whether it's Convention of States, the Compact – we need to work together, guys. We have to stick together. Every effort has to be to promote the other groups. Arizona has always helped each group, and I've been really proud about that. Our Senators and our Representatives have always been supportive of all the groups. I just want to emphasize how important it is as a team, no matter what amendment we are looking at promoting, that everything we do advances the cause of Article V, because this is our hope.

Some are afraid of what we're doing today, and there is a lot of misinformation out there. There is a second scripture I saw this morning, it's 1 John 4:18 which says, "*There's no fear in love, but perfect love casts out fear.*" When you love this country, and I'm sure all of you love your country and your state, you have to cast out that fear. Our forefathers did it, and they found the courage to stand up, didn't they? Now it's our turn. We have to have the courage to do this. There are uncertainties, but there are also protections in this process, so I want to thank you for having the courage to move forward with this.

Finally I wanted to thank the team here in Arizona; everybody did their part. Everybody came together and worked really well and brought this together for you. Each person had their part. Each one of you has your part in this great movement, this historic movement. I believe in you. I believe in your abilities, in your intelligence, your knowledge, your steadfastness, your stubbornness to stick with this. I believe in us and we can do this. Thank you for coming, and thank you for putting your trust in me.

President Townsend announced that the Chair would entertain a motion for adoption of Resolution 1 (draft rules).

Motion by Delegate from Tennessee that Resolution 1 which was distributed to Delegates on September 11, 2017 at 5:15 p.m. be introduced and referred to the Committee on Rules. Carried.

President Townsend announced that Delegate Steve Smith of Arizona was appointed as the temporary Rules Chairman; Delegate Thorpe of Arizona was appointed as the temporary Planning Committee Chairman.

President Townsend announced that, without objection, the Balanced Budget Amendment Planning Convention would stand at recess subject to the sound of the gavel. Carried at 1:49 p.m.

The Balanced Budget Amendment Planning Convention was called to order at 4:34 p.m. President Townsend presiding.

REPORTS OF COMMITTEES

Committee on Rules

Delegate Gary Banz of Oklahoma, Chair
Delegate Jim Stalzer of South Dakota, Vice-Chair

Motion by Mr. Banz that the report of the Committee on Rules be adopted. Carried.

Committee on Planning

Delegate Bob Thorpe of Arizona, Chair
Delegate Tom Llewellyn of Michigan, Vice-Chair

Subcommittee on Correspondence

Delegate Anthony Kern of Arizona, Chair

Subcommittee on Time, Place and Logistics

Delegate Dan Innis of New Hampshire, Chair

Motion by Mr. Thorpe that the report of the Committee on Rules be adopted. Carried.

Committee on Credentials

Delegate Tom Llewellyn of Michigan, Chair

Motion by Mr. Llewellyn that the report of the Committee on Credentials be adopted. Carried.

September 12, 2017

First Day

ADJOURNMENT

Motion by Delegate from Tennessee that the Article V Planning Convention stand adjourned until 9:30 a.m., Wednesday, September 13, 2017. Carried at 4:44 p.m.

KELLY TOWNSEND
President

ATTEST:

DAVID GULDENSCHUH
Secretary

**JOURNAL OF THE BALANCED BUDGET
AMENDMENT PLANNING CONVENTION
PHOENIX, ARIZONA**

September 13, 2017

Second Day

President Kelly Townsend, Delegate from Arizona, sounded the gavel at 9:31 a.m.

President Townsend announced that, without objection, delegates and guests would please rise and remain standing for the invocation and the Pledge of Allegiance.

The invocation was given by Delegate Kim Coleman of Utah.

Pledge of Allegiance to the Flag was led by Delegate Bob Thorpe of Arizona.

The roll was called by state and President Townsend announced the attendance:

	Alabama
	Arizona
	Georgia
	Idaho
	Indiana
	Iowa
	Kansas
	Kentucky
	Michigan
	Minnesota
	Missouri
	New Hampshire
	Oklahoma
	South Carolina
	South Dakota
	Tennessee
	Utah
	West Virginia
	Wyoming
Total Present:	19

REPORTS OF COMMITTEES

Credentials Committee,

Delegate Tom Llewellyn of Michigan, Chair

Secretary,

Delegate David Guldenschuh of Georgia

President Townsend announced that, without objection, the reading of the Journal of Tuesday, September 12, 2017 was dispensed and approved as written

President Townsend announced that, without objection, the Planning Convention would recess subject to the sound of the gavel. Carried at 9:38 a.m.

President Townsend sounded the gavel at 4:54 p.m.

REPORTS OF COMMITTEES

Committee on Rules

Delegate Gary Banz of Oklahoma, Chair

Delegate Jim Stalzer of South Dakota, Vice-Chair

September 13, 2017

Second Day

Committee on Planning

Delegate Tom Buford of Kentucky, Chair

Committee on Credentials

Delegate Tom Llewellyn of Michigan, Chair

President Townsend announced that she had appointed The Future Convention Working Group, consisting of delegates, Bob Thorpe of Arizona as Chair, Kim Coleman of Utah, Christy Perry of Idaho, Dennis Powers of Tennessee and Jordan Ulery of New Hampshire.

PERSONAL PRIVILEGE

Delegate Tom Llewellyn of Minnesota suggested a group event.

Delegate Gary Banz of Oklahoma encouraged appreciation for staff.

Delegate Robert Karnes of West Virginia expressed appreciation for all of those who had participated in the convention planning.

ADJOURNMENT

Motion by Delegate from Tennessee that the Article V Planning Convention stand adjourned until 9:00 a.m., Thursday, September 14, 2017. Carried at 5:01 p.m.

KELLY TOWNSEND
President

ATTEST:

DAVID GULDENSCHUH
Secretary

**JOURNAL OF THE BALANCED BUDGET
AMENDMENT PLANNING CONVENTION
PHOENIX, ARIZONA**

September 14, 2017

Third Day

President Kelly Townsend, Delegate from Arizona, sounded the gavel at 9:04 a.m.

President Townsend announced that, without objection, delegates and guests would please rise and remain standing for the invocation and the Pledge of Allegiance.

The invocation was given by Pastor John Higgins.

Pledge of Allegiance to the Flag was led by Delegate Anthony Kern of Arizona.

The roll was called by state and President Townsend announced the attendance:

	Arizona
	Georgia
	Idaho
	Indiana
	Iowa
	Kansas
	Kentucky
	Michigan
	Minnesota
	Missouri
	New Hampshire
	Oklahoma
	South Carolina
	South Dakota
	Tennessee
	Utah
	Wyoming
Total Present:	17

REPORTS OF COMMITTEES

Credentials Committee,

Delegate Tom Llewellyn of Michigan, Chair

Secretary,

Delegate David Guldenschuh of Georgia

President Kelly Townsend, Delegate from Arizona

Vice-President Ken Ivory, Delegate from Utah

Motion by Vice-President Ken Ivory, Delegate from Utah that a Committee on Style be appointed. Carried.

President Townsend announced that, without objection, the reading of the Journal of Wednesday, September 13, 2017 was dispensed and approved as written

President Townsend announced that, without objection, the Planning Convention would recess subject to the sound of the gavel. Carried at 9:15 a.m.

President Townsend sounded the gavel at 2:08 p.m.

REPORTS OF COMMITTEES

Committee on Planning,

Delegate Tom Buford of Kentucky, Chair

Comments that were voluntarily submitted in electronic form have been included

September 14, 2017

Third Day

Subcommittee on Correspondence,
Commissioner Anthony Kern of Arizona, Chair

Sub-Committee on Delegates and Correspondence Final Report

Chair- Rep. Anthony Kern AZ

Recommendation 1:

In anticipation of the call for a convention for proposing amendments, states are strongly encouraged to enact delegates selection legislation at the earliest opportunity.

It is recommended that such legislation establish a process for the appointment of delegates and alternates to a future convention, provide instruction regarding responsibilities, limitations, if any, and appropriation considerations to such delegates and provide standards for monitoring and communicating with said delegates.

*Examples will be included in the organizational appendix.

Recommendation 2:

The Phoenix Correspondence Commission is hereby created. The commission will consist of commissioners appointed by the states to carry out the following functions to organize a convention for proposing amendments:

1. Creating a single point of contact to act as a liaison with Congress.
2. Track all applications for a convention for proposing amendments.
3. Create a process to suggest a time and place to Congress for a convention for proposing amendments.
4. Provide a process for legal representation, if necessary.
5. Perform tasks as needed to organize the convention.

Recommendation 3:

Each state is strongly encouraged to appoint a commissioner to the Commission to join with those in the other states to communicate on all matters associated with a convention for proposing amendments with any or all of the following:

1. State Legislators
2. United States Citizens
3. Convention Organizers
4. State Congressional Delegation
5. Congress

Recommendation 4:

The members of the commission will be initially comprised of one member appointed from each delegation present at this convention, until such time as each commissioner's state formally appoints a commissioner to the Commission or declines to do the same.

Subcommittee on Time, Place and Logistics
Commissioner Dan Innis of New Hampshire, Chair

Planning Subcommittee on Time, Place, and Logistics Final Report

Chair- Sen. Dan Innis NH

Pursuant to Article V, "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, **or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments**, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate."

Upon receipt of the balanced budget application of the resolution of the 34th state, the States request that Congress shall set a time and place for the Convention to convene as soon as practicable, but no later than 180 days after receipt of the application.

It is recommended that the place of the Convention be held at an accessible location capable of accommodating at least 500 delegates in addition to support, meeting rooms, technology support, and staff. To facilitate the expeditious undertaking of this Convention, it is recommended that Congress delegate this responsibility to the Several States. It is recommended each state be responsible for travel, housing, and staffing of their respective delegations. Attending states should be responsible for the shared overhead expenses of the Balanced Budget Amendment Convention.

September 14, 2017

Third Day

Motion:

That the Arizona Balanced Budget Amendment Planning Convention call upon the States to gather in convention before December 31, 2018 at a location to be determined to assess the status of the progress of the States toward calling an Article V Convention of the States to propose a Balanced Budget Amendment, and to determine such steps the States may affirmatively take to assist in reaching the two thirds threshold required by Article V mandating Congress to call such a convention.

Motion by Delegate Tom Buford of Kentucky, seconded by Delegate from South Carolina, that the report of the Committee on Planning be adopted.

President Townsend announced that, without objection, the Convention would stand at recess subject to the sound of the gavel at 2:16 p.m.

At 2:18 p.m., President Townsend sounded the gavel.

The report of the Committee on Planning was adopted.

Future Convention Working Group,

Delegate Bob Thorpe of Arizona, Chair

Motion by Delegate Bob Thorpe of Arizona, seconded by Delegate Tom Buford of Kentucky that the report of the Future Convention Working Group be adopted.

Delegate from Georgia asked questions of Mr. Thorpe regarding the report of the Future Convention Working Group.

Delegate from Minnesota asked questions of Mr. Thorpe regarding the report of the Future Convention Working Group.

Delegate Tom Llewellyn of Michigan asked questions of Mr. Thorpe regarding the report of the Future Convention Working Group.

Delegate from South Carolina expressed concerns regarding the report of the Future Convention Working Group.

President Townsend commented on the report of the Future Convention Working Group.

Delegate Nancy Barto of Arizona suggested that the report of the Future Convention Working Group be held overnight.

Delegate from Tennessee asked questions of Mr. Thorpe regarding the report of the Future Convention Working Group.

Delegate Tom Buford of Kentucky withdrew his second of the report of the Future Convention Working Group and made a motion to postpone the adoption of the report of the Future Convention Working Group. Carried.

Committee on Rules

Delegate Gary Banz of Oklahoma, Chair

PERSONAL PRIVILEGE

Delegate from Missouri asked about extracurricular activities.

Vice-President Ken Ivory of Utah announced that the Committee on Style would be meeting upon adjournment.

Delegate Steve Smith of Arizona expressed appreciation to all who had participated in the Article V Planning Convention.

Delegate Hal Wick of South Dakota emphasized the importance of a Balanced Budget Amendment to the Constitution of the United States of America.

Delegate Bob Thorpe of Arizona expressed appreciation for Delegate Hal Wick of South Dakota.

Delegate from Oklahoma expressed appreciation to the organizers of the Article V Planning Convention.

President Townsend offered comments relating to previous Article V Conventions.

September 14, 2017

Third Day

ADJOURNMENT

Motion by Delegate from Tennessee that the Article V Planning Convention stand adjourned until 9:00 a.m., Friday, September 15, 2017. Carried at 3:04 p.m.

KELLY TOWNSEND
President

ATTEST:

DAVID GULDENSCHUH
Secretary

**JOURNAL OF THE BALANCED BUDGET
AMENDMENT PLANNING CONVENTION
PHOENIX, ARIZONA**

September 15, 2017

Fourth Day

President Kelly Townsend, Delegate from Arizona, sounded the gavel at 9:30 a.m.

President Townsend announced that, without objection, delegates and guests would please rise and remain standing for the invocation and the Pledge of Allegiance.

The invocation was given by Chaplain Donna Kafer.

Pledge of Allegiance to the Flag was led by Delegate Anthony Kern of Arizona.

The roll was called by state and President Townsend announced the attendance:

	Arizona
	Georgia
	Idaho
	Indiana
	Iowa
	Kentucky
	Michigan
	Minnesota
	Missouri
	New Hampshire
	Oklahoma
	South Carolina
	South Dakota
	Tennessee
	Utah
	Wyoming
Total Present:	16

President Townsend announced that, without objection, the reading of the Journal of Wednesday, September 14, 2017 was dispensed and approved as written.

REPORTS OF COMMITTEES

Committee on Style (Planning Committee Report),
Delegate Ken Ivory of Utah, Chair

Committee on Rules, Delegate Gary Banz of Oklahoma, Chair

FINAL RULES COMMITTEE REPORT

Consider these numbers for perspective:

1786 – Annapolis, Maryland – 5 of 13 Colonies in attendance
2017 – Phoenix, Arizona – 19 of 50 States in attendance

For those of you who were in advanced math class you know where this is going. Both fractions represent 38 percent. Do not underestimate the value of the work accomplished this week.

The Rules Committee would like to acknowledge the wisdom of providing the committee with the collective work of many individual delegates and outside groups, that took place prior to this Convention, that became the basis for Convention Resolution 1 (CR1).

CR1 was advanced by the Tennessee Delegation on Tuesday, September 12, 2017, and adopted by this Convention, became the working draft for the Rules Committee.

Comments that were voluntarily submitted in electronic form have been included

September 15, 2017

Fourth Day

The first motion adopted by the Rules Committee was advanced by the Arizona Delegation. It authorized staff to make corrections related to spelling, punctuation, and grammar errors, so long as the substantive language remained intact.

The Rules Committee proceeded to work systematically through the draft document (CR1) along with state delegation resolutions submitted as amendments. One item under the heading of "1.2 Oath of Office" remained on the table without action.

Work was completed at 1:05 p.m. on Thursday, September 14, 2017 with a unanimous vote to adopt CR1 as amended, to be the Rules Committee report.

The electronic copy version of the Rules Committee report was released by staff on Thursday at approximately 4:30 p.m. with instruction to make staff "aware of any substantive anomaly engrossed in error."

Thank you Vice Chairmen, Jim Stalzer Delegate from South Dakota and thank you Delegates of the Rules Committee for demonstrating true statesmanship by your use of consensus building in all of your deliberations. Thank you, Arizona legislative staff, for the incredibly professional manner in which you rendered service to our committee.

Madame President, on behalf of the dedicated Delegates whose principled participation produced the primary purpose for convening this Convention in Phoenix, I submit Convention Resolution 1 as amended as the Rules Committee report, and move its adoption.

CONVENTION RESOLUTION 1

Resolution creating rules of procedure for a future convention to propose a balanced budget amendment to the Constitution of the United States convened pursuant to Article V of the Constitution.

PREAMBLE

Pursuant to Article V of the United States Constitution, we the delegates of the several sovereign States, grateful to Almighty God, do assemble in this Convention of the States, called by Congress, for the sole purpose of proposing an amendment to the Constitution.

ARTICLE 1 – Subject of the Convention

1.1 Convention Limited Authority

This Convention is convened under the authority reserved to the state legislatures of the several States by Article V of the Constitution of the United States.

The only participants at this Convention are the several States represented by delegations duly selected in such manner as their respective legislatures have determined.

The Convention derives its authority from the applications adopted by at least two-thirds of the legislatures of the several States, and its authority is thereby limited to the subject of proposing an amendment to the Constitution of the United States regarding balancing the federal budget as specified in applications from at least two-thirds of the States. This Convention and these delegates have no authority to propose an amendment or amendments on any other subject.

1.2 Temporary Rules

For the purposes of organizing the Convention, all Articles herein shall be adopted by a majority of the States voting, one vote per State, to serve as temporary rules for the Convention save for any Article which requires more than a simple majority shall require, by division, an equal majority of votes by the Convention. The Temporary Rules shall remain in effect until the Rules Committee submits amendments to these rules which are subsequently approved by the Convention in the same manner as the Temporary Rules were approved.

1.3 Initial Quorum

The initial quorum for the Convention shall be a majority of the several States whose delegate or delegates are physically present at the time of the initial roll call of the Convention.

1.4 Prohibition on Amending or Suspending

Article 1 shall not be amended or suspended by the Convention.

September 15, 2017

Fourth Day

ARTICLE 2 - Officers of the Convention

2.1 List and Duties of Officers

2.1.1 Temporary President

A temporary President shall be an individual selected by the State delegation from the host State to preside and not necessarily a member of the delegation.

Upon the initial assemblage of the Convention, the temporary President shall call the roll of the States, at which time the States shall present their credentials to the temporary President and name all delegates present.

2.1.2 Permanent Officers

The officers of the Convention shall be a President, a Vice President, a Secretary, a Sergeant-at-Arms, and a Parliamentarian. The President and Vice President shall be a member of a State delegation and elected by a simple majority vote of the States voting subject to Article 2.2. The Sergeant-at-Arms, the Parliamentarian and the Secretary shall be appointed by the President with the consent of the Convention, and shall not be a member of a delegation of a State. No more than one elected officer shall be from the same State.

2.1.2.1 Duties of the President

2.1.2.1.1 Calling the Convention to Order

The President or presiding officer shall take the chair each day at the hour to which the Convention shall convene and shall call the Convention to order and, except in the absence of a quorum as prescribed by these rules, shall proceed to business in the manner prescribed by these rules.

2.1.2.1.2 Duty to Preserve Order and Decorum

The President or presiding officer shall preserve order and decorum, and during debate, shall confine delegations and individual delegates to the question under discussion and shall have general control of the Convention chamber, unless otherwise ordered by the Convention, and in cases of disturbance or disorderly conduct on the floor or in the public areas outside the bar of the Convention, shall have the power to order the same cleared of any parties involved in such a disturbance or disorderly conduct.

2.1.2.1.3 Authority to Enforce Rules

The President or presiding officer may rule out of order, or discipline, any state or delegate for violating provisions of the rules of the Convention. Disciplinary action shall not inhibit the right of a state to cast a vote in the Convention or any committee of the Convention.

2.1.2.1.4 Points of Order

All questions of order shall be decided by the President or presiding officer, subject to appeal to the Convention. On every appeal, the President or presiding officer shall have the right to assign the reason for the decision. In case of such appeal, no State shall speak more than once. All questions and points of order shall be noted by the Secretary with the decision thereof.

2.1.2.1.5 Committee Membership

The President shall be an ex-officio member of all committees of the Convention but shall not be a voting member of any save for the Credentials Committee.

2.1.2.2 Duties of the Vice President

2.1.2.2.1 Absence of the President

In the event of the temporary absence or inability to preside by the President, the Vice-President shall preside over the Convention in the same manner as the President.

2.1.2.2.2 Convention Manager

The Vice President shall serve as the manager of the Convention with the duties to provide necessary facilities, staff, audio visual equipment, and document reproduction at the direction of the Convention and the committees. The Vice President may create a committee to advise the Vice President on these matters.

2.1.2.3 Duties of the Secretary

2.1.2.3.1 General Duties of the Secretary

The Secretary shall be custodian of the records of the Convention and shall perform the customary duties of clerks or secretaries of deliberative assemblies and such other duties as shall be ordered by the Convention.

September 15, 2017

Fourth Day

2.1.2.3.2 Journal Record of Proceedings

The Secretary shall keep a journal of the proceedings of the Convention and shall publish an electronic copy from the proceedings of the previous day. The attested "Journal of Proceedings" provided for in 2.1.2.3.6 below shall be the official legal record of the Convention.

2.1.2.3.3 Verbatim Record of Proceedings

The Secretary shall cause to be produced a verbatim record of the daily floor sessions of the Convention and shall likewise cause verbatim records to be produced of each committee meeting convened in the course of the Convention. The verbatim records required herein shall be published in electronic form and be made available to the public via the Convention's website and any other means as soon as they are reasonably available.

2.1.2.3.4 Numbering of Proposals

The Secretary shall give to every proposal when introduced a number, and the numbers shall be in sequential order.

2.1.2.3.5 Preparation of Calendar, Reports, and Amendments

The Secretary shall prepare and provide to each delegate each day a calendar of the business of the Convention, as provided by these rules, and shall arrange and publish all committee reports and all amendments offered to pending amendments.

2.1.2.3.6 Preservation of Records

As soon as possible after the final adjournment of the Convention, the Secretary shall prepare a "Journal of Proceedings" of the Convention, which shall be attested to by the President and the Vice President. The Secretary shall cause the journal to be both physically and electronically published in full. The Secretary shall cause the audio and video records of the Convention to be compiled and preserved and shall file the journal and all audio and video records with the Archivist of the United States for keeping in the manner provided by law for the records, books, video and audio records, documents, and other papers of the Convention. Likewise, the same records shall be filed with the Library of Congress, and with the several States in a manner directed by the Convention. The Secretary shall additionally send copies of all such records to the Speaker of the United States House of Representatives, the President of the United States Senate, the Clerk of the United States House of Representatives and the Secretary of the United States Senate.

2.1.2.3.7 Necessary Deputies and Staff

The Secretary may secure necessary staff and assign deputies to fulfill such duties as may arise in the course of the Convention.

2.1.2.3.8 Vote Tally

Whenever an issue is considered for a vote of the States, the Secretary (or Clerk) shall call the roll, note how each State voted (Aye, Nay, Divided, or Pass), tally the votes, and present the results to the President.

2.1.2.4 Duties of the Parliamentarian

2.1.2.4.1 Qualifications

The Chief Parliamentarian and any Assistant Parliamentarians shall be a current or former member of the Mason's Manual Commission. The Chief Parliamentarian shall have previously served as the Chief or Head Parliamentarian of a state legislative body. A Parliamentarian shall not be a delegate. Each committee shall be assigned an Assistant Parliamentarian upon request to the Chief Parliamentarian, who will make such assignment.

2.1.2.4.2 Duties

Upon request, the Parliamentarian shall advise the presiding officer of the Convention or a committee regarding questions of parliamentary procedure or the rules of the Convention.

2.1.2.5 Duties of the Sergeant-at-Arms

2.1.2.5.1 Convention

Subject to the direction of the President or presiding officer, the Sergeant-at-Arms shall enforce the rules of the Convention. The Sergeant-at-Arms shall be charged with enforcing the rules as to admission on the Convention floor, only delegates and designated staff are permitted to be on the Convention floor without leave of the body.

2.1.2.5.2 Committees

Subject to the direction of the committee Chair, the Sergeant-at-Arms shall enforce the rules to admission of the committee.

September 15, 2017

Fourth Day

2.1.2.5.3 Deputies

The Sergeant-at-Arms, under the direction of the Secretary may arrange for deputies to fulfill the duties of the Sergeant-at-Arms.

2.1.3 Vacancy of an Officer

In the event of a vacancy of the President, the Vice President shall temporarily rise to President and conduct an election for a new permanent President. After the election of the President, the temporary President shall return to the position of Vice President unless elected President, and the President shall preside. In the event of a vacancy of any other Office, the Office shall be filled in the same manner as prescribed in Article 2.2 with the highest-ranking officer presiding over the election.

2.2 Election of the Officers

The election of the President and Vice President shall be conducted by the temporary President. Nominations shall be made from the floor. Voting shall be by roll call vote by the States with one vote per State. Voting shall continue with successive rounds, with the individual receiving the fewest votes removed from consideration, until an individual receives a simple majority of the States attending and voting. After the election of the officers, the temporary President shall retire and the President shall preside.

ARTICLE 3 – Quorums and Voting

3.1 Quorum

Subject to Article 1.3, a quorum for all committee or voting sessions of the Convention shall be a majority of the States present and for all committee meetings shall be a majority of the members present. At least one delegate from a State who is physically present at a quorum call during a committee or voting session of the Convention shall result in the presence of that State for the purposes of establishing or determining the presence of a quorum.

3.2 Voting

3.2.1 Voting by States

All voting at the Convention or in a committee shall be by State with each State having one vote, without apportionment or division. Each State shall determine the internal voting and quorum rules for casting the vote of its delegation.

3.2.2 Majority Vote

A majority vote of the quorum shall prevail on all issues before the Convention and in all committees, save for any vote to create a rule which requires a majority greater than a simple majority, which shall then require an equal majority to prevail.

3.2.3 Proposing an Amendment for Ratification

An affirmative vote of a majority of States attending and voting shall be necessary to propose an amendment for ratification by the several States.

ARTICLE 4 – Committees

4.1 Rules Committee

After the initial session of the Convention, the Rules Committee shall organize.

4.1.1 Purpose of the Committee

The committee shall review the rules of the Convention and make recommendations to the Convention regarding the addition of committees, the duties of the Officers, and procedures.

4.1.2 Seating and Participation

One delegate has the right to occupy the seat of the State and speak and vote on behalf of the State and the balance of the delegation may be seated in the same location, space provided, and the State may substitute the delegate in the seat of the State at its discretion.

4.1.3 Chair

The committee shall elect a Chair in the same voting manner the Officers are elected. The Chair shall preside over the committee but not vote save for the case of a tie.

4.1.4 Vice Chair

The committee shall elect a Vice Chair in the same voting manner the Officers are elected. The Vice Chair shall preside over the committee in the absence of the Chair and in that role not vote save for the case of a tie. The State from which the Vice Chair is a delegate may appoint another representative to the committee when the Vice Chair is serving as Chair.

September 15, 2017

Fourth Day

4.1.5 Sub-Committees

The committee may divide into sub-committees with fewer members than the committee and shall elect a Chair and Vice Chair in the same manner as the committee. The Chair of the committee shall choose to either be a voting member of a sub-committee or be a non-voting ex-officio member of all sub-committees with the Chair's State selecting another delegate to be a voting member of a sub-committee.

4.2 Amendment Committee

After the initial session of the Convention, the Amendment Committee shall organize.

4.2.1 Purpose of the Committee

The committee shall prepare proposed amendment language which shall be transmitted to the Convention for its consideration and debate. Any amendment language to be presented to the Convention by a State for its consideration by the Convention must originate in the committee. After this committee transmits its report (recommended amendment language) to the Convention, the committee shall not meet unless directed by the Convention. The Convention may amend the report of the committee.

4.2.2 Seating and Participation

One delegate has the right to occupy the seat of the State and speak and vote on behalf of the State and the balance of the delegation may be seated in the same location, space provided, and the State may substitute the delegate in the seat of the State at its discretion.

4.2.3 Chair

The committee shall elect a Chair in the same voting manner the Officers are elected. The Chair shall preside over the committee but not vote save for the case of a tie.

4.2.4 Vice Chair

The committee shall elect a Vice Chair in the same voting manner the Officers are elected. The Vice Chair shall preside over the committee in the absence of the Chair and in that role not vote save for the case of a tie. The State from which the Vice Chair is a delegate may appoint another representative to the committee when the Vice Chair is serving as Chair.

4.2.5 Sub-Committees

The committee may divide into sub-committees with fewer members than the committee and shall elect a Chair and Vice Chair in the same manner as the committee. The Chair of the committee shall choose to either be a voting member of a sub-committee or be a non-voting ex-officio member of all sub-committees with the Chair's State selecting another delegate to be a voting member of a sub-committee.

4.2.6 Specific Issues Before the Committee

4.2.6.1 State Participation

After organizing, the first order of business shall be providing each State attending the Convention equal opportunity and time to present to the committee its opinion, findings, and recommendations regarding the language and content of the amendment subject, including specific amendment language. All presentations are subject to Article 1.

4.2.6.2 Expert Testimony

Expert testimony before the committee by those not a participant of the Convention shall be limited to the subject of the Convention and shall be by invitation. The Chair shall determine the experts and may create a sub-committee to recommend such. The committee, by a majority vote, may include additional experts.

4.3 Credentials Committee

4.3.1 Purpose of the Committee

The committee shall verify the credentials of the delegations after the Opening Session and settle disputes regarding credentials. The decision of the committee may be appealed to the Convention.

4.3.2 Composition

The committee shall be comprised of the elected officers of the Convention and the Chairs of the Rules and Amendment Committees. Each may appoint a substitute to attend a committee meeting. The committee shall select a member to serve as Chair.

4.3.3 State Resolutions

The primary source of verification of the credentials of a delegation shall be the resolution passed by the legislature of the State determining how the delegation should be chosen.

September 15, 2017

Fourth Day

4.3.4 Recall Authority of the States

The committee shall recognize and respect the authority of a State to recall and reappoint members of its delegation pursuant to the resolution approved by their legislature when it appointed its delegation.

4.4 Additional Committees

Additional committees may be created by a majority vote of the Convention provided the committee's function does not create a new rule for the Convention and if so, approval shall be first received from the committee on Rules. If the committee is comprised of delegates, no committee shall have more than one delegate from the same State.

4.5 Committee Debate

The method of participation in committee debate shall be the same method as used in general session.

ARTICLE 5 – Sessions of the Convention

5.1. Composition

The Convention shall be composed of the States from which the legislature has sent a delegation. Recognition by the presiding officer shall be the name of the State and may additionally recognize the individual by name.

5.2 Rules and Procedures

Sessions of the Convention shall be governed by the rules of the Convention and when silent, the rules of parliamentary practice as stated in Mason's Manual of Legislative Procedure, current edition at the time of the Convention.

5.3 Seating and Participation

One delegate has the right to occupy the seat of the State and speak and vote on behalf of the State and the balance of the delegation may be seated in the same location, space provided, and the State may substitute the delegate in the seat of the State at its discretion.

5.4 Sessions

5.4.1 Time of Meeting and Procedure

The Convention shall meet at 9:00 a.m. unless otherwise ordered by the Convention.

5.4.2 Reading of the Journal

Immediately after the President or presiding officer shall have taken the chair and the States in their seats, the journal of the preceding day shall be read by the Secretary unless dispensed with by the consent of the Convention.

5.4.3 Order of Business

At meetings of the Convention, the order of business shall be as follows:

1. Call Convention to Order
2. Prayer by an individual approved by the President.
3. Pledge
4. Roll Call.
5. Reading of the Journal.
6. Presentation of petitions, memorials, and remonstrances.
7. Reports of committees.
8. Introduction and first reading of proposals.
9. Reference of proposals.
10. Motions and resolutions.
11. Orders of the day.
12. Committee notices.

5.4.4 Prohibitions on the actions of the Convention

5.4.4.1 Amending Convention Rules

The Convention shall not amend the rules of the Convention until after the Rules Committee has submitted its initial recommendation to the Convention.

5.4.4.2 Proposing and Amending Amendment Language

The Convention will not directly propose for debate specific amendment language until after the Amendment Committee has submitted its initial recommendation to the Convention.

September 15, 2017

Fourth Day

5.4.5 Voting Process

5.4.5.1 Name of the State

Voting shall be in the name of the State without disclosure of the delegation's internal results. After the official tally of the vote, any State may rise and present for the record the internal vote tally of its delegation.

5.4.5.2 Votes Cast

Votes shall be cast as Aye, Nay, Divided, or Pass. If a State passes and does not eventually vote, the State shall not be considered as voting. If a State votes "Divided," the State indicates that the State's delegation is divided and is unable to cast an Aye or Nay vote.

5.4.5.3 Request for Leave

Prior to any vote, a State may ask for time to consult with its delegation on the issue. The request is not debatable and shall be granted by the presiding officer with the period of the leave determined by the presiding officer.

5.4.6 Additional Rules of Procedure

5.4.6.1 Every State, rising to speak, shall address the President or presiding officer; and while the State shall be speaking no one shall pass between them.

5.4.6.2 Of two States rising to speak at the same time, the President or presiding officer shall name the one who shall first be heard.

5.4.6.3 A motion made and seconded, shall be repeated; and if written, as it shall be when any member shall so require, shall be read aloud by the Secretary or transmitted to each delegate's pre-designated electronic device before it shall be debated. No motion, other than a procedural motion, shall be in order unless germane to both the subject matter specified in the State applications on which Congress called the Convention and to the subject matter specified in the Convention call.

5.4.6.4 A motion may be withdrawn at any time before the vote upon it shall have commenced.

5.4.6.5 When a debate shall arise upon a question, no motion, other than to amend the question, to commit it, or to postpone the debate, shall be received.

5.4.6.6 A question that consists of one or more propositions shall, at the request of any State, be divided and put separately as to each proposition.

5.4.6.7 A motion to reconsider a matter that has been determined by a majority may be made, with leave unanimously given, on the same day on which the vote passed; but otherwise not without one day's previous notice; in which last case, if the Convention agree to the reconsideration, the Convention or, by the Convention's leave, the President or presiding officer shall assign a future day for the purpose.

5.4.6.8 A delegate may be called to order by another delegate, as well as by the President or presiding officer, and may be allowed to explain his or her conduct or any expressions supposed to be reprehensible.

5.4.6.9 All questions of order shall be decided by the President or presiding officer, subject to appeal to the Convention, but without debate.

5.4.6.10 Upon a question to recess for the day, which may be made at any time, if it be seconded, the question shall be put without debate.

5.4.6.11 No delegate shall be absent from the Convention, so as to interrupt the representation of his or her State, without leave.

ARTICLE 6 – General and Miscellaneous Provisions

6.1 Costs of the Convention

The costs related to the Convention shall be divided equally among the States attending the Convention and the costs related to the travel, maintenance and provisioning of each State's delegation and staff shall be borne entirely by the State.

6.2 Open Meetings

Every official session of the Convention including committee and sub-committee meetings shall be held in full view of the public. Every official session of the Convention, including committee and subcommittee meetings, shall be streamed live via a website provided by the Convention and shall be recorded and archived under the direction of the Secretary.

Comments that were voluntarily submitted in electronic form have been included

September 15, 2017

Fourth Day

6.3 Adjournment

The Convention shall adjourn promptly after completion of the business contained within the call of the Convention.

Delegate Gary W. Banz of Oklahoma
Rules Committee Chairman

President Townsend called for a roll call vote

POINT OF ORDER

Delegate from New Hampshire questioned whether amendments were in order.

After discussion, President Townsend withdrew her call for a roll call vote and asked for a motion from the body regarding possible debate and amendments.

Motion by Delegate from New Hampshire seconded by Delegate Don Shooter of Arizona that amendments be considered. Carried by the following roll call vote:

AYES: Arizona, Indiana, Iowa, Michigan, Minnesota, New Hampshire, Oklahoma, South Dakota, Utah—9

NAYS: Georgia, Idaho, Kentucky, Missouri, South Carolina, Tennessee, Wyoming—7

President Townsend ruled that the one of the New Hampshire amendments was not in order because of timeliness and the Utah amendments were produced in error.

Motion by New Hampshire that the amendments proposed by New Hampshire be withdrawn. Carried.

Delegate from South Carolina moved a proposed amendment, seconded by Delegate from Iowa, to the Report of the Committee on Rules and explained the amendment.

Delegate Tom Buford of Kentucky commented on the amendment proposed by South Carolina.

Delegate from Idaho commented on the amendment proposed by South Carolina.

The amendment proposed by South Carolina failed by the following roll call vote:

AYES: Arizona, Indiana, Iowa, Michigan, Missouri, South Carolina—6

NAYS: Georgia, Idaho, Kentucky, Minnesota, New Hampshire, Oklahoma, South Dakota, Tennessee, Utah, Wyoming—10

President Townsend requested a roll call vote on the Report of the Rules Committee.

Adoption of the Report of the Committee on Rules carried by the following roll call vote:

AYES: Arizona, Georgia, Idaho, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, New Hampshire, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Wyoming—16

REPORTS OF COMMITTEES

Future Convention Working Group,

Delegate Bob Thorpe of Arizona, Chair

Delegate from Minnesota posed questions concerning the Report of the Future Convention Working Group.

Delegate from Idaho questioned the purpose of the Report of the Future Convention Working Group.

Delegate from Minnesota recommended amending the report heading to read: “Recommendations for Protecting the Integrity of an Article V Convention”.

Motion by Delegate Bob Thorpe of Arizona, seconded by Delegate Sylvia Allen of Arizona that the recommendation by the Delegate from Minnesota be included in the report of the Future Convention Working Group.

September 15, 2017

Fourth Day

Recommendations for Protecting the Integrity of an Article V Convention

The purpose of an Article V Convention is for the States to propose amendments to the United States Constitution. Co-equal, sovereign Several States alone have the duty and the responsibility to conduct the Convention in an ethical and transparent manner and to protect the credibility and integrity of the Convention.

To fulfill this obligation, only duly authorized and credentialed individuals should be engaged in the Convention process. It is recognized that many individuals and organizations have championed or opposed this cause up to this point. However, once the Convention delegates have gathered, the duty lies exclusively with the States alone. There will be a tendency for outside groups, special interests, and individuals to attempt to influence the process and participants of the Convention. To help prevent this from happening, we recommend the following:

1. Non-delegates should not be permitted on the Chamber Floor, Members' Lounge, etc., and should only be permitted in public areas.
2. Any interaction of Convention leadership and staff with non-delegate individuals or organizations that pertains to Convention business or process should be strictly prohibited, with the exception of the press.
3. Convention communications should only include official activities.
4. States should consider extending their ethics restrictions (i.e. lobbying, food, gifts, etc.) to delegates serving within a convention, in addition to any ethics standards imposed by Convention rules.

These recommendations are humbly and respectfully submitted for the consideration of future conventions.

Motion by Delegate Bob Thorpe of Arizona, seconded by Delegate Sylvia Allen of Arizona that the Report of the Future Convention Working Group be adopted. Carried by the following roll call vote:

AYES: Arizona, Georgia, Idaho, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, New Hampshire, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Wyoming—16

PERSONAL PRIVILEGE

Delegate Gary Banz of Oklahoma expressed appreciation to the delegates of the Balanced Budget Amendment Planning Convention.

Delegate from Minnesota offered comments related to the history of Article V Conventions.

Secretary David Guldenschuh, Delegate from Georgia addressed the delegation as follows:

My fellow Delegates, for the first time since 1861, the states came together this week in a national convention to address serious issues facing our country. There are those out there who claim that no convention of states could be sufficiently disciplined to come together, to stick to task and to avoid adjourning without usurping the scope of its call. But we have proved here this week what many of us knew coming in. The political and legal realities of a convention of states assure that its deliberations will be limited to the scope of its call. We have proved this week that the runaway convention is a fantasy, a myth, a diversionary argument used by naysayers to keep us from exercising our rights under the United States Constitution. Look at what we have accomplished this week. We've created a model set of rules. We set up a standard for integrity for the next convention. We have passed a motion recommending a follow-up convention next year. And we have established the historic Phoenix Correspondence Commission to communicate with the Congress, the states and the people on our progress toward a future BBA convention. Fellow Delegates, I commend you on showing the way. Give yourselves a round of applause for a job well done!

It is altogether fitting that we have met here in this great city named Phoenix. As we have referenced this week, in ancient mythology, the phoenix represented rebirth, a new beginning. As the phoenix died in a show of flames and self-combustion, from its ashes came a newer, greater, and stronger phoenix. And so it is that we have established a new opportunity for our country as we leave here this week.

Consider for a moment the historic fact that Rep. Hertauss pointed out today. Today is literally the birthday of the Article V convention of states process. Indeed I went back and looked at the [1787] Journal and as we stand here right now, it is the birthday of Article V 230 years ago almost to the minute.

I ask you: is it coincidence? Or could it be divine guidance that has brought us all here together in this historic setting on this historic anniversary in the city aptly named Phoenix?

September 15, 2017

Fourth Day

As you leave today, know that we here assembled in Arizona have re-established a mechanism for the states to come together and exercise their authority to reign in the federal government. It is our collective hope that a convention will be held in the near future to propose a balanced budget amendment. As we leave here our task continues to be to let the message go out to those 7 crucial target states, to Idaho, to Kentucky, to South Carolina, to Minnesota, to Virginia, to Wisconsin, to Montana, and to all 50 states, that a new America has risen this week from the ashes of the old, that we the states are prepared to exercise our constitutional authority to correct the imbalance of power in Washington.

Do this and the history books will write of this convention that on this historic date we gave re-birth to a new nation.

God bless you; God bless the great state of Arizona for hosting this convention, have a safe trip home and God bless the United States of America.

Delegate from Utah expressed concerns about outside influence of convention delegates.

Vice-President Ken Ivory, Delegate from Utah expressed appreciation to the delegates of the Balanced Budget Amendment Planning Convention.

Delegate from Georgia expressed appreciation to the delegates of the Balanced Budget Amendment Planning Convention

Delegate from Tennessee expressed appreciation for President Kelly Townsend, Delegate from Arizona.

President Townsend addressed the delegation as follows:

Whether we're eloquent or not as eloquent is not necessarily the issue; it's what's in our heart. What motivates a man? What motivated you to come to this convention? I suspect you came because you felt like we didn't have any other choice. Many recognize the risk to your political career by coming here. The risk to your affiliations and to your relationships with others by coming to the Arizona BBA planning convention. Because you've come with those risks known to you, it's proof to me what's in your heart and what motivated you to come here.

With that in mind I think of George Mason and the stories we've learned about him, our forgotten Founder. Stories of how *he* was the author of the Bill of Rights when he penned those very similar Declaration of Liberties for the Virginia Constitution. He insisted that they be included in the Constitution when it was written and that he had the courage to stand and say, "I can't sign this document without those protections." The political fallout that happened after that to him was great, and he found his place in history as the "forgotten founder."

When you go to Gunston Hall (his property in Virginia) you'll see how George Washington referred to him as his "former friend" because he wouldn't sign the Constitution. Yet he believed so strongly in what he was doing, he was willing to risk the political fallout. They tell the story that he went home, that he had medical issues, and that he was tired. Perhaps you might even be able to say he washed his hands of it all. Two years later when those Bill of Rights were adopted it wasn't by him, and someone else got the credit for it.

We've put a lot on the line by doing this, and it's going to be a struggle as we move forward. We are going to have to have the motivation, the proper motivation, to continue in the storm that comes when we get closer. The heat is going to rise and I would ask you to please withstand that heat. Do not wash your hands, because you're not motivated for any kind of glory to go down in history as the "new Founders." They say, "You're no Founders." No, we are not Founders, but we *are* stewards. We are not doing this to try to go down in history as someone on the level of the founders, that is not why we are here.

Today we remember George Mason. He didn't do it for Glory, but yet I am happy that you, Minnesota, remembered him and I believe he's here with us today. I think the Providence of this day, and significance of this day is, to me at least, is proof that he has his fingerprints on what we're doing. I encourage you to please remember today, remember this feeling and knowledge that we are not doing this for self-purposes. We are doing it because we believe in this country, we love this country and we feel this is what is going to save our country. So, thank you for taking that risk, and thank you for doing it for the right reasons.

President Townsend announced that the Journal of Friday, September 15, 2017 was approved as written.

September 15, 2017

Fourth Day

ADJOURNMENT SINE DIE

President Townsend announced that she was appointing a Sine Die Committee consisting of delegates, Roger Chamberlain of Minnesota, Julia Daniels of Oklahoma, Alan Clemmons of South Carolina, Kevin Van Tassell of Utah, Ray Petersen of Wyoming and Marv Hagedorn of Idaho as Committee Chairman, to announce the completion of the convention's work and make a motion to Sine Die.

Delegate Marv Hagedorn of Idaho informed President Townsend that the delegation of the Article V Planning Convention had completed its labors and moved that the Article V Planning Convention do now adjourn sine die.

The Article V Planning Convention so adjourned at 11:06 a.m., Friday September 15, 2017

KELLY TOWNSEND
President

ATTEST:

DAVID GULDENSCHUH
Secretary

**Committee
Minutes**

COMMITTEE MINUTES

Convention Planning Committee

Credentials Committee

Rules Committee

Convention Planning Committee

BALANCED BUDGET AMENDMENT PLANNING CONVENTION

CONVENTION PLANNING COMMITTEE

Minutes of the Meeting

September 12, 2017

1:59 p.m., House Hearing Room 1

States Present--16:

Arizona
Georgia
Idaho
Indiana
Iowa
Kansas
Kentucky
Michigan

Minnesota
New Hampshire
Oklahoma
South Carolina
South Dakota
Tennessee
Utah
Wyoming

Staff:

Caleb Rhodes, House Staff
Imee Andrew, Committee Secretary

Temporary Chair Bob Thorpe, Arizona State Representative: The Planning committee will come to order. I'm Arizona State Representative Bob Thorpe and I'm the temporary chair for this planning committee. Thank you everyone for being here. I am sure you have already heard this. But welcome to our house and welcome to Arizona and [inaudible] thank you for being here. Yeah, I retired the hat at least for the moment. Yeah, they frown on me wearing that inside, go figure, right? So, what we have is just a few things. There is a handout being passed around that Bill Fruth, if anyone of you know Bill. He has been working on this process, this Article V process for 30 plus years and he is a good friend. And so, he has put together a handout with that...kind of talks about some suggested issues associated with our planning committees. What the function of the planning committee is, and so, we didn't have enough copies, we are having some additional copies made. So, we can pass those out so that everyone will have a copy of it. I'm going to ask one of our staffers to go ahead and read through it. I am going to leave it up to his discretion the level of detail that he reads through it but, if nothing else to kind of touch on some of the highlights. Some of the things that we're going to be doing in just a moment, we are going to determine our quorum ensure that we do have a quorum and then we are...the next piece is we are going to open the floor for nominations for chairman. As I mentioned, I am just the temporary chairman to start this committee off. So, we have a couple of things

that we are going to accomplish today and so what I would like to start with is... staff if you could go ahead and call the roll to determine whether we have a quorum.

Committee Secretary: State of Alabama.
Committee Secretary: State of Alabama.
Committee Secretary: State of Arizona.

Temporary Chair Thorpe: And if you could ask for the number of individuals as well, we could actually... I guess we do need a quorum on a state by state basis, but also if we can indicate how many commissioners are from each state as well.

Arizona Delegate Anthony Kern: Mr. Temporary Chair, do all the microphones work at this point? We had a problem over in the Senate.

Temporary Chair Thorpe: I believe that they do, yes. They appear to all be turned on.

Committee Secretary: State of Alabama.
Committee Secretary: State of Arizona.
Arizona Delegate: The state of Arizona has three delegates.
Committee Secretary: State of Georgia.
Georgia Delegate: The great state of Georgia has one delegate present.
Committee Secretary: State of Idaho.
Idaho Delegate: The state of Idaho has two delegates present.
Committee Secretary: State of Indiana.
Indiana Delegate: Indiana has two delegates present.
Committee Secretary: State of Iowa.
Iowa Delegate: Iowa has one delegate.
Committee Secretary: State of Kansas.
Kansas Delegate: Kansas has one delegate.
Committee Secretary: State of Kentucky.
Kentucky Delegate: Kentucky has one delegate.
Committee Secretary: State of Michigan.
Michigan Delegate: State of Michigan has one delegate.
Committee Secretary: State of Minnesota.
Minnesota Delegate: Minnesota has two delegates.
Committee Secretary: State of Missouri.
Committee Secretary: State of New Hampshire.
New Hampshire Delegate: New Hampshire has three delegates.
Committee Secretary: State of Oklahoma.
Oklahoma Delegate: Oklahoma has one delegate.
Committee Secretary: State of South Carolina.
South Carolina Delegate: South Carolina one delegate.

Committee Secretary:	State of South Dakota.
South Dakota Delegate:	South Dakota has one delegate.
Committee Secretary:	State of Tennessee.
Tennessee Delegate:	The great state of Tennessee has two commissioners present.
Committee Secretary:	State of Utah.
Utah Delegate:	Utah has one delegate.
Committee Secretary:	State of West Virginia.
Committee Secretary:	State of Wyoming.
Wyoming Delegate:	Wyoming has one delegate.
Committee Secretary:	24 present. 15 states and 24 delegates.

Temporary Chair Thorpe: Thank you very much. So, we do have a quorum. We needed at least 10 states to be represented within this committee. So, thank you very much for being here.

Arizona Delegate Anthony Kern: Mr. Chair.

Temporary Chair Thorpe: Yes.

Arizona Delegate Anthony Kern: I'm just reading these adopted recommendation and convention rules. If you turn to page seven, 4.2.2 Composition of the Convention Planning Committee. I need clarification. Where it says, the committee shall be comprised of no more than one commissioner from each state attending the convention, said commissioner may be alternated by the state at its discretion. Does that mean in this committee, one per state? Or does it mean one state one vote?

Temporary Chair Thorpe: Does staff, yes. So, we can have multiple commissioners from a state though sitting in the committee. Certainly. If that makes sense?

Arizona Delegate Anthony Kern: OK.

Temporary Chair Thorpe: Thank you. And I'm sure most of you are aware the based historically when we are talking about a federal convention, convention of the states. Historically, it has been one state one vote. As a matter of fact, I have always heard that it is a recommendation that each state sending delegates or commissioners would send at least an odd number so you that wouldn't run the risk of a state actually having a tie.

Minnesota Delegate Cindy Pugh: Mr. Chairman, Thank you. I count 16 states. If I could ask for clarification? I took notes and maybe mistook, but I count 16 states.

Temporary Chair Thorpe: Thank you very much. I appreciate that. I was actually doing a little tallying myself and thought it looked like we might have had 17 states. So, maybe one more than yours. Could our clerk take one more look at our tally? Looks like you are in the process of doing that.

Committee Secretary: 16.

Temporary Chair Thorpe: 16. OK. Then, I was off by one. Thank you. I think the important thing and I do appreciate you bringing that up, but we did have a threshold of 10 to mean that we had a quorum. And so, we are well above the requirement for a quorum. And if the clerk, I don't know if we need to do this now or at the adjournment of this committee could go ahead and relay that to the Chief Clerk's office that we did have a quorum and give them the list. So, at this point if Caleb, if you could go to the microphone and go over some highlights of what had been recommended by Bill Fruth, as far as the actual suggestions for this committee and what we expect from the committee.

Michigan Delegate Tom Llewellyn: Point of procedure, chair.

Temporary Chair Thorpe: Yes, sir.

Michigan Delegate Tom Llewellyn: Don't we want to appoint a permanent chair at this point before we proceed?

Temporary Chair Thorpe: We can. Yeah, why don't we put that as a motion. Would you like to make that motion?

Michigan Delegate Tom Llewellyn: I'll make a motion to proceed with assigning a permanent chair. [inaudible]

Georgia Delegate Timothy Barr: Georgia seconds.

Temporary Chair Thorpe: Thank you. Thank you very much. All in favor say aye...Aye. All opposed say nay...The ayes appear to have it, do have it, so ordered.

Temporary Chair Thorpe: So, let's move on with that. So, the floor is now open for nominations for the permanent Chairmanship. Do we have any nominations?

Michigan Delegate Tom Llewellyn: I nominate Bob Thorpe.

Temporary Chair Thorpe: Thank you very much. Any other nominations? Anyone else? Alright, thank you very much. In that we do only have one person nominated. Do we need to go ahead

with a formal vote? At this point it's done. Alright, thank you very much. I appreciate it. [applause]

Chair Thorpe: I see my good friend David Bidoff in our audience today. I called David in 2010 and had a conversation with him. Rod Nadelson had suggested that I give you a call because you were doing the things I was interested in doing as far as recognizing that we had a real problem in our nation with regard to the incredible debt that we are experiencing as a nation. I like to use the term and I don't know if you use this term but, no taxation without respiration. That it is unconscionable that we are creating debt and not just debt, but unsurmountable debt on generations of people that aren't even born yet and we need to turn that around. Alright, so I'm looking at my cheat sheet do we also need to call the role? OK, let's do that. Staff, if you could please call the role.

Caleb Rhodes: Well, because there was acclamation we don't have to call the role.

Chair Thorpe: Oh OK. I apologize that was for that piece of it. Very good. So, we do have to also have nominations. Open the floor for nominations for Vice chairman. Do we have any nominations for vice chair of this committee?

Michigan Delegate Tom Llewellyn: I would like to nominate myself, Tom Llewellyn, Michigan.

Chair Thorpe: Thank you, Tom. Anyone else? Alright, well thank you. Seeing how there is only one nomination, we do not need a vote. Thank you, Tom for stepping up. I appreciate that. [applause]

Chair Thorpe: So, Tom and I will go ahead and continue overseeing the meeting. So, at this point Caleb, can you come to the microphone and basically summarize. Are we still waiting on more copies?

Caleb Rhodes: I believe everyone should have one.

Chair Thorpe: Very good.

Caleb Rhodes: Did anyone not get a copy of the suggestions?

Chair Thorpe: So, if you can touch on some of the highlights? That would be fantastic.

Caleb Rhodes: Good afternoon delegates. For the record, Caleb Rhodes, advisor to the majority. It's my pleasure to be staffing this committee and if throughout this process you need anything, I'm a resource available. So, just to very briefly overview the purpose of this committee. This committee will be focusing on the logistical questions that will surround the convention. Obviously, putting together

a constitutional convention is a massive undertaking. There is a lot of moving parts and the point of this committee is to begin to tackle those and produce a list of suggestions for us to adopt going forward as a framework for putting together this convention. So, the document you received prepared by Bill Fruth has a number of suggestions as kind of a basis point. This is not required but this is a good starting point for us to think about how to tackle these issues. So, just to highlight a few areas that will be important in putting together the convention. I'll go through it. This is listed. I won't read the entire thing but just to try to highlight that and we can discuss each of those topic as we move through. So, one of the first issues that's of importance is how to actually recruit state legislatures to send delegates to the convention to participate. That responsibility has to be delegated out, who will be coordinating that? Those are questions we have to talk about and related to that, how are we going to educate state legislatures on this issue. Who will be responsible for that? How can we, as legislatures communicate our experiences with other legislators. A major issue is delegate selection going forward. How long? How much it is going to cost for delegates to serve. There is a lot of practical issues with getting people out there. We will have to produce recommendations to Congress on the time and place of the convention, we will need to also establish a procedure for communicating with Congress. Generally, about this issue, time, location, how to get members of Congress to understand this issue and educate them as well on their role. And with that Mr. Thorpe, I am open to any questions anyone has.

Chair Thorpe: Commissioners, do we have any questions?

New Hampshire Delegate John Reagan: Mr. Chair.

Chair Thorpe: Yes.

New Hampshire Delegate John Reagan: Right away you have some enormous responsibilities, one of which is a sub, maybe a subcommittee to deal with the recruitment issue. I mean that's just a pretty major, without that, you don't have a convention.

Chair Thorpe: Right.

New Hampshire Delegate John Reagan: But maybe, you want to start with what exactly is needed and then which of those things should be subcommittees. A subcommittee.

Chair Thorpe: Thank you. So, Caleb if you can go over just very briefly again so that everyone understands some of the duties that this committee will have. So, that would be one of them is recruitment issues.

Caleb Rhodes: Do you want me to recap what exactly we are going to try and produce, sir? How can I best answer your question?

New Hampshire Delegate John Reagan: I think you need to try to brainstorm what it is you are trying to do. Or, you are going to have all these meetings and you are going to skip something. So, let's find out what it is what has to be planned for.

Caleb Rhodes: Absolutely. So, delegates, we are going to, the intention of this committee is to produce a list of suggestions for the variety of logistical issues. My recommendation would be to start with the issues in the packet that was handed out to you. If you want staff can make suggestions on where to start, but it is up to this committee to decide what subcommittees they would like to break out into.

Chair Thorpe: Thank you.

Arizona Delegate Anthony Kern: Mr. Chair.

Chair Thorpe: Yes.

Arizona Delegate Anthony Kern: For clarity, what this committee...what I'm seeing is what this committees tasked with doing is figuring out the logistics, where are we going to have this convention, figuring out the delegates involved. Every state has different budget issues, so are delegates going to pay for their own way, are delegates going to be dipping into state funds and that is probably more of a state or is somebody out there going to sponsor this, maybe George Soros. But anyway, so then we look at, you know we look at the logistics, you know how are we going to get there, I know when we were helping with President Townsend in just creating this, a lot of states don't even have the funds to do this. So, in here it talks about education of the legislators, you know, I don't know how important that is to be honest with you. We should know what Article V is and where it is found in the constitution. But, you know, I don't know how much massive education is needed because to me, you know, we are citizen legislators. And yeah, we should have a good knowledge of it, but, I don't know that's just some of it. These are basic things that we need to just come up with and ideas that we present to the committee.

Chair Thorpe: Thank you.

Arizona Delegate Anthony Kern: And then,who is going to coordinate with Congress? I mean where does that even start? Do we start with our delegation in Congress? Do we start with you know, who do we start with?

New Hampshire Delegate Jordan Ulery: Mr. Chair.

Chair Thorpe: Yes, yes, sir.

New Hampshire Delegate Jordan Ulery: Jordan Ulery, New Hampshire. I wouldn't coordinate anything with Congress, frankly, they are going to call the convention and at that point there should be little to no input from Congress as to what course the convention takes. That should be up to the 50 states to determine, it's up to the 50 states to determine, who their delegates are and by what means those delegates are selected. The education of the state legislators is what has been taking place every time a balanced budget amendment has come up. That's up to the states to comply, not for any entity to tell them what it is and by telling it might even be considered to be interfering in each states' process. So, I would begin with making a recommendation regarding delegate selection and recommending a time and a place that would be amiable to all bodies and with a logical reasoning behind it. And, the logistics of it, we are a delegate today or a commissioner, whatever name you want to use. You are appointed by your leadership to that role, they are paying your way. That's the states' job if they want to be represented at a convention an Article V Convention. It's up to the states to deal with it. Thank you, sir.

Chair Thorpe: Thank you. And, if I might. I'll get to you in just a moment. If, I can make a couple of observations and correct me if I'm inaccurate in this. Is that my conversations with members of the BPA Task Force including Professor Rob Nadelson is that Congress's one and only role in this process is to select the time and place and so, when we have the required 34 states that have requested of Congress for this convention. I think it is appropriate that this body, or the convention planners and perhaps the President of the convention the proposed convention, does, as a courtesy, reaches out to Congress and makes sure it's almost like an exclamation point, that we have now arrived at the constitutional requirement of those 34 or more states for this convention to go forward. It has been for example my conversations with Professor Nadelson is he feels that this might be one of the points where we will actually have to take legal action. There is a chance that if I think that what we saw in the 1990's with BPA amendment that went through Congress, that that was really spurred because the states were coming together in the 80's and we are getting close to actually having the required two-thirds to create that convention and so Congress then took action because they like to have it's my personal feeling they like to have a monopoly over this process they don't want to see the states be successful in actually proposing an amendment and possibly ratifying an amendment to the Consitution. Especially, one like a BPA that's going to take away a lot of their power when it comes to dollar bills. So, my thinking is we put the best foot forward and try to remind Congress in a polite way what their constitutional role is with also being prepared to take legal action to force them to follow through with their constitutional role. Thank you. Yes, sir.

Idaho Delegate Marv Hagedorn: Thank you, Mr. Chair. Senator Marv Hagedorn from Idaho. I was the co-chairman for the subcommittee for planning for the assembly of state legislatures and we had a number of meetings and phone

conferences and if I could maybe just summarize what we learned, and we never had the opportunity to role some of the ideas into our rules, but one of the things that we discussed and realized was we might not be in session, we might not have a convention like this where we are already organized. But we actually needed to have a document that identified the process, whether that process was going to happen next week or fifty years from now. So, in the process, would one of the suggestions was pick the longest serving Speaker of the House of all fifty states and by default that person would become the point person to organize and coordinate and then have a list of things that needed to be organized and coordinated by whoever that default person was. Trying to plan for us now to plan for a place. You know if we wanted to say, OK, we want to do this again in Arizona, might work really good for the next year or two, but what happens fifteen years from now when the whole situation has changed. So, the objective was, was to identify those things that needed to be done and I think this document lends a lot of great ideas of problems that the state of Arizona experienced in pulling their convention of states together. And so, putting that list of processes together and identifying and maybe writing down in our rules who that point person would be by default then Congress would know exactly who they needed to coordinate with and the state legislatures would also know and understand who they need to coordinate with. And then, they can, I mean they are all going to be just like us. So, they can all sit down together and start to identify those things, but that initial point of contact when we do the...when we have 34 petitions that are turned into Congress. Congress might not want to do anything and say that there is 34. So, some point person has to have the ball to pick up and carry and go you either recognize these 34 or we are going to take legal action to make you recognize these 34, but until you have identified someone that can pick that ball up we are kind of floating out in midair.

Chair Thorpe: Mr. Vice Chair. Then, I will get to you next.

Vice Chair Llewellyn: Mr. Chairman, we have covered some grounds here. First of all, in terms of Congress they do obviously have had a background of wanting to preempt, meaning putting together their own resolution that would be fairly watered down by our perspectives. The other would be userp, in meaning that they would want to control the process and what might be referred to as an Orrin Hatch type of action. Neither of which we would want have any interest in agreeing to as a body here. Our primary objective here is to not only contend and eliminate those potential barriers, but to also really show that we have control of the process ourselves. In terms of managing this overall process, that's really the purpose of this entire gathering. The process that we have talked about in some of these suggestions refers to a committee of correspondence. That would be an entity that would be developed as a point person from each state that would have its own permanence and be able to address these pending deadlines as those numbers proceed. The authority of that would need to be addressed by the overall body that we are in session with today and to give proper credence and responsibility to

that action. The first step in backing away from the discussion of where and who and how really allow, should be focused on establishing the credibility of that type of leadership entity and how as a body we have proceeded with tasking such a gathering of designates from legislators and that entity would be approaching the who what and where based on the pending numbers as it progresses. We don't want to wait until we get to 34 to say, gosh what do you think we are going to do now? We have to be able to start evolving those patterns, those concepts, and elements as we are progressing. So, that as that day approaches we not only have concurrence from Congress on our numbers. We have a valid direction of how we would want them to proceed in terms of suggestions and have reviewed state alternatives for viable options. So, I think we want to basically go back to where the authority is coming from in that evolution of our who, what and where.

Chair Thorpe: Thank you. Madam?

Oklahoma Delegate Julie Daniels: Thank you. Julie Daniels from Oklahoma. I appreciate very much what I already see as a template for this committee that might naturally this week if we are to submit a report and come up with something substantive to offer that we divide it into a group that wants to talk about the issues of communicating with Congress. That we have a group that wants to talk about time, place, cost, bringing somebody from Arizona in to each of the subcommittees to talk about the issues that they have faced thus far and then one to talk about delegate selection and educating state legislators. I think, if we are to present something by the end of this week, those would be three natural ways to divide up and, we could literally come up with communicating with Congress. Will that go through a state legislature through their Congressional delegation, will that go to the Speaker, you know majority leader. How that could happen could all take place in conversations if we would split ourselves up into smaller groups, so that's just my recommendation or idea. Thank you.

Chair Thorpe: Thank you.

Arizona Delegate Anthony Kern: And to that point. Anthony Kern, Arizona. I concur with breaking up, I think that is a good idea, splitting up into different sub groups, but I don't personally, I hear a lot of bureaucratic talk and you know, we don't have 50 years, we are in a crisis. This country will not be around if we allow the debt to continue. There has got to be an urgency here that says we have to get something very formidable and how many states are even on board right now. Don't we need like six more states to actually have? Seven states...We need seven states, so really that should be in the forefront of everybody's mind, whatever we can do to lobby these states, to go visit these states as representatives. You know time is of the essence, we are in a crisis, we will not have a country fifty years from now. So, we've got to move forward and you know. I think the idea of having one person from each state represented here would be the person to kind of keep the coordination going and then you know, I like the idea of the sub groups and get something really cut, but I don't want to leave here this

week and say, OK we've done our job, let's wait 50 years or a 100 years or whatever. Because this could take that long. We have seven states, let's get on these seven states and move it through.

Chair Thorpe: Thank you. And...and, I think the lobbying of the states probably is outside the scope of what this committee...as far as from a duty stand point of this committee, but goodness, it's in all of our interests that we get behind any kind of efforts to educate and lobby the states that have not submitted.

Arizona Delegate Anthony Kern: And to that point, some of these states are probably right next door to other states and we can just maybe, hey pick up the phone and say hey, what do you guys think? Where are you guys at? What's going on?

Chair Thorpe: Certainly.

Arizona Delegate Anthony Kern: It's my understanding too isn't there two states that actually pulled back there for rescission, so those would be low hanging fruit in my opinion and let's go after the four. Maybe not, but anyway.

Chair Thorpe: Sounds good.

New Hampshire Delegate Jordan Ulery: To get Maryland to change you need a crabbing license.

Chair Thorpe: Do you want to address? Yeah, yeah, I'm sorry. [inaudible] Yeah, that sounds fine. Sir.

Indiana Delegate Ben Smaltz: Ben Smaltz, state of Indiana. I couldn't agree more that we just don't have time to go another 50 years. I think that we need to leave here on Friday with at least 19 state designees. In this, it's a beautiful time of technology with email, and texting, and snap chat. I talk to my kids, that is the only way to do it, but it creates this overload of information. So, if you are the Senate leader or you are the Speaker, you have so much information coming to you in writing, electronically that it is impossible to manage it all and you miss it and I think that the folks that are trying to organize this meeting, learned that they weren't able to communicate effectively with all the legislatures, all the general assemblies across the country. I think it is important for somebody who has access to these people, and what I mean by that is an elected official who's representative or a senator who is a point person in that state to take that information directly to the decision makers and not do it in writing. It's too important to leave to chance that the Speaker may or may not see that information. So, I think we need to leave here on Friday with 19 states, we should have 19 designees and we should work to find, I don't think, was Ohio here? I'm from Indiana. Ohio is my neighbor, I'm gonna try to get them. I'll try and go over and I'll try and find somebody there. If I'm the designee from Indiana. Michigan, can try, and I don't think Wisconsin is here so

Michigan is close enough to them, they can try. We don't need the body to lobby for membership, we need neighbor states. That is how it has always been, since there was just 13 neighbor states help neighbor states. So, I would strongly encourage that one of our recommendations is that we have elected designees and as they lose elections or are no longer viable then they are replaced.

Chair Thorpe: And, and one second...that actually was a comment that I was going to make as well that of course it has to, whatever framework that we come up with it has to be flexible enough to recognize that some, for example the Speaker of the House might not or the President of the Senate or the head of the assembly might not be the right point person. That you almost, if you will, you need an advocate and evangelist if you will with in the elected framework of the state that will, you know, try to champion the interest of moving this forward. And that of course, when that individual either no longer wants to participate or is no longer elected into that post then you have to have the flexibility to go ahead and choose someone else.

Indiana Delegate Ben Smaltz: I would follow up with I think a Speaker or President Pro Tempore are probably poor choices because they are more administerial in what they do in concepts and ideas. They aren't champions for individual ideas, they help others, at least that is how it works in Indiana, they help others carry the flag. They don't have the time, they don't have the ability to designate the effort that needs to go into it. It needs to be somebody who has that time.

Chair Thorpe: Well, also if I might, with the body that we have before us today for this preplanning convention, these are folks that I think by and large are committed to the process, they want to see this actually happen. So, calling on the Speaker in California might not be the right person because they are not necessarily dedicated to this actually being successful.

Vice Chair Llewellyn: Mr. Chairman, we already have all of the sponsors across the country of the BPA, whether it has been defeated or passed those advocates are there and or their descendants. And I think we can establish from a position by just proposing that the advocate that we have here is a delegate today from these 19, build on establishing a permanent representative in a committee of correspondence among all 50 states.

Chair Thorpe: Thank you. I know there are some other folks that would like to voice some opinions right now, but I would like to call on the Vice President of our convention. Would you care to bring some wisdom?

Vice President Ken Ivory: Well, I don't know about wisdom, but thank you for recognizing me. The...I guess my job is to float, and so as a floater, I don't know if I'll sit there or here. But if you'll, with your indulgence, I'll speak from here. A couple of weeks ago, month ago perhaps, we had a meeting in Boston at NCSL, a federalism meeting. They had Frank Luntz address NCSL and he said the

number one issue for state legislators today is securing the peoples voice back, federalism, and one of the push, we had a federalism committee meeting at NCSL. And one of their take-aways was to begin to coordinate federalism, state federal relations committees in all of the states. We have identified approximately 35 states now that have some form of federalism committee. In so, with all due respect to our good friend from Michigan, we tend to come and go as individual legislators, if we can pause at this in a committee that out lives whatever our electoral life may be. And in Utah our Federalism Commission, we have adopted officially Article V planning and preparation in the Utah plan for any convention as one of the duties of our commission. So, perhaps Mr. Chair, that may be a way, that if we coordinate with an organization like NCSL that's already working in that space. We work and add to as the good Representative from Indiana mentioned work with our neighboring states, I think a goal would be that we get every state to have some form of federalism, federal state relation committee and then again that outlives any individual one of us. Begin to coordinate that committee of correspondence so simply offer that as some of the things that are taking place, so.

Chair Thorpe: Thank you, and...

Arizona Delegate Anthony Kern: I do have a question for the Vice President.

Chair Thorpe: Please.

Arizona Delegate Anthony Kern: Thank you, Mr. Chair. Mr. Ivory, the...I have heard you in several meetings, federalism meetings and all of that, you guys have an education, on the internet that you educate your legislators on certain things and education is one of these. Do you have something on your, in your state that is accessible to all of us regarding Article V?

Vice President Ivory: We don't yet, on Article V. That is something we would like to work on going forward. We have some of the top constitutional scholars in the nation again without regard to politics, they cross the political spectrum, but that's available both on the Utah House website, it is also at Utah Valley University. We put together their continuing education curriculum on federalism. That's also, we are going to be doing programming with the Bar Association, taking the curriculum that we developed, one of the members of our Federalism Commission is a past chair of the Utah State Bar and, so we are going to be doing that now on general principles of federalism. But, excellent idea to move forward, I mean we do need to educate, so those are things that if anyone of us develop we can disseminate that out. In the works.

Arizona Delegate Anthony Kern: Thank you.

Chair Thorpe: Thank you and I know that some of you still had some comments, I would like to suggest that Mr. Bill Fruth come forward, he was the one who

penned this document and um, I think you had a couple of things you would like to offer.

Bill Fruth: Thank you, Mr. Chairman. I'm Bill Fruth, I'm a volunteer with the Balance Budget Amendment Task Force, the National Chair and this convention was basically our idea because of the problems we had been having with communicating with legislators on a runaway convention. That the first issue was the rules for a convention need to be set because that is what [inaudible] and liberal groups attack us for not having. It was the principle purpose. The second purpose of this convention is to learn how to have one and the learning experience beginning back in December until now is significant. Thank goodness, our first convention was not an amendment convention and we have identified a lot of major issues that need to be settled amongst the states prior to having an amendment convention. In the document, we identified many of them. I mean this convention is roughly three days, there are delegates that can't spend the full three days here because they have to return to their work. An amendment convention will be three weeks and so at least three weeks, and so when choosing delegations that type of thing has to be put into consideration. Only about seven or eight states today, have in process, in law or resolution a method of choosing a delegation to go to an amendment convention and that is one of the recommendations that these states need to begin that process because if we reach 34 states all of a sudden then oh my goodness, how do we appoint a delegation and that was part of this process of just choosing delegates to come here. A lot of legislatures didn't know how to do it or we didn't have a process, and therefore we didn't send a delegation. So, this list of issues needs to be really thought out and the reason for it is that this convention is going to in essence be the model for the amendment convention. And this committee needs to make a report to the convention in detail of recommendations of what an amendment convention needs to consider. Such as when will it be held. And in my document I discovered there is only one month of the year princibly, August when legislatures are not convening. And that might be and how long do we wait after we receive 34? Who communicates with Congress? and David Guldenschuh from Georgia, constitutional attorney, does want to address this process of a committee of correspondence. That is the historical vehicle of how the states would communicate with Congress. As Professor Nadelson has told us, once we reach 34, Congress is the agent of the states. They may not realize it, but Congress is the agent. And it's fully appropriate for the states to advise their agent on how to plan for this convention, including a time and place. Now when we first had the idea for this convention, this Arizona convention, we thought we would reach 31 states by this time, possibly 32 with Wisconsin voting in a week or two. That is only 2 states away, but then 4 states with the liberal leadership rescinded and so we are back now to 27. But suppose we would be at 32 today and with 6 or 7 states capable of passing it. That's the reality that this convention the amendment convention all of a sudden could be convening and this committee's work is very important because the people planning the amendment convention will look back to Arizona's recommendations and it will make the

process so much smoother and efficient. So frankly, the Rules Committee is very important and everything else, this is the more interesting committee to be on because you are plowing new ground. So, I will be available, I don't know if you want Mr. Guldenschuh to advise you now on the nature of the committee on correspondence, but he is wanting to do it.

Chair Thorpe: Thank you, Commissioners. Any questions for Bill? Why don't we have our legal expert come up at this point. Thank you.

Secretary David Guldenschuh: Thank you, Mr. Chairman. Let me kind of give you some practical, you know where the rubber hits the road thoughts about a convention. The Balanced Budget Amendment Task Force for whom I serve as special counsel is aware that the time may come when we get the 34 and so some of the work that we are talking about now we are already trying to grease the skids on. For example, we have contacts that we have already established with the Senate Judiciary Committee and the House Judiciary Committee and some of the issues we are talking about with them, believe it or not is how to educate Congress on what their job duties are. How to figure out when we are or aren't at 34 states and when we get there what is it that Congress's you know, as we very clearly know from the constitution and the debates is Congress's mandatory duty to call the convention. So, we have in place to some limited degree communications that are already going on and any recommendation that you make, obviously, you want to keep that in mind. In deciding, what you know, when we initially planned this convention, we thought we would be here and literally this committee would be accepting proposals from Georgia and other states, you know like you go bid for a super bowl. Because that is what this convention is going to be like when it is eventually held and you would be able to decide, recommend one or two places, something like that to hold it and then maybe give some guidance in the way of you know you need to call it in 180 days whatever, but it's not that way. Now we realize, that we are probably going to have to go at least until 2019. Don't know what the elections of 2018 how that will change the landscape, so we have to plan further out. So, then the issue became, well how do we do that? This convention is going to adjourn on Friday, we are not going to open the door for anyone to suggest that it is not. So, there is not a mechanism for a committee from this convention to continue forward. This convention will end probably on Friday, so then well what do you do? And, this is where we came up with this idea of a committee on correspondence. You heard the Vice President discuss how there is already federalism committees in place and the concept of the committee of correspondence and you can play with it. You may want to say, remember this convention is to plan for a BBA convention, not any possible convention, but a BBA. So, one of those things you may say, you may conclude, is we will do all 19 states that are here and go try and get 31 states to appoint a person to this committee of correspondence to move forward. You want, to say, no, we'll only appoint people from the states that have passed the BBA resolution. After all, they are the ones with the greatest interest in seeing this convention move forward. So,

that is one thing for you to talk about, and, think about and then as each state passes the resolution and we get closer and closer to 34 then we will have all of them on board to actually help, because they are the ones that have the greatest interest in seeing this convention called and coming up with the place to do it, etc., So that may be an option. Now as far as the legality, what is this committee and it's just kind of out there and your Vice chairman, kind of touched on this in his remarks. It's not a committee of this convention, it is a committee that exists and I submit to you that each of you, if you wanted to pick one person, probably to make this committee legitimate. You will have to go back to your legislatures and have your legislature pass a resolution saying we are appointing so and so or coming up we are going to use this committee and they will have so and so, and we are to join whatever we call this committee, the Article V BBA Committee on Correspondence. And you will have to have some sort of designation from your legislature, in my opinion, to have some legitimacy as an organization. This convention, I don't think can appoint 19 people. You would have to, that power that appointment has to come from your legislature. It is starting to sound a little bit like a compact, but it is really not. You are just organizing a committee. Another thing that you have to take into account and kind of what I would analogize to you now know how every legislature has a ALEC representative or many of the conservative ones anyway have a representative. Well it would be something similar to that. You would have a committee on correspondence representative that rotates and moves its way through. If you pass a resolution that gives the Speaker or somebody the power to appoint that person you have got the continuation. That is up to each state to decide how they do that, but I would envision it kind of like you know the appointment of an ALEC person. You know you have that liaison with ALEC, who you know everybody knows that is who we go to when this issue comes up or that issue. So, you may want to look at it somewhat in that light, but in the end it would be nice to see you come out with something along the lines of what we are suggesting in this outline. Which is, that you recommend that the states appoint a person that you will. Again, it is just a recommendation for you, but you recommend that an Article V BBA Committee on Correspondence be formed using the process in which if you want to do it where your 19 people are going to go back and try to get appointed by your states. Or your people are going to go back and work with your legislatures to get it set up. And then, what I would recommend is that you allow either yourselves, if you, you really can't do it yourselves, but perhaps the officers of this convention to simply in a volunteer basis, move forward to help organize this committee. And then, once they are organized then they are out of it turn it over and the committee runs itself. And it lives or dies if there are 10 states that appoint then there's 10 people on it, if there's 15 whatever that is how we would go forward. And then, between that committee that you have in place that you have given life to that when somebody says, well who are they? Well the Arizona BBA Planning Convention this gave birth to this committee. They have legitimacy and that gives them, I mean there is not another mechanism to use for legitimacy and so they have that to go on. Then we have that committee to work with from a BBA Task Force standpoint where we

have our contacts with Congress and we would obviously look forward to working with that committee to kind of provide a base for them to move forward. Now, all of this is really mushy and I am willing to help you in any way, shape or form I can to put this on paper to come back with a recommendation because that is all it is going to be at this point. Then it is gonna be up to you to go back to your legislatures and try to get someone from your state appointed to this committee on correspondence. I'll be happy to work with you on that, but that would be and then to the extent that you wanna give them any guidance we've tried to provide information for you to give them guidance on. As I envision what I'm saying here I think you need to work on if you accept the concept, maybe you appoint a subcommittee to determine if this committee on correspondence is a worthwhile thing and you want to make a recommendation on it or if there is some other mechanism you want to use for communicating with Congress. You do that on the one hand then on the other hand I do think it's worthy to have a subcommittee to talk about how do we educate and urge the states to adopt these delegate selection bills. I think Bill said seven or eight, I think it is around 12 now that have adopted it. You know it would be real nice to get certainly all the 27 BBA states to get those in place. So, with that I will be happy to answer any questions you may have.

Arizona Delegate Anthony Kern: Mr. Chair.

Chair Thorpe: Yes.

Arizona Delegate Anthony Kern: Thank you, sir. You mentioned ALEC which made me think of model legislation, so not only the representative that we have here in Arizona but ALEC also produces model legislation for a lot of what we want to do. Would you be, do you have that so we can actually get these subcommittees this subcommittee on correspondence or this committee on correspondence moving forward or can we get that?

Secretary Guldenschuh: Well no, I think your job is to recommend it and then the committee itself your job is to propose a mechanism for each of us to go back to the states to start this committee and then the committee will decide that, how to do it. I'm happy to work with them, I'm happy to provide counsel to them.

Arizona Delegate Anthony Kern: My understanding of what you are saying is that we as legislators would propose something in the next session and it would be voted on just like a resolution, like an HCR and...that's what I'm asking should we have a model?

Secretary Guldenschuh: Yeah, we haven't drafted that, I don't think we need to go through ALEC for that, I think its just a matter of, we can certainly pull together something.

Arizona Delegate Anthony Kern: I think it would be smart to pull it together to give out to the 19 people represented, or the 16 people.

Secretary Guldenschuh: I will add that to my to do list. [laughter]

Arizona Delegate Anthony Kern: I would love to help you on it but I think if we just had something like ALEC does you know and you vote on it or whatever, and then you just bring it back.

Secretary Guldenschuh: That's a good suggestion, that's something substantive that we can do for this committee at this convention.

Arizona Delegate Anthony Kern: We bring it back to our states, we get it voted on, it gets passed.

Vice Chair Llewellyn: Mr. Chairman.

Chair Thorpe: Yes, sir.

Vice Chair Llewellyn: We could very easily have the convention director or assign liaison status to the 19 states represented here and have legislation in the states that have passed BBA then turn that into a more official status of commissioner for this committee on correspondence. So, you basically have a mechanism for pulling together the organization right from day one as we exit this convention.

Secretary Guldenschuh: Well, you do. With all...again, Tom. With all... Mr. Vice chairman, with all due respect, we all know when we get back to our state legislatures, you know what do we got to do. We got to you know explain what we are doing with the Speaker of the House. Explain what we are doing and it is really a tough task to get all that through and explain. And the way I just explained it to you quite frankly, I'd probably get a D in law school for my presentation because it is, it is very you know, its very mushy, but it's just what we have to deal with.

Idaho Delegate Marv Hagedorn: Mr. Chairman.

Chair Thorpe: Please.

Idaho Delegate Marv Hagedorn: One of the things I think we need to keep in mind is that we are all different. Every state, we've got 50 states that do things differently. Some bodies are unicameral, I mean we've got one state only has one legislature, one legislative body. So, I think going back to our original charter here is to set-up a process that the states need to follow or that we can recommend that they need to follow and a process that when we have 34 petitions that someone is in charge of putting things into motion. How we do that is going to be up to each individual state. Whether or not we have model legislation that is going to work in all 50 states or not, I doubt that is ever going to happen because we can't get you

know the BBA passed in Idaho where I thought. What did I say, this is a no brainer, Brian four years ago? I thought we were going to be at this convention four years ago and I have since learned this process is going to take a very long time and should the BBA be the very first petition. I pray that it does, all of us in here are hoping that it will be, it's also going to set the path for the future. How we do this process, if it is successful for the BBA then it is going to be successful for whatever the next one will be and there will be another. This is the fourth leg of the stool, Article V is the fourth leg of the stool in our constitution. We have to set up the process in how to use that...that will work for BBA as much as it will work for whatever that next petition is going to be. Our focus is really in my opinion needs to be, let's focus on that process. First, I think breaking us up into three different committees is a great idea because each of us can then focus on that particular part of the process and I apologize for saying it might be 50 years from now, but quite frankly, it might be. We got to be ready.

Arizona Delegate Anthony Kern: Apology accepted.

New Hampshire Delegate Jourdan Ulery: Mr. Chair.

Chair Thorpe: Yes, sir.

New Hampshire Delegate Jourdan Ulery: Thank you, but you put it probably better than I would have. These recommendations that you put forward would probably never exist in New Hampshire with a House of 400 and a Senate of 24, we are going to do what we want to do when we want to do it and they don't really care. And, I think that is probably shared by several other states about some committee process or committees of correspondence process as far as educating our fellow legislators that's already well under way. You have the ALEC booklet on Building of the Article V, you have the grassroots efforts and other efforts by COS, you have people from John Birch Society who in protesting it make people aware of the fact that the states have a power they are not aware which they should really realize that's counterproductive. So, I don't think that a whole committee system would be necessary, so as long as we maintain inter-state relationships and communication. How that's done it doesn't need a bureaucratic hierarchy or role building or anything else. All it needs is someone to make sure that I in New Hampshire just as an example can go up to my Speaker and say, Sean, look, we have to do this thing or Dan Innis can go over to his President and say Chuck, look we have to be part of this. That type of activity is incumbent upon the individuals pushing it forward as far as educating the other entities. Let that be done by an outside agency. Frankly, an outside agency as a quote, lobbyist would have more influence then somebody inside who maybe, you just want a position, you just want a name, you just want to get re-elected by having this on your resume some place which is fine, but in my county, but I don't know about anyone else's. But, that's not the point, the issue is let the people who are already doing that work continue their work. Let's focus on the issues where we do have some control and where some education necessary such as the ones following, which is what Bill laid out regarding delegate selection stuff where frankly, people may have, they may have

read about it in a history book if they are a sufficient age and if they are not of a sufficient age, they have never heard of what happened at Philadelphia and what happened immediately thereafter they got the Bill of Rights going. That's my point from the state that had the first written Constitution in the United States.

Secretary Guldenschuh: Mr. Chairman, may I make a couple of observations?

Chair Thorpe: Please.

Secretary Guldenschuh: First, as a practical matter, I completely agree with you. The education process at least the general Article V education process needs to come from the groups and the process that's kind of already in place. What I'm really focusing on is how do we really communicate with Congress and how do we give the states a vehicle. You know Congress gets scared when the states come together like this. Believe me there's some folks, I can assure you they are talking about it, they're aware of what we are doing today and this week. So we, the dilemma is there is going to be communication with Congress. No matter what, whether it is a state designated entity or it is those few of us on the Balance Budget Amendment Task Force that will do it because it is in our best interest to do that. It is in our best interest to keep Congress aware of what is going on to get them ready to declare 34 when we get to 34 and to avoid litigation. Which is almost certainly some liberal member of Congress is going to try to file a lawsuit and hopefully, we will be prepared with 34 state legislators to respond, I mean state attorney generals to respond to it. Those are some of the issues that we are not even trying to put on the table here, but that we are having to deal with. So, there will be communication with Congress, we do need to have something. What we would love to see as part of this committee is that you try to create an entity, a state entity to handle that. The legislation that we are talking about is really going to be like a one page appointment document. Nothing more, it's not anything huge.

Chair Thorpe: Any other questions? Yes, sir.

South Carolina Delegate Rex Rice: Rex Rice from South Carolina. I'm asking this question because I'm new on this committee, new working on this. It's in my ignorance that I am asking. Is there consistency in the legislation that has passed in the states, so as there wouldn't be a chance of litigation and what moving forward? How do we need to make sure the new states coming on stay consistent on that?

Secretary Guldenschuh: Moving forward and for the last 11 is it, I believe the last 11 applications that have been passed all in the quote end quote modern era since 2010. We have the consistency in the language, we are not at all concerned about that. If you go back to some of the resolutions that were passed in the 70's and early 80's. You do see a little bit more inconsistency there, they all clearly want a balance budget amendment and there is really no way to debate that. So, quite frankly the most challenging shall we speak, the resolutions most likely not to aggregate have now been rescinded. So, we really don't have that problem anymore. If you brought Professor Nadelson in here he would tell you of the 27

applications, he felt comfortable at 26 aggregated. He has some heartburn as do I over the Mississippi application, which we intend to get cleaned up before we get to 34. So, by time we get to 34 that issue which is one of the issues that I'm dealing with legal counsel on the judiciary committees on and we are going back and forth on that. I feel pretty good, that they feel pretty good that everything is going to aggregate and we are going to move forward. But, as we've discussed when we have our conversations is but we know somebody somewhere is going to challenge it and then you know, what do we do to put ourselves in the best position to defend it and that's when you get into good ole lawyer talk and you know whatever so. I won't go there, but but the short answer after having given a long one is we aren't overly concerned about the aggregate issue. We may have to fight it, it may be raised in a court case, but we think we will win it.

Chair Thorpe: Any other questions?

Vice Chair Llewellyn: Mr. Chairman, can I just summarize?

Chair Thorpe: Mr. Vice Chair.

Vice Chair Llewellyn: We apparently have three distinct elements. One. A communication function which in every state will be slightly different, but establishing a point of contact. The convention would need to legitimize and authorize that type of communication correspondence. The committee of correspondence and that would be function that point person and coordinated entity would coordinate with their legislators on the progress and it would make sure that we have the documentation coordinated at that level. The next level would be a process of methodology category which would be focused on delegate selection and control. Choosing the cost, knowledge limitations that type of thing. Ensuring that we have progress in the you know initially the states that have already passed the BBA and moving forward beyond that. The third category would be coordinating the status and place associated with the interaction of Congress in making sure that we have recommendations and criteria and that we have a chance to review that information as we approach those deadlines. So, that we have a solid direction and management as we approach that threshold.

Secretary Guldenschuh: Mr. Chair, I believe Mr. Fruth had...

Bill Fruth: Mr. Chairman. If the committee allows, the one of the principal purposes of the committee on correspondence is to have a formal body represent the states before Congress. When they initiate hearings someone, a group with authority, has to stand up and testify and explain to Congress what their role is. Unless that group that committee is formal and when I mean formal appointed by the states to represent the states to speak for the states. Congress will ignore it, I mean we can go there and testify, David can go and testify, I can go and testify, a lot of people but we have no authority to do that. And so, this committee on correspondence has several functions that's the most important one. The second function it does provide a contact person as Mr. Llewellyn said in each state to communicate. Our communication with states in organizing this convention was terribly difficult. In

many states we had no one to call, but if there is a member designated by the legislature as a member of the committee of correspondence that becomes the point person for communicating with the leadership of the states. because you cannot take six months after we reach the 34 to try to communicate with the states about the upcoming convention it has to be almost immediate. So, this committee needs to think about how to do that. The convention cannot, the only thing that this convention can do is make recommendations. That's all it can do. And in your report to the convention you are going hopefully to recommend all of these things and so we did anticipate having to break up in pieces because these are three different disciplines I think that we are talking about.

Chair Thorpe: Thank you. And do you know, is there a good historical primer on the committee of correspondence because we have had them in our history as a nation?

Bill Fruth: In theory there was one before 1700. They had, maybe David can advise me on this but I think prior to 1787 there was a committee of correspondence communicating before they actually assembled to vote in Philadelphia it is fully appropriate to do that. Until the direct election of senators was taken away. The states communicated in the U.S. Senate so a lot of this was taken care of. So, we are basically reverting back to the old days in how we are going to deal with this as how the states deal with the federal government.

Chair Thorpe: Thank you. Real quick question, actually one second. Mr. Vice President you have something you want to follow up with?

Vice President Ivory: Thank you, Mr. Chairman. I don't know about the rest of you, all but I love hearing this talk about a systems in process. That's what this constitution, this form of government is. It's a machine that they built to protect our liberty. It's a system and process and the reason that we are in the mess we are in is because we have ignored taking care of the machine. And we just want to plow the field and get the corn and we don't take care of the machine and this is taking care of the machine. And it is not sexy, it's not front page headline news stuff, but if you don't maintain the machine you get 20 trillion dollars in debt and all the other parade of horrors we could talk about. So, I'm ecstatic that we are talking about systems and process. So, if that's a wake-up call for anybody, this is critically important. First question, there is a wonderful book, I'll find it and get it to you Mr. Chairman, it's about the Boston Committees of Correspondence. They started in 1772, Samuel Adams, James Otis, John Hancock, they put together something called the Boston Pamphlet and they divide it into committees. What are our rights? What are the infringements of our rights? What do we do about it? And, that spread throughout Massachusetts then it spread throughout all of the United States within less than a year. With no internet, no cellphones, no trains, planes or automobiles. It's phenomenal. There's also a really wonderful paper done in 1902 that is a recap of the Committees of Correspondence that speaks to what they do. I can get that

information to you as well while you are here, I will find that and get that to you. Which of our states have any type of federalism, federal/state relations committees? I know, Mr. Chair, you are for Arizona, I am for Utah. Show of hands, how many of your states have some form of federalism, federal/state relations committee? One, two, three. OK, so get busy. Representative Kern to your point and I think 2012, 2013, we introduced the Utah Federalism Committee which was designed to be a Committee of Correspondence specifically going back to the Boston experience. And, I believe that was introduced and passed as model legislation at ALEC in 2012, 2013. The way this works, it's a legislative make-up we actually defined in statute because we couldn't find it anywhere else. What are the powers delegated? It's not just Article I, section 8, it's throughout the constitution. We couldn't find it on the internet anywhere, so with the help of Professor Nadelson, we developed this and it is in our statute, it's in our code. This is what was delegated to you. It's in Utah code, its 63 C and I don't know the rest of it, but I can get that to you, but we defined these are the powers delegated to you. Then what we did was with the committee, the committee is charged with clarifying the jurisdiction between the federal government and the state because the federal government is not going to protect our jurisdiction for us. That healthy tension is our job that's why we swear an oath to the constitution, it's our job to pull on the rope they're not going to push it. So, we define the standard and then we have basically three things. We identify jurisdictional conflict, like Article V and who makes the decisions in Article V and who has what authority in Article V. We define areas of jurisdictional conflict and then in our committee we look at those, we address those. We make decisions under our sovereignty in a state and then we put letters out to the respected agencies and the federal government that our the the agency that's creating the conflict. We also send the letters to our Congressional delegation and demand that they act as advocates for the state. This is all coming through the authority of the Federalism Committee, so that it is sanctioned by the legislature, it is in statute. It's not something that you have to go back to the well again and again it's not dependent upon who won the last election, it's there, it's institutionalized. As an example, and then we also send the letters out to all of the other states inviting them to join us in our letter to Congress. I'll give you just an example and Mr. Chair, I will send this to you as well that you can disseminate if you like. On August 4th, we sent a letter to the head of the Forest Service, the Department of Agriculture, the Department of the Interior and the Bureau of Land Management. In Utah, 70% of our land is federally controlled. Our forests are burning, it's destroying our water shed, it's polluting the air killing animals. It...it undermines our duty and our jurisdiction, our responsibility to protect health, safety and welfare. We literally have animals dying, air polluted, water being destroyed in the second driest state in the nation. So, we held a committee hearing and unanimously republicans and democrats, we said these agencies are interfering with our jurisdiction and duty to exercise our jurisdiction to protect the health of our people. Now, analogize this to Article V right to the extent that they interfere, intercede, create uncertainty and there is not clarity. We sent the letter then with a unanimous vote of our committee, we sent the letter to

AG, Forest Service, DOI, BLM. We also sent that letter to every member of our delegation, saying this is a jurisdictional conflict that is literally killing people, killing animals, destroying water, polluting the air. Then we sent that letter to all of your states. Now what I've got, I've got staff to that committee, that staff is now following up with each of your states, if you have a committee they're following up with your Federalism Committee people. If you don't they are following up with leadership to see, who should we contact and I'll be reaching out to all of you, please reach out to me so we can do this process. Then we will take other issues. And so, for example, in that process we can take this Article V nature of who makes the call, how do they make the call, the time place and manor, where should that happen. We take that as a statement of the states. We can run it through our committee process in Utah if you would like, we are certainly happy to do that. We've taken on in our committee by again unanimous vote republicans and democrats that we are the body within the legislature that deals with Article V issues, process, planning, reviewing these things, coming to these types of committees and so we can take that put it in a letter form then invite all of your states to join in the petition that we send. And if it comes from your states that's fine as well, but, that's a process. Now I would also suggest going back to your point that it's important that we have a official on-line process that is staffed and funded. It's also very critical, I believe, as we have worked on this over the years that we have a off line process that is less official. You can move at the speed of private business instead of public business, where we discuss, we coordinate and that could be something that then comes out of this committee that we informally say this is kind of our informal Committee of Correspondence that's what they did. That's what Samuel Adams and those folks did, they had the unofficial and the official and then they worked together very nicely so that when you then did official business, you have already really coordinated a lot of the details. So, that mechanism is there, it exists. Mr. Chairman, I am happy to provide the documents, the information. We certainly want to invite you to join with us in these things because the way the system was set up, we operate as a union of states and if we don't operate as a union of states any individual one of our states is cut out of the herd and led to slaughter. So, in all that we do, we have to act unified and it's that machine that we've not been tending to. We get into our own parochial interests. That's great for a centralized government, you know if we are putting ourselves into silos they win by default all day long. And so, it is really critical that we do that and so, in this area then it allows us to define the terms, that allows us to define the jurisdictional roles, the constitutional roles as a union of states. I'm happy to answer any questions and then I will send that information. Should I send it to you Mr. Chairman?

Chair Thorpe: That would be terrific. Thank you, Mr. Vice President. Any questions?

Idaho Delegate Eric Redman: Mr. Chairman.

Chair Thorpe: Please.

Idaho Delegate Eric Redman: Representative Eric Redman from Idaho. I think the first thing to be done listening to everything that is going on. Mind you, there are 10 of us from Idaho, but we haven't passed a resolution. So, but the Pro Temp and the Speaker signed off on it, so we've got a majority senator that is going to be gone, becoming a U.S. Senator. So, I think we are going to be on our way. But, what I am trying to get to is I think the first thing to do now is get those three subcommittees and get started on that area. We've heard a lot you know good ideas, but I think we really need to get more to work individually committees.

Chair Thorpe: Very good. Any other questions? Alright, we are going to do just a quick break, have a recess, using restrooms and I have asked our Pages right over here, near the front door is coffee and hopefully a container of water also and some cups. So, feel free to take advantage of that. Restrooms if you go out the double doors and to your right, you will find the ladies room and the men's room there and then let's go ahead and recess for 10 minutes and we will get back started at 3:30. Thank you. [sound gavel]

Recess: 3:19 p.m.

Part 2

Reconvene: 3:33 p.m.

Chair Thorpe: So, Commissioners, let's try to get started again. [inaudible] Yeah, we probably will. OK. Thank you everyone. So...

Unknown Delegate: Mr. Chairman, do we have an option to be able to hear from our Madam President first on her efforts of what it took to really pull this together because that is really the foundation of what we are trying to avoid here as we move forward?

Chair Thorpe: I don't believe she is here right at this moment. I would be happy to have her speak. Actually, Anthony Kern, Representative Kern and I also served on that same committee.

Unknown Delegate: Good.

Unknown Delegate: Can you give us kind of an overview of some of the hurdles?

Chair Thorpe: We could, but...and also Nancy Barto she serves over in the Senate, and she was our Vice Chair for our planning committee.

Chair Thorpe: Nancy, would you like, seeing how Kelly is not here at this moment. Would you like to talk to a little about it?

Arizona Delegate Anthony Kern: She would love to.

Arizona Delegate Nancy Barto: I like to do a lot more listening than talking but and really Representative Townsend was so much more involved she understands the hurdles to a greater degree, a much greater degree than I do, and so just knowing the kind of work that she put into the communication. I think the communication was the biggest hurdle. As has been said by the previous speakers at the podium. And so getting in touch with the right people and communicating what the expectation was in terms of getting the delegates identified and the paper work submitted. Seemed to me, I mean, that is the primary propose of the convention is getting the delegates here, getting you all here. As far as the other things, I think just the massive number of details is also an issue. I think just taking this opportunity to connect the dots a little bit, I have a little bit better understanding why we want to identify a committee or get a process in place in the states. In terms of recommendations from this convention to the states about what exactly is going to be the expectation. In order to be successful at having Congress look at our application in the terms that it will, it will put the fear of God in them that we are states that are serious about making sure that we are successful. That we have done the hard work of gathering delegates together in a convention, of adopting rules that we all agree, on of making sure that the all of the decisions that we will have to make in terms of time and place. We will have groups in every state that will be communicating with each other in knowledge and in real time and be able to make those decisions and say this our recommendation for you Congress. Tell us why this isn't working for you, we think this is the best way to go, and it is your job to appoint within a certain time a certain place and let's get this done. So, will be happy to go into any other details but basically you know, we had, I think amongst us we shared a lot of the responsibility in terms of events, hotel and working with the office of tourism and different things like that. Those were small details but they were all important and so, and it all comes together.

Chair Thorpe: Thank you and, you know our experience with this committee when you start kind of peeling away the onion you start realizing all the different things you need to put into place. We chose to have it here at the legislature because there's some unique advantages in doing that. We have staff available for the day to day operation. We have pages who run upstairs and made coffee for us and delivered those to us. We have security that is already here at the legislature, we have tele-communication already here so we can document everything that is going on at the convention. So, there were a lot of problems that were solved, but then some of the other things came to mind. Where do we house our commissioners, our delegates? How do we transport them around the town? How do we you know make sure that they get fed? You name it, you know all those little details in trying to bring a group of people together, and try to be effective as possible as we move forward. So, some of the things that, some of the challenges if you will. And I'm going to open it up again to comments from you, in just a moment, and by the way we have as far as our meeting today we are going to go ahead and adjourn at 4:30 and return to the floor and then I believe that's just kind of a wrap up of what we did today. And then we'll meet again tomorrow morning

and by the way David Bidoff wanted me to make sure everyone understood or knew about that there is a reception tonight for all the Commissioners as well as for our staff. And if you need the information I have one card here. I think it will be announced up on the floor. All you need to do is bring your badge to be able to gain entrance. It is at the Hyatt Regency Ballroom AD 122 N Second Street it is approximately five minute or less drive from here in downtown Phoenix . So you know...

Arizona Delegate Anthony Kern: To that point, sir.

Chair Thorpe: Please.

Arizona Delegate Anthony Kern: Before we adjourn at 4:30 which is almost 50 minutes from now, can we at least get these committees kind of who is going to be on them? Get the chair and get that in place before we leave. Then tomorrow morning when we meet, we get the committees we can use the hearing rooms right down the hall. Committee one meet here, committee two meet there, committee three meet there. That way I felt we have done something.

Chair Thorpe: That is what I had in mind. Yes, sir.

Kentucky Delegate Tom Budford: Tom Budford, Kentucky Senate. I agree with Representative Kern. I think we need to, that should be our next order of business, with your pleasure of course to get these committees. Do we need three, do we need three committees, would two do it? Now, the key is, I hate to make a joke of this but you know one prune may not be enough three may be too many. We need to consolidate our efforts here as close as possible and not spread this thing out too far. I think two committees could work this thing out and I would highly recommend that Representative Kern be one of those chairman as he knows the pitfalls already and could save us a lot of time. I think we need someone who can drive this thing home quickly. This is not, we don't have time to herd cats go to get a couple lions in the room and move this thing out quickly. I have said enough.

Arizona Delegate Anthony Kern: To that point. I'd just like to add to that, Mr. Chair.

Chair Thorpe: Yes.

Arizona Delegate Anthony Kern: Thank you. I do want to recognize a citizen that is here. That I think is, to me, I think it is a big thing. And I appreciate citizen Jack what's your last name, sir? [inaudible] OK, Jack Baelladue has come up, I've talked with him during our break. And you know, he made a comment that I would like just say goes align with the prune comment. And that is how do you eat an elephant? You eat it one bite at a time, so we need to like Jack had stated, keep it simple. Let's not really complicate this whole process. Let's keep it as simple as we can. And then also, what Mr. Ivory was saying about maybe tonight when we

get some time, tomorrow morning when wake up early. We can kind of look at the previous founding documents that they used, like the Committee of Correspondence and all that stuff, so keep it simple.

Chair Thorpe: And with your analogy, we want a regular order yeah, yeah absolutely the prune analogy. So, any other questions or comments? I think one of the more difficult tasks especially as legislators is keeping it simple and really understanding the problem, defining the problem. We can come up with a lot of solutions but if you don't define the problem first, the solutions may not be exactly appropriate. So, let me throw somethings out and see if we have it correct. At this point, so we are talking about maybe two or three sub-committees and that is appropriate. I think some of the problems that we are up against. One would be at the state level. So, we're talking if we are at the point where we are going to have a convention, what is it that the state needs to do at that point. One would be establishing delegate selections and rules and limitations as far as what their delegates can and cannot do? I think that's one piece of the puzzle that we need to get our arms around there. Another piece I am not sure if this is completely appropriate to what we are trying to achieve here but I think it is appropriate to the end goal. So, I would like to suggest is that, how do we encourage those states that are on the fence? And, as far as providing resources so that they can create their own call to Congress for a convention, so you know it is more of evangelical kind of outreach to those states and providing them a tool box if you will. So, I guess my question to you is that appropriate? The next piece is communications. And communications I think is two fold so we've already discussed the Committee of Correspondence which I like. And our Vice President has already sent me some links that I'd like to share with you some time soon. With looking at the kind of roll of the Committee of Correspondence from historic stand point. How did they operate? And I kind of look at the Committee of Correspondence that getting...the one thing I think that the federal government does not like. We had this conversation coming back from our break, is the federal government really does not want the states to be unified and talking with each other. They want to be king of the block and sitting up on their thrown and showing us what to do. Whereas, when we started talking and communicating we become a lot more powerful. I love Benjamin Franklin's comment about we either hang together or we hang separately. And so, I certainly suggest that we hang together. I actually, you might disagree with me on this if we can establish this Committee of Correspondence. And just like everything in life it has to be renewed and watered and we need to ensure that it keeps, stays active. If we have this Committee of Correspondence, I think that there is certainly a roll from a federalism stand point to go slightly go slightly above and beyond the goal of our Balance Budget Amendment Convention. I think it needs to be a way for the states to communicate with one another on a host of different issues, but first and foremost what we're trying to establish here. Is how do we move this process forward as far as our Balance Budget Amendment Convention and then the logistics is the last piece that I identified. So far, and so I guess what I need to know is there other things we need

to be talking about from a logistics stand point? I'm not sure that it completely appropriate for us to sit down and say we are going to have the convention in the Hyatt in Memphis, because we don't know when that is going to happen at the time the convention comes together is that is the best time to hold it. So, my thinking is that you create a rules engine a frame work for making those decisions. You identify for example, it probably makes sense to have a major airport where we are going to have it. We probably does not make sense not to have the meeting in August in Galveston as what we just experienced with Hurricane Harvey. Probably, we don't want to be on the gulf cost or in Florida necessarily at that time of year. We want a place that would kind of facilitate people coming there from around the nation, and people being able to fly in a place that has a good meeting facility. It could be a state legislature, it could be a big hotel that has a conference center. So, it's my...

New Hampshire Delegate Jordan Ulery: Mr. Chair.

Chair Thorpe: Please.

New Hampshire Delegate Jordan Ulery: Thank you for describing all the amenities that New Hampshire offers.

Chair Thorpe: There you go. I think it is settled that we'll be doing is the second week in January we will be meeting in New Hampshire.

New Hampshire Delegate Jordan Ulery: If you ski fine, if not well.

Chair Thorpe: Bring your snow boots and your parkas, those are my thoughts. That there is certain things that we can probably have the committees really establish and there's other things that we might be really creating a rules engine frame work for making those decisions for some time in the future. So, am I missing anything?

Idaho Delegate Marv Hagedorn: Mr. Chairman,

Chair Thorpe: Yes.

Idaho Delegate Marv Hagedorn: Another thing that is pretty critical, how many delegates from each state are going to be coming and how many alternates because that is going to drive the population of people that are going to have to be accommodated. So, do we set that or does the rules committee set that?

New Hampshire Delegate Jordan Ulery: No, that would be set by the states. Rhode Island may send two.

Chair Thorpe: So, that was...

Idaho Delegate Marv Hagedorn: Should there be a top limit?

Georgia Delegate Timothy Barr: We have discussed in the past, Mr. Chairman that there could be a limit on who is on the floor to keep logistically down, but again, I am highly against telling the states what they have to do.

Arizona Delegate Anthony Kern: Great point. I concur. If anyone was wondering.

Chair Thorpe: And so that was something they grappled with this meeting. So, we were thinking worst case scenario would we have three hundred people, four hundred, people on the floor. Could we actually have enough space to do that, would we take all the desks out, would we have people rotate off the floor to rooms like this where they could watch the proceedings via closed circuit TV? So, historically, I think that you don't necessarily limit the number of delegates. You really leave it up to the states as far as number of delegates and alternates, but certainly I think that is going to drive part of the criteria as far as where do you hold it. So, if we really feel like there's going to be a big out pouring that one state might send 20, some states might send 15 and other state might send three then that is going to help drive the type of facility you need.

New Hampshire Delegate Dan Innis: Mr. Chair, if I might?

Chair Thorpe: Yes, please.

New Hampshire Delegate Dan Innis: Dan Innis from New Hampshire. And our house does have four hundred seats, so it might work, but back to more serious discussion here and just to sort of move it forward. I love simplicity. It looks to me as though we have state issue here and federal issue and that's, so two committees yes?

Chair Thorpe: OK, oh by the way, I'm gonna pass around this little wire bound. If you could, write down your name, your title and the best way to communicate with you electronically. So, if your're... I actually love just getting text on my cell. So, if text is the best way go ahead and list your cell phone. Feel free to list two types of communications so if e-mail is good for you or if both are good for you please list both. So for example, Ken Ivory has already sent me some things that I like to share with all of you and so I'm gonna pass this around if you can go ahead and jot that info down. OK, so the suggestion is probably two committees so any other suggestions at this point?

New Hampshire Delegate John Reagan: They may want a break down when somebody says what do we do about this? We want to say that's a state issue take it to these people, that is an interstate federal issue take to those people. If you can't answer those questions about where does this question go, you are going to be here talking all day about how many bedrooms there are in Wisconsin.

Chair Thorpe: OK.

New Hampshire Delegate Jordan Ulery: It's only the ones with video that count.

Arizona Delegate Anthony Kern: Just a quick comment. Bob...Chairman.

Chair Thorpe: Yes, sir.

Arizona Delegate Anthony Kern: You mentioned about the place, time and place. I would personally say, let's get a time and place. Let's get maybe an alternate time and place and an alternate time and place. I mean we've heard August is probably the best month already so time is kind of already set. In my opinion, let's get a couple of alternate places. I mean I don't know we could even make it competitive. The state who has the most delegates is where we have it, I don't know, but stuff like that. But I think we should get time and place, instead of having a bunch of rules to figure out the rules. You know what I am saying.

Chair Thorpe: Certainly, and I think, also that once we are trying to make that final decision as far as location. Let's say you have five or six different states that meet the criteria to come up with that frame work and they meet the criteria then it is a process of perhaps each one each of the states that would like to host the convention makes the best argument. At that point, we need to come together.

Arizona Delegate Anthony Kern: To that point, just real quick, it's going to be an economic uptick for whatever state is going to hold this. It is going to be you know, media is going to be there it's going to be a positive thing for whatever state holds this. So...

Chair Thorpe: Certainly.

Idaho Delegate Marv Hagedorn: So, maybe we should also consider part of the criteria, a state might need that economic boost.

Arizona Delegate Anthony Kern: There you go. Absolutely. Like Arizona.

Idaho Delegate Marv Hagedorn: Like Mississippi, a state with a low GDP that is struggling. Maybe that should be part of the selection criteria.

Arizona Delegate Anthony Kern: And it's a good marketing tool for the states that are not on board yet.

Chair Thorpe: That rules out New Hampshire. Is that what you are saying? Alright, Nancy.

Arizona Delegate Nancy Barto: Thank you, Mr. Chairman. I don't want to make this any more complicated but, I guess I see the three sub-committees a little bit differently. I am thinking, one would be on how to communicate to the states the process for choosing delegates, in terms of what we would recommend to the states or that we would recommend that they have a process. A second, would be correspondence committee on how the states would communicate with each other, and then how they would also communicate with Congress. And the third one, would be a time and place, recommendations from this committee on choosing, on how to choose the time and place. So, that is kind of how I see this, I'm not sure if it falls squarely in federal and state parameters.

Chair Thorpe: OK.

Minnesota Delegate Roger Chamberlain: Mr. Chair. Do we...I'm sorry, Chamberlain from Minnesota.

Chair Thorpe: Yes, sir.

Minnesota Delegate Roger Chamberlain: So, do we make a motion on a recommendation here for two committees or three committees, then?

Chair Thorpe: I think we will and I just lost my train of thought.

Arizona Delegate Nancy Barto: To that point, I would make a motion that we have three committees based on what I just said.

Unknown Delegate: Second.

Chair Thorpe: We have a second. OK, so before you, let me see if I can regurgitate this. So, Nancy, you are suggesting, so what is before the committee is, do you want to repeat?

Arizona Delegate Nancy Barto: Thank you, Mr. Chairman. Yes, I would recommend a sub-committee on choosing delegates, recommendations on choosing delegates. A sub-committee on correspondence and a sub-committee on time and place recommendations and we could put expenses in there as well.

Arizona Delegate Anthony Kern: So, we are going to vote on that motion then I have a different motion that I'd like to make.

Chair Thorpe: Alright. Commissioners, what's before you is the motion for...

Idaho Delegate Marv Hagedorn: Mr. Chairman.

Chair Thorpe: Yes, sir.

Idaho Delegate Marv Hagedorn: You could make a substitute motion is that correct? And then we could vote on the substitute motion first if that does not pass then we vote on the original motion?

Chair Thorpe: We can do that. Absolutely. Would you Mr. Kern like to make a substitute motion?

Arizona Delegate Anthony Kern: Thank you, Mr. Chair and I concur fully with Senator Barto but I think correspondence and delegates can be the same committee, time ,place logistics would be the second committee, I would break it down to two committees to be honest with you.

Chair Thorpe: Alright. Do we have a second on that substitute motion? Second?

Chair Thorpe: So, I think what we're doing is we are voting on the second motion. All in favor of the second motion please say aye...all opposed...So, it sounds like the ayes have it do have it, so ordered.
[sound gavel]

Chair Thorpe: So, what we need now and we are talking about three Committee, so we need folks to...

Delegates: Two committees.

Chair Thorpe: So, you do want to combine those two. So, we want two committees. So, who would like to chair one of the committees?

Caleb Rhodes: Delegates and correspondence and time, place and logistics.

Chair Thorpe: Alright. OK.

Kentucky Delegate Tom Budford: I nominate Representative Kern.

Arizona Delegate Anthony Kern: Yeah, I can do it. Delegates and correspondence.

Chair Thorpe: And which one do you want?

Arizona Delegate Anthony Kern: Delegates and correspondence.

Chair Thorpe: Delegates and correspondence. OK.

Arizona Delegate Anthony Kern: And, I nominate Senator Barto for the second one.

Chair Thorpe: Well, let's see. OK, she has been nominated, anyone else that would like to chair the second sub-committee? Anyone else?

New Hampshire Delegate Jordan Ulery: What is the name of the second?

Chair Thorpe: Name of the second?

Caleb Rhodes: Time, place and logistics.

Chair Thorpe: Time, place, time, place and logistics.

Georgia Delegate Timothy Barr: Parliamentary inquiry.

Chair Thorpe: And, I'm sorry?

Georgia Delegate Timothy Barr: Parliamentary inquire, are both of our chairmen from the same state? Just as a question from a new...

Chair Thorpe: It would...They are at this point, so it would probably be more prudent to try to divide it up?

Arizona Delegate Anthony Kern: I think that gentleman there who just spoke up, [laughter] he could actually take my place if he wants.

[discussion amongst delegates]

Chair Thorpe: So, do we have somebody willing to chair the second committee?

[discussion amongst delegates]

New Hampshire Delegate Jordan Ulery: I nominate Dan Innis for the chair for the second committee.

Arizona Delegate Nancy Barto: I second.

Chair Thorpe: Alright, do we need to have a voice vote on those committee?

Idaho Delegate Marv Hagedorn: Mr. Chairman.

Chair Thorpe: I think we're fine. Yes, sir.

Idaho Delegate Marv Hagedorn: If we do have another voice vote, we probably should vote by state instead of just a general populist vote.

Chair Thorpe: Do we...yeah, we do not have any oppositions to the selections, so I think we're fine. OK.

Unknown Delegate: Alrighty then.

Chair Thorpe: Very good. I think, is there any other business we need to discuss at this point?

Caleb Rhodes: For the record, the sub-committee on Delegates and Correspondence will be Representative Kern and Time and Place and Logistics will be will be Dan Innis.

Chair Thorpe: Alright, and what I would like to suggest is do we want to meet in this room? Are these afternoon meetings then after the floor tomorrow?

Caleb Rhodes: That is my understanding.

Chair Thorpe: OK, so let's use, we actually have a second almost comparable size meeting room right next door. It's hearing room two and so why don't we have Mr. Kern's committee to go ahead and meet in this room and then we'll have the other...

Idaho Delegate Marv Hagedorn: Mr. Chair. For those of us who don't know the rest of you. So, Mr. Kern's is going to chair what committee?

Caleb Rhodes: Delegates and Correspondence.

Chair Thorpe: Delegates and Correspondence.

Idaho Delegate Marv Hagedorn: And, OK, he'll be in?

Chair Thorpe: He'll be in this room which is hearing room one. And then...so how do we...and then...and Dan will be in hearing room two. So now, we also need to kind of divide up our group as far as who is going to participate in each one. How do we want to do that?

New Hampshire Delegate Dan Innis: I am great fun...[laughter] come on.

[discussion amongst delegates]

Arizona Delegate Anthony Kern: Yeah, we'll just whoever wants to be in [inaudible]

Chair Thorpe: We'll pretty much just leave it up to folks. If you...if you go into one of the committees and it seems to be more than 50 percent if you could perhaps go into the other committee room. I believe that we'll be doing this then tomorrow

probably after lunch. After we're finished on the floor. And, oh, is it in morning? OK, so it will be basically following floor. Very good.

Arizona Delegate Anthony Kern: I say we have 20 minutes now. Let's start, let's get...

Chair Thorpe: So, you want to go ahead?.

Arizona Delegate Anthony Kern: Go ahead. Let's get started. We've only got three days.

Chair Thorpe: We're heading back upstairs in roughly 25 minutes.

Arizona Delegate Anthony Kern: Yeah, so we've got 25 minutes we could have ours done in 25 minutes. What do you guys say?

Unknown Delegate: People say aye?

Arizona Delegate Anthony Kern: Aye, here we go.

Chair Thorpe: Alright.

Arizona Delegate Anthony Kern: Trump style here.

Chair Thorpe: So, at this point any objections to going ahead and meeting in committee at this point?

Idaho Delegate Marv Hagedorn: Mr. Chairman.

Chair Thorpe: Yes, sir.

Idaho Delegate Marv Hagedorn: Is there a quorum requirement for the sub-committees for the number of states?

Chair Thorpe: To the best of my knowledge, no.

Idaho Delegate Marv Hagedorn: May I suggest that we try to make sure that we have as much of an equal representation of the states that are present on each committee.

Chair Thorpe: Alright, I would agree with that. That sounds good. So, at this point, lets go ahead and we're gonna meet for 15 minutes or so before heading back upstairs, 20 minutes at the most so folks who want to stay in here, hearing room one, also everyone else over to hearing two, which is right next door.

Arizona Delegate Anthony Kern: Yeah, hearing room two is right back behind that door there.

Chair Thorpe: You can exit through this back door. This one is Anthony Kern's committee, Delegates and Correspondence.

Arizona Delegate Anthony Kern: So, whoever is on the Delegates and Correspondence Committee if you can just stay in this room.

Chair Thorpe: Our Planning Committee is now adjourned to sub-committees.
[sound gavel]

Adjourned: 4:05 p.m.

Respectfully submitted,


Imee Andrew
Committee Secretary

(Audio recordings and attachments are on file in the Chief Clerk's Office, Room 203. Audio archives are available at <http://www.azleg.gov>)

BALANCED BUDGET AMENDMENT PLANNING CONVENTION

CONVENTION PLANNING COMMITTEE

Minutes of the Meeting

September 13, 2017

9:52 a.m., House Hearing Room 1

Chair: Bob Thorpe

Vice Chair: Tom Llewellyn

States Present--15

Arizona

Georgia

Idaho

Indiana

Iowa

Kansas

Michigan

Minnesota

New Hampshire

Oklahoma

South Carolina

South Dakota

Tennessee

Utah

Wyoming

Staff:

Anthony Casellman, House Staff

Imee Andrew, Committee Secretary

Part 1

Chair Thorpe: The Committee for Planning is called to order, if you would please take the attendance. Go ahead and call out the states and what we did yesterday is we wanted to know the name of the states and how many individuals from that state were participating in the committees today.

Committee Secretary: State of Alabama.

Committee Secretary: State of Arizona.

Chair Thorpe: We have, let's see...

Arizona Delegate: One, here.

Chair Thorpe: Two.

Arizona Delegate: Another one over here, Senator Barto.

Chair Thorpe: Three from Arizona.

Committee Secretary: State of Georgia.

Georgia Delegate: Present.

Chair Thorpe: Is that one?

Georgia Delegate:	One.
Committee Secretary:	State of Idaho.
Idaho Delegate:	Present two.
Committee Secretary:	State of Indiana.
Indiana Delegate:	Two.
Committee Secretary:	State of Iowa.
Iowa Delegate:	Present one.
Committee Secretary:	State of Kansas.
Kansas Delegate:	One.
Committee Secretary:	State of Kentucky.
Committee Secretary:	State of Michigan.
Michigan Delegate:	Present one.
Committee Secretary:	State of Minnesota.
Minnesota Delegate:	Present two.
Committee Secretary:	State of Missouri.
Committee Secretary:	State of New Hampshire.
New Hampshire Delegate:	Present two.
Committee Secretary:	State of Oklahoma.
Oklahoma Delegate:	Oklahoma, present two.
Committee Secretary:	State of South Carolina.
South Carolina Delegate:	South Carolina, present and one.
Committee Secretary:	State of South Dakota.
South Dakota Delegate:	One and I am here.
[laughter]	
Committee Secretary:	State of Tennessee.
Tennessee Delegate:	Tennessee has two Commissioners.
Committee Secretary:	State of Utah.
Utah Delegate:	Two.
Committee Secretary:	State of West Virginia.
Committee Secretary:	State of Wyoming.
Wyoming Delegate:	Here and two.
Committee Secretary:	15 states, 25 delegates.

Chair Thorpe: Very good, thank you very much. One comment was brought up that we're trying to get some resolution on is whether the Chair and the Vice Chair actually have authority to vote on these matters or whether we're just really facilitating. So, were gonna find out from our parliamentarian. I don't believe at this point that, that's been really an issue as far as the things that we have voted on. I wanted to just spend a couple minutes before we breakup into subcommittees to go over this. Yesterday, I really didn't have the opportunity to see this document before we met...we met for the first time in Committee yesterday I didn't realize that I was going to be Chair yesterday either. So, I have been going through and wanted just highlight a few things as kind of part of our marching orders. So, one thing that I will be doing with my staff and this will probably happen after the convention and we're going to put together kind of a detailed list of things that work and things that did not work for Arizona in planning our convention and what we're going

to do is post it either on our own website or post it somewhere and probably provide a copy of it to the BBA Task Force to make sure that it's easily accessible to anyone in the future as kind of you know a reference as far of what worked and what didn't work. So, one of things I wanted to start off with I'm just kind go through some things that I have highlighted in the document. One of the problems that we had in Arizona from a communication stand point was we sent out letters, we sent out emails, we made telephone calls and yet their members and there's roughly seven and half thousand legislators from coast to coast and there were states that we were trying to reach out to, that just weeks before the convention still didn't know anything about it. I think that communication is a huge issue that were gonna have to overcome for the actual convention that we enter into and of course part of that is education. You know, there's folks here at the convention that are very committed to and very knowledgeable about Article V and the assumption has to be that there's a quite a few folks out there that are either ignorant of it or fearful of it. So, I think education is an important part. Delegates selection you know ensure that any state wants to send delegates to a future convention that they have some kind of process in place and once again having some resources as far as model legislation if legislation is required so that other states will have the opportunity to kind of see what has already been done so they're not reinventing the wheel. I think it's extremely important. Time of service, if you think about the convention, Rob Nadelson and I have had this conversation, David and I had this conversation it's a drafting convention. So, in other words, the delegates can look at ideas that have already been created as far as language and structure of a proposed amendment to the constitution but they're in no way required to use any thing that has already been already created. So, the real purpose of the delegates and the committee at the convention will be formed to actually draft the language and that language then will have to be voted on by the delegates that are at the convention and so long story short you know Bill Fruth suggesting this document that we might be looking at several weeks. So, that's a huge commitment of time has lot to do in choosing the appropriate time of the year for the convention as far as whether legislatures are in session or out session and then also cost if your sending members and being able to afford per diem and hotels and things like that. So, I think the commitment of time is an important thing that needs to be communicated to the states.

Vice Chair Llewellyn: Mr. Chairman.

Chair Thorpe: Yes.

Vice Chair Llewellyn: One of the things that came out of our gathering last evening and presentations from our honored guests and the expert testimony was the sense of urgency of all of this. We have an approaching eclipse here that will not allow us to back track and that process is accelerating in terms of the indebtedness that's being renewed over the next four or five years coupled with the additional debt that's being added every single year and the potential of this cataclysm being brought upon us on a sudden and perhaps violent nature and in much more swiftly than we could ever imagine. I don't know how many of you were at the dinner last night but it was very sobering process to listen to how this could really eclipse everything that we're doing here. The sense of urgency that we need to be able to address in our plans and in our communication back to our states will be a critical factor in whether we succeed in time to save the country literally.

The efforts that we're making are certainly adding to the stability and addressing the concerns of manageability and control ability and direction of such a gathering. But if we don't have a plan for accelerated implementation then I think we have a lot of nice paper work that will go up in flames with the building. If we plan on something that eventually might happen five or 10 years from now that's too late. I would suggest that we consider a, an accelerated alternate path for some of the plans that we're talking about. Ideally, we would this type of gathering could happen in a 180 or 240 days or the following August of any particular year. But if things are crashing down around us, I don't know that we would have, the country would have the luxury of waiting for that and then ultimately waiting for the result of that to be ratified. I don't know where everybody stands on that issue at this point, but I do believe that we have fiduciary responsibility here to not only communicate that but to be able to step up and address that. I would suggest that we consider a tentative date on the calendar that would be an objective for such a gathering, that given a pattern of the next session or two completing the goal to 34 that January – I'm sorry, of August of 2020 would be a target date for such an Article V Convention and that we would be able to address a path of planning and efforts to accommodate such an optimum date. If we leave this to one of these days it's gonna happen it may not happen in time, frankly and we have been talking about this most of our adults lives this is been a primary issue. Some of us are newer to the issue than others. Some were concerned with Thomas Jefferson about it, not referring to some of the aged folks here today. But I would imagine that we do need to look for an expedited process and a targeted plan. I think we need to be able to put together a recommendation to the convention to that effect. Thank you.

Chair Thorpe: Thank you. Yes, sir.

Kansas Delegate Blake Carpenter: Thank you, you mentioned August of 2020. I just wanna throw this out there that that's when a lot of us will be running for re-election and that's also during the presidential election, as well. So, that might not be the best time.

Vice Chair Llewellyn: That will be part of discussion that we talk about here. But I think somewhere in a window that is much more immediate than what we've been thinking about up till now. Make it 2019 then if that would be a more politically connected. But I think later than that we risk the crescendo of 9.3 trillion of accumulated debt from renewal debt plus annual debt that will be virtually impossible to come back from. So, that 2019 August might be an ideal an optimum date for us to deal with this. As you say we don't wanna postpone it any further then we have to.

Unknown Delegate: Mr. Chairman.

Chair Thorpe: And as we go around and thank you very much let's continue with these thoughts. But as we go around, please just to help remind everyone who you are please introduce yourself as far your title, your name and what state you represent. Just to make sure we kind of keep reinforcing that.

New Hampshire Delegate Dan Innis: Mr. Chair, thank you. Dan Innis, Senator from New Hampshire and chairing the committee that's dealing with this very issue and one of the brief conversations we had yesterday was trying to define a date and something sooner rather than later or maybe a range of dates. But I agree with the discussion here and the

intent and I think our group will work hard at trying to find something that we can do quickly so.

Georgia Delegate Timothy Barr: Mr. Chair...

Chair Thorpe: Thank you. I think...I think we have had one over here then we will jump over here. Yes, ma'am.

Utah Delegate Kim Coleman: Thank you. Kim Coleman , Utah House Rep. Mr. Chair, could you maybe reiterate a scope and work flow, so we can be task oriented and get moving and we're not redundant with our subcommittees?

Chair Thorpe: Certainly, at this point or...

Utah Delegate Kim Coleman: Yes, please, so we know what we are doing.

Chair Thorpe: Actually, let's do that right at the end because what I was...and kind of going through this document. I think its refocusing us a little bit. So, yeah we will get to that...who is next?

Georgia Delegate Timothy Barr: Timothy Barr, Georgia State House. Well, I agree with the comments of my colleague from Michigan. Maybe bring us back to some history here, this has been a project for many years. I rode over in the shuttle this morning with somebody who has been working on this for 30 plus years. From the time of the Reagan, when it was suggested during that time. Something as we move forward when we leave here, what we suggest because that's what we're doing is a suggestion. I don't want, we're very close to the problem right now. So, we see the huge burden that we have. However, if we think about setting a date, we have been working to get 34 for many, many years. I believe it is very premature to come out of here and set a date when we know we've been working at this for multiple years. So, I just wanna bring this back to folks who aren't in this room and look at the suggestions that we make. I believe it would be comical to them knowing how many years we have been working on this to actually, set a date. Now, to set a suggestion of when the 34 state has made its call to Congress, that after they receive it the next August, we should start. I absolutely agree, but to put a date on it, it just seems very, very premature in what we're doing and to keep the thought process on those who not in this room and not in the discussions to look at our work here and it makes sense to folks who aren't in this room. So, just those are thoughts that I had before we get to our subcommittees and as someone who would like to get to the subcommittee when it the proper time I'd like to make a motion that we break up to our subcommittees, sir.

Chair Thorpe: Very good. We will do that soon. Ma'am.

Vice Chair Llewellyn: Just as a...

Oklahoma Delegate Julie Daniels: Thank you. Oh...

Vice Chair Llewellyn: Just as a...

Oklahoma Delegate Julie Daniels: Senate...

Chair Thorpe: Do you have a to this point? To the point...

Vice Chair Llewellyn: Just as a quick point...in my experience, a job will always expand to the time allotted for. I don't know how many of you get projects done at home, on a Sunday evening but it that's what happens. The urgency I think is really what we're talking about here and I think that we have an opportunity to be able to address that. Why would you pick a solid date? Well, because...because it's a critical path.

Chair Thorpe: Madame.

Oklahoma Delegate Julie Daniels: Thank you, Mr. Chairman. Julie Daniels, Oklahoma Senate. I think I'm in sync with the Representative from Utah and I've drafted a one page document with an outline of the different kinds of communications, we will, the people will be communicating with, who could serve as Committees of Correspondence in the different states, what we're going to communicate, the best message of communication and attachments and I think it can all be done in a document that's less than 10 pages long and I'd be happy in subcommittee to sit down and work on that with others because I believe it could be easily done within the next couple of days and capture all the things that have been talked about thus far.

Chair Thorpe: Thank you. At the back.

Idaho Delegate Marv Hagedorn: Thank you, Mr. Chairman. Marv Hagedorn from Idaho. I appreciate the comments from our colleague from Georgia. I think there's a couple of risks that we have, should we go forward with a date. Credibility of this organization is number one. If we go out with a date, we're basically telling all the states that have not passed a BBA petition. Here's your timeline, better do it now or not. Your gonna fire up all those folks that are not, they're gonna be beating down the doors to make sure that their particular state does not pass one. Whether or not a BBA petition is passed in a state is not an issue for this organization. It's an issue for each individual state. What we're putting together are rules for when we hit that 34 deadline point. If we set a date, how credible are the rest of the rules if we miss that date. So, I think its critically important that we focus on post 34, how do we react, how do the...how does this organization react when Congress receives that 34th petition. Whether it's this year, next year, or 20 years from now. Because they were thinking about this exact same thing when President Reagan was in office. So, this is not new, I think we need to set the process in place, so those that follow us, hopefully will be here. But if not, those that follow us will have a process that trigger what actions need to be taken. That's in my opinion, that's our objective for being here, thank you.

Chair Thorpe: So, if I can weigh in, real quickly on some of the things that have been said. So, a couple things come to mind. Well, first off...I would, I would whole heartedly support your statement just now. That you said expectations and so if we have a hard firm date, I truly, I would agree that those states that are reluctant to be part of it might take the approach that all we have to do is whether get passed, you know, April 13 or whatever date we've set and all the pressure is off at that point. So, I think setting

expectations, I believe I can be corrected by anyone that knows better, but I think we're talking, you know as far as the desire, the active working on the Balance Budget Amendment, it really started in the 70's and 80's. So, in other words we're going back, quite a long time ago up and through the 90's where Congress came and really stole the thunder out from underneath the states that we're very close at that point. I think if nothing else, we need to be very, very sober about what happened with Congress and their desire not to allow the states to be successful in this, because it takes away a lot of their power and I would love to see another proposed amendment from the states that institutes term limits on Congress and on federal judges. So, you know that would be a great next step. So, a couple things that come to mind and this might already be in the works but this body, not just this committee but this body, one of the things I think we need to be doing at the end of our convention is sending communications to both Congress as well as to the President. I'm not sure the President really understands this. Business guy, great expectations but one of the first things he talked about was spend a trillion dollars on infrastructure and its great if you have an extra trillion dollars kicking around. I don't think he's going to fit it in himself. So, I think trying to communicate with the federal government as a message from all the states that participate in this convention I think is going to be extremely important. One of the things I'd like to make aware of, is people like Bill Fruth, and your lobbyist, remind me of his name...Lauren yeah, and their kind of out there in the in the out in rural America if you will, out in the wilderness, the voice in the wilderness and they're going to states and trying to one on one convince legislatures that this is a good idea. David, one thing if you could reach out to Bill, one of the things he said last night was talking about 2010 in all the different ways that the federal government was grabbing money from social security and borrowing money I mean, and his message last night was amazing that all of the sudden he was able to get a number of democrats on board that all of the sudden the light bulb went off and they understood how important it was that we start turning this around and so we need that, every member of this convention needs a copy, a summary of what really engaged Bill and I think you as well in 2010. [applause] Yeah...and so where does that leave me? So, we have a couple individuals typically going and fighting the good fight. So, I would throw the old gauntlet down and say that wouldn't it be impressive if we have one or two members from 10 different states show up at a state house, that we're trying to encourage as opposed to a lobbyist? We actually have this gaggle of members from multiple states that come up and say, this is important that you need to be working on this. That would be so much more powerful than a lobbyist showing up or Bill Fruth showing up at a state and trying to convince them. So, I would like everyone in this room, to give that some hard consideration. Can we kind of create a SWAT team, a strike force, that two or three times out of the year or four or five times out of the year. We go, knowing that our nation is in a terrible situation and we go and we try to lobby these state leaders from a cross section of other state leaders. So, maybe make that a challenge that's something I think I would like to be involved in as well. So, lets...for just a few more minutes, I'm going to go through our list because I think this list kind provides a framework for marching orders of things that we need to be doing. So, of course, educating the states as far as delegate selections, the costs and the time that will be required as a delegate and then some basic knowledge that we need to impart to those states as far what the delegate needs to understand and what their role is at the convention. Some things that we need to remember, is that once we get to the process of having 34 states. The states have equal authority to Congress to propose the amendment. We can't be usurped by Congress, the Congresses authority is very limited

to say the time and place and that could be it doesn't to have to be specific time and place, it could be a recommendation, I think. So, but trying to encourage Congress as far as when we want that to occur is important. It's their obligation, this is Congresses only role in the process and so, reminding Congress. You know, there's something in this document talks about Orrin Hatch, trying to create some legislation to really usurp is the best way to look at it. The role of the state and for example, selecting delegates and so on and so forth. So, we need to really make sure that we bring Congress in and educate them at the same time. The Congress is the agent of the states at that point. So, let's see...there is some recommendations in here that we have already talked about that August maybe even the first Tuesday of August. Might be a good time for doing this, that in that, it is a time when most legislatures are not in sessions. So, won't impact what those legislatures are doing. The place, you know, we already discussed this basically come up with a place that can hold a meeting of three, four hundred or more individuals. If we had what 50 percent of the legislators from around the nation, we're talking three thousand plus that could actually show up to an event like this, I doubt that's going to happen probably looking at less than five hundred. So, some of the things that are in this document, one is that we as a body in our planning here. One suggestion that Bill made is that we might want to approve a resolution conforming that a committee of correspondence and so, that's something that I think that we could do here as a group, we could, I don't know if we want to this before we break up into subcommittees. But I think that's important that we start creating kind of the framework foundation for a Committee of Correspondence and of course you know, what role those folks are going to have as far as communicating with Congress, communicating with the state legislatures, and then also, you know, as Ken Ivory was talking about in just the notion of federalism in and of itself, that something that Utah is really spearheading and I'm certainly a big fan of what Ken Ivory and his folks are doing in Utah. The states need to come together. Now we have unique problems here in the western states. I don't know how many of you know this but Arizona only has 17 percent of our land under private ownership, so you think about where does the dollars come from for education, first responders, road construction, things like that. One of my counties that I represent, Gila County, only has four percent of its land under their control, and so the western state. I have felt for a long time, the western states need to band together and start pushing back against the federal government as far as the huge amount of...

New Hampshire Delegate John Reagan: We're way off, let's focus on what we're supposed to be doing.

Chair Thorpe: Yeah, no I am but what I am saying is...

New Hampshire Delegate John Reagan: This is not what we are here for, so let's get to what were here for...

Chair Thorpe: I will, and I'm glad that you're keeping us honest here because you have from day one. No, the point that I am making is that is the point that I made yesterday, that we have to band together, and whether we're talking about western issues or whether we're talking about BBA, we're easy targets if we're not banded together and Congress is not going to work with us and is going to push back accordingly. So, one second and we will get to you, the last thing is that there's a number of things at the very end of this

document that we need to consider whether voting on as a body and so I won't go into detail if you have a copy of the document take a look at it, it's on the last page and a half or it's a number of bullet points, one through three and then A through C that we probably want to go ahead and vote on as well. Sir, you had a point.

Kansas Delegate Blake Carpenter: Thank you. Blake Carpenter, State Representative, Kansas. I would just like to echo the comments that we really need to start moving along here and as far as the Committee of Correspondence we already broke that out in a subcommittee instead of working on it in the full committee like you had just discussed. So, I think that's something that we need to just let the subcommittee go ahead and address...

Chair Thorpe: And that's fine...

Kansas Delegate Blake Carpenter: And bring it back to the full committee.

Chair Thorpe: And that's fine, what actually, what I was saying is, I think we need a vote on it. So, as soon as the subcommittee is finalized with that let's make a vote on that.

Vice Chair Llewellyn: Mr. Chairman...

Georgia Delegate Timothy Barr: I would like to be recognized that we make a motion that we dissolve into our subcommittees, please...

Unknown Delegate: I'll second that.

Vice Chair Llewellyn: Mr. Chairman, can we also have an objective to have a report that when we reconvene a little later from those committees as to the progress?

Chair Thorpe: That sounds...so, the motion before us is to resolve into our subcommittees and when we return...how much time do people think we need for the subcommittees at this point? Pardon me...OK, so let's reconvene at 11:45 in this room and then we're also going to have reports from the subcommittees at that time. So, all in favor of this motion say aye...opposed...the ayes have it, do have it, so ordered, we are into subcommittees.

Recess: 10:25 a.m.

Part 2

Reconvene: 3:19 p.m.

Chair Thorpe: Mr. Kern, go ahead.

Arizona Delegate Anthony Kern: Thank you, sir. Anthony Kern, Arizona. Our subcommittee was on Delegates and Correspondence and so we came up with five recommendations and they are pretty succinct, they're pretty... you know, they're kind of general but they're kind of in detail also. So, I'm not gonna bore everybody with reading

them in this committee because I'm going to be reading them on the floor. They're already kind of been approved by the Committee, subcommittee, so I don't know if we have to re-approve them by the whole committee, I don't think so, we should, do we? Is that how your body operates? OK, we just kind of do what we wanna to do in Arizona, so...

Chair Thorpe: Yeah, I think we probably do want to go into detail...

Arizona Delegate Anthony Kern: OK...

Chair Thorpe: Because the other...

Arizona Delegate Anthony Kern: Then I will bore everybody with it.

Chair Thorpe: The other subcommittee hasn't heard it and I think they're looking forward to it.

Arizona Delegate Anthony Kern: No worries, I just didn't want, I didn't want to put the subcommittee through it again but here we go, OK. So, our first recommendation and again this is relating to delegates. It says a convention for proposing amendments will require each state formulate a process for delegate communication, delegate alternate selection, responsibilities, limitations and appropriation considerations. Do we want to vote on it as we go or do you want me to read all five? One at a time would be probably better.

Chair Thorpe: As far as voting on it is that...

Arizona Delegate Anthony Kern: I can get copies. Do you want copies? Yeah, that's a good idea.

Chair Thorpe: Is the motion to go ahead and vote on each one individually? OK. Yes, sir...

Unknown Delegate: [inaudible]

Chair Thorpe: OK...OK, if I could interrupt here for one second, the only thing I would add to this is the selection you talk about delegate communication, delegate alternative selection, alternative selection so I would say a delegate selection as well, that's the only thing that jumps out at me on that one.

Arizona Delegate Anthony Kern: Hold on, let me write that down. Not sure how we missed that. OK, great recommendation by the Chairman. OK, so that was number one. Recommendation number two is in anticipation of the possible call for a convention for proposing amendments states are strongly encouraged to take up delegate's selection legislation at the earliest opportunity so that what happened that's recommendation number two. So, they were strongly encouraged to take up delegate's selection legislation at the earliest opportunity. So, we had, we read, well we went over two states Wyoming and Indiana and both were pretty different so each state will have their own opportunity and were going to attach model legislation to that recommendation when it goes out to

the states. OK. Recommendation number three states are strongly encouraged to appoint a Phoenix Correspondence Commission so we changed the name, Committee of Correspondence to the Phoenix Correspondence Commission for a variety of reasons but the main reason was because this planning convention that we're in right now is historic we wanted to tie all future conventions to kind of what we are doing here in Phoenix at this time. So, let me start over recommendation number three states are strongly encouraged to appoint a Phoenix Correspondence Commission or commissioner at the earliest opportunity or assign its responsibilities to an existing committee. This commission shall have the responsibility for communicating on all matters associated with a convention for proposing amendments with any or all of the following: Number one state legislators, number two United States citizens, number three convention organizers, number four state congressional delegation, number five communication with Congress. Comments? OK, number four each state Phoenix Correspondence Commission shall appoint a commissioner to join with those commissioners in the other states to carry out the following functions to organize a convention for proposing amendments: Number one creating a single point of contact to act as a liaison with Congress, number two tract and certify all other Article V applications, number three create a process to suggest a time and place to Congress for a convention for proposing amendments, number four provide a process for legal representation, number five perform tasks as needed to organize the convention and then recommendation number five a temporary Phoenix Correspondence Commission shall be established by each delegation present at this convention by appointing one of its delegates to serve as a temporary commissioner of said Phoenix Correspondence Commission until said time as each commissioner's state formally appoints a Phoenix Correspondence Commission, Commissioner or declines to do the same...very bureaucratic on that one.

Chair Thorpe: Alright, thank you. So, do, do members...

Arizona Delegate Anthony Kern: Mr. Chair.

Chair Thorpe: Yes.

Arizona Delegate Anthony Kern: Does anybody need hard copies before they...to look them over...you guys, could you raise your hands so we can get staff? [inaudible] Well the... we're gonna vote on them today...were gonna vote right now on these. [inaudible] So, raise your hands if you need a hard copies...one, two, three, four, five, six, seven, eight, nine if you can give us... ten of these real quick.

Arizona Delegate Anthony Kern: What's that? [inaudible] OK.

Chair Thorpe: So, just to...

Vice Chair Llewellyn: Mr. Chairman.

Chair Thorpe: Yes.

Vice Chair Llewellyn: While were waiting for the copies. May I make a motion to add a sixth recommendation and we can have a chance to discuss that.

Chair Thorpe: Please.

Vice Chair Llewellyn: My motion to add a recommendation has a lot to do with the urgency of the matter and I think that's part of the communication mandate that this committee has in planning and calling for action. That I'm referring to as an accelerated schedule recommendation, to more quickly address the threat of our nations growing debt, we recommend that states expedite the necessary actions to secure an early, the earliest to mandatory convention possible. Given the current status of a call for the Balance Budget Amendment an accelerated time line could allow scheduling of the convention as early as August of 2019, and that's based on two sessions that state legislatures would have to complete the remaining seven calls and their delegate limitation legislation that we've recommended in the previous list. Do I have a second,...I guess?

Chair Thorpe: Do we have a second?

Idaho Delegate Eric Redman: I second.

Kentucky Delegate Tom Budford: I have a question...

Chair Thorpe: What is the question?

Kentucky Delegate Tom Budford: I mean is...I mean is that necessary, I mean we all know what this is...I mean that pretty much makes the statement of why we're here.

Vice Chair Llewellyn: Yes, but there is a big population that's not here and those are the ones that we need to build a fire under that's really the purpose of this.

New Hampshire Delegate Dan Innis: Mr. Chair.

Chair Thorpe: Yes.

New Hampshire Delegate Dan Innis: I might add the subcommittee that I had the pleasure of working with passed its own motion that is, that it relates to yours and I wonder if we might wanna combine these in some way. Ours states, that the Arizona Balanced Budget Amendment Planning Convention call upon the states to gather in convention one year from now convening on Monday, September 17, 2018 at a location to be determined, to assess the status of the progress of the states toward calling an Article V Convention of the states, to propose a Balanced Budget Amendment, and to determine such steps the states may affirmatively take, to assist in reaching the two-thirds threshold required by Article V mandating Congress to call such a convention. I think the spirit of what we're saying is consistent and your moving toward a very specific date I support that fully, and I express that to the committee. I think our motion puts a little pressure on us as well to get together a year from now and say where are we, and what do we need to do to make this happen in 2019.

Arizona Delegate Anthony Kern: And to that point...to that point after our subcommittee gaveled out, I did talk it over with one of the gentleman here and these temporary phoenix correspondence commissions. These people appointed to that will be meeting tomorrow to kind of go over that but as we we're doing our delegates I thought of ALEC and a lot of us at ALEC are going to be in Nashville in December and I think we should even speed that up. I agree with the year from now absolutely, but let's get together at ALEC and see where we're at on this process and every chance we get everything we do I think we should look for an opportunity meet together and go over and keep it going. So, I think ALEC is a good place to do that.

Vice Chair Llewellyn: I would certainly agree with both of those in terms of being able to communicate within our entity here, and the committee that we've we're creating out of this process. My resolution was to really allow a sense of urgency to the legislatures that are that still have open issues. We would a lot of time there's a tendency to postpone activities until the last minute, and I think...you know, talk to me when you get the 34, talk to me when you get the 33, here we're talking about very tight time frame that allows them to understand that there is a possibility they could almost be left behind, that this is an opportunity that is possible, it's optimum and it speaks to the urgency of the matter and I think that's part of the overall message that we need to be able to get out there. Is that we know a lot about this and we know that we're running out of time. Now, if you talk about beyond 2019 it was pointed out that the next year is an election year and a presidential election year at that, if we wait till the 2021 or 22 we're coming very close to the presuppose, and I think 2019 provides for a target that the project can projects in this deadlines in these state can still meet with two full sessions, and it creates a definitely a higher level of urgency for this crisis that the country is facing.

Chair Thorpe: Alright, any other comments? So, the motion before you is for a sixth recommendation. We do have a second on this, and it's for an accelerated schedule reach out kind of a conveying the importance of trying to make this happens sooner than later.

Vice Chair Llewellyn: And then it could allow scheduling you know, as early as August of 2019.

Georgia Delegate Timothy Barr: Mr. Chairman, parliamentary inquire. Who made the second?

Chair Thorpe: Gentleman from Idaho.

Georgia Delegate Timothy Barr: Thank you.

Chair Thorpe: Very good. So, that's the motion before you, do we wanna do voice from now on, today, I think we're gonna do some options as far as whether do we want to do voice votes or roll call. So, is anyone have a motion for a voice vote or roll call?

Georgia Delegate Timothy Barr: Roll call vote.

Chair Thorpe: Roll call? Alright.

Kentucky Delegate Tom Budford: My question, if I may...

Chair Thorpe: Please.

Kentucky Delegate Tom Budford: They should, we...should the languages be similar, because we're confusing languages here. We got two sets, I don't know which one is best, doesn't matter to me, pick one and have it inserted in vote.

Arizona Delegate Anthony Kern: And to that point, I think he's talking about we're gonna get together a year from now and talk and look where we're at, I think he's talking about an actual convention date.

Vice Chair Llewellyn: There's two questions, one anticipated of objectives of being able to communicate within our organization and maintain a current status, interaction and the direct recommendation that I'm talking about like the other recommendations is directed to the states in terms of their efforts.

Kentucky Delegate Tom Budford: You both accomplish the same thing to some degree but one is an emergency and one is an effort to get it on.

Vice Chair Llewellyn: Not really, one's talking to us and one's talking to them.

Kentucky Delegate Tom Budford: But yeah, you're coming out both sides of your mouth. Well, I need two, you need to be consistent.

New Hampshire Delegate Dan Innis: Mr. Chair, if I may? I think that our motion does view it as a crisis. I was a strong proponent for a date, we weren't all comfortable with that so I'm pleased that we have a motion with the date. I think this motion compliments the other one in the sense that our objective is to identify the holes in the process what's states do we need to go see get on board by 2019. So, to me they work together, however, I'm not opposed to combining them if the staff can do that, just so the spirit of each is retained.

Vice Chair Llewellyn: Well, we could certainly accomplish that by saying that the PCC was is encouraged to have additional convene gatherings over the next several quarters to be able to establish continued progress reports on that behalf of the group. What we're looking at, with mine was simply an objective that can... it is attainable if we can encourage people to accelerate their process on behalf of the urgency of the matter.

Idaho Delegate Marv Hagedorn: Thank you, Mr. Chairman. I think one of the things we got to remember is legislative bodies passed issues that are right within their state. If an issue is not right if it's not ready, if the people in the state are not enthused or an incentive by this particular issue, that body you could have 49 percent of everybody on that body ready to go even greater than that. But if the people of the state are not gonna support that, that legislative body is, is...there's not much they can do, timing is critical. All of us are here because we're all believe in the Balanced Budget Amendment. I don't think we need to preach that to each other. The issue is...is the state that hasn't passed this yet, ready to pass it? I can tell you from experience Idaho is not, sadly to my frustration and

there's other states just like that. So, regardless of the encouragement that this, that this particular motion might be. If my state is not ready for it, I can't pass it.

New Hampshire Delegate Dan Innis: Mr. Chair. The purpose of our motion was really to draw attention to the fact that we're deadly serious about this, and by meeting again next year those states like Idaho that haven't passed it, get a little wrap on the head. This is coming, you need to be a part of it, and I think that was really the spirit of what we were trying to do, and to develop an action plan for the coming year to get you folks on board.

Idaho Delegate Marv Hagedorn: Mr. Chairman, I completely understand that. I have not a single problem with that. The issue that I have is if we set an arbitrary date for a convention or target an arbitrary date for a convention. Credibility if we miss that date, so credibility of everything else we have done here is diminished, and I personally don't think we can afford that. I think we've gotta make sure that the credibility of the work that we do here we don't set ourselves up for failure. I would love to have a date, but I would more love to have what that the work we do here be credible down the road. So, we by the time we do get to a convention we're ready to go.

Idaho Delegate Eric Redman: Mr. Chairman. Eric Redman, Idaho.

Chair Thorpe: Please.

Idaho Delegate Eric Redman: I'd like to mention of course the House in Idaho is ready. [laughter] But I would like you to repeat that, would you repeat that the...which is on the motion? I'd like to hear it one more time, please.

Vice Chair Llewellyn: To more quickly address the threat of our nation's growing debt, we recommend the states expedite any outstanding action to secure the earliest sub mandatory convention as possible. Given the current status of a call for the BBA an accelerated timeline could allow scheduling of the convention as early as August of 2019. Now, if I by referencing a specific date we have...we have the potential of setting ourselves up then that might be a sentence that could be set aside. I think we certainly need to talk about the issue of more quickly addressing the threat of the growing debt and recommending that they expedite any outstanding actions to secure the earliest a mandatory convention possible. If we want to consider adjusting that to that first sentence, I would be open to that issue. I do think that we need to be able to communicate with the states and realize that we may only have two sessions for them, whether they're ready for it or not to get this done.

Chair Thorpe: Comments?

Kentucky Delegate Tom Budford: Thank you, Mr. Chair. I agree with the gentleman from Idaho. Either language you wanna put in, I won't object but it will not move Kentucky one out to rush into this. If you feel good about it, it's feel good, it will not move Congress, it will not move a legislature that hasn't adopted this.

Vice Chair Llewellyn: Well, that's part of the education process that we're mandated to deal with here going forward. That's why the PCC is gonna be coming in play.

Kentucky Delegate Tom Budford: I agree and I don't think this move one's state to jump forward. But, I won't object to that situation but I agree with Idaho, but else you think if you gonna do set a languages get them consistent.

Vice Chair Llewellyn: But as a friendly amendment then I pull the second part of my proposed change and I allow the first sentence to stand on its own. Could you so make those changes?

Chair Thorpe: About the date...in the back?

New Hampshire Delegate Jordan Ulery: It seems to me that the proposed amendment would serve better purpose as a preamble to the entire operation, talking about the urgency of a Balanced Budget Amendment, rather than as being buried deep in the body. The way that the modified by the maker amendment would read clearly puts the primacy of the urgency at the front, and then it is as my friend from Kentucky said feel good quote unquote language but at the same time its true language.

Vice Chair Llewellyn: Let's build on as a preamble to our entire statement and I'll be able to address that to the entire body tomorrow then. I withdraw for the moment and in favor of a more expansive preamble.

Chair Thorpe: Very good...any other comments? That motion has been withdrawn. So, what we're going to do it was ...a motion was put forward as far as...I don't know, did we vote on a roll call?

Georgia Delegate Timothy Barr: We didn't vote.

Chair Thorpe: We didn't vote yet? So, what we'll do is we will do a voice vote on whether each of the items and this will apply to both subcommittees. Each of the items will be voted on as a roll call vote and then if that fails then we'll just do a voice vote. So, I make a motion that we do a roll call vote and we'll do a voice vote to make that determination whether we'll go on with the roll call vote. So, all in favor of each item that we go through on each committee as a roll call vote say aye...and opposed nay...ayes have it, do have it, so ordered. [sound gavel]

Chair Thorpe: So, were going to go through, Mr. Kern if you can read each one and after you read it and actually before we even get any further should we go ahead and actually give members an opportunity to comment on each one before we actually solidify, is that agreeable? Because you've now heard it I think earlier I think somebody said they wanted to hear all of them first and then we will have an opportunity to go back and comment. Yes, sir.

Kansas Delegate Blake Carpenter: Thank you, Mr. Chair. Blake Carpenter, Representative State of Kansas. I think from what I can see several members of multiple states are sitting all around the room and they might want to move together for this next part.

Chair Thorpe: Or, well yeah, yeah we do want to do one state one vote, and if nothing else I think that if you have multiple members of a state let's make some eye contact and come to a... yeah, a determination. So, Mr. Kern.

Arizona Delegate Anthony Kern: Hold on a second...

Chair Thorpe: OK...

Arizona Delegate Anthony Kern: Alright, go ahead, sir.

Chair Thorpe: Mr. Kern, if you could go ahead we will go through recommendations one through five and give members an opportunity to ask any quick questions and make recommendations. OK, go.

Arizona Delegate Anthony Kern: Recommendation number one, it's a quarter to four let's see how fast we can get through this. Recommendation number one, a convention, a convention for proposing amendments will require each state formulate a process for delegate communication, delegate alternate selection, responsibilities, limitations and appropriation considerations.

Chair Thorpe: Yes, sir.

New Hampshire Delegate Jordan Ulery: As a statement, not a recommendation.

Chair Thorpe: I'm sorry your...

New Hampshire Delegate Jordan Ulery: That's a statement, not a recommendation.

Chair Thorpe: OK, so in other words your changing the language to say we recommend is that what you had in mind?

New Hampshire Delegate Jordan Ulery: Or add that at the second part, you know, its valid as far as it goes, but...actually it is, it's a good point there too.

Georgia Delegate Timothy Barr: Perhaps it would be a good preamble, sir.

Chair Thorpe: And we also my comment to you was to also add the words delegate selection, you have delegate alternate selection, but also delegate selection. Other comments? OK so, so, there's two things we could do, we could create this as a...as a preamble, or we could change the language slightly to say to actually say it is recommended that a convention of proposing amendments yadda yadda yadda. So, let's do a voice vote on that before we actually choose to do a roll call for acceptance of this as amended or as edited if you will. So, so, at this point, what's before, the motion before you, and we will do a voice vote on this is how about we will do this in parts should this be part of a preamble? That is before you. All in favor vote aye...all those opposed nay...sounds like the nays have it.

Chair Thorpe: The second part would be changing the language so that it would be more of a recommendation and it might say we recommend that a convention for proposing amendments. All in favor say aye...all opposed nay...it sounds like its staying the way it is.

Chair Thorpe: Sir.

Idaho Delegate Marv Hagedorn: Mr. Chairman and I apologize but we have a typo here that we probably should correct.

Chair Thorpe: OK.

Idaho Delegate Marv Hagedorn: Between delegate and alternate there should be a slash because there's two, they're two separate people, or two separate, yeah two separate people, so it should read as...

Arizona Delegate Anthony Kern: Delegate comma.

Idaho Delegate Marv Hagedorn: Slash, slash....

Oklahoma Delegate Julie Daniels: Or add the word and...

Arizona Delegate Anthony Kern: Yeah, I think, and would be better.

Kentucky Delegate Tom Budford: Shall we make a motion that the chairman shall have the authority to make the grammar changes without changing content?

Chair Thorpe: That's your motion?

Kentucky Delegate Tom Budford: Yes, sir.

Arizona Delegate Anthony Kern: I second.

Chair Thorpe: So, on on any of these as we discuss slight modifications. The motion before you is that the chairman will have the opportunity to include those edits so that we don't have to keep going back and re-voting. All in favor say aye...all opposed nay...the ayes have it, so ordered. [sound gavel]

Chair Thorpe: Yes, sir.

South Carolina Delegate Rex Rice: Rex Rice from South Carolina. I'm a little bit concerned that we're voting on this package and we got another package that we haven't even discussed yet and apparently staff is going to blend the two together after we vote on then. Is that what you're saying?

Chair Thorpe: That is the plan. Yes, and having conversation with the President of the convention.

South Carolina Delegate Rex Rice: Are we not going to meet again before we take them to the floor?

Chair Thorpe: We...if this group feels that there is a need for example, to meet again tomorrow morning, for example, we can do that.

South Carolina Delegate Rex Rice: I just don't feel like, that I'm ready to vote on based on the fact this first time I've heard of it and I've really not had a chance to look at the ones that our committee did and try to figure out how to blend them together. I mean we spent a lot of time in there.

Chair Thorpe: Yes.

South Carolina Delegate Rex Rice: Going over stuff and with a lot of detail in there and I think it's really not fair for us to at least to not have enough time to go over this, that's my opinion.

Chair Thorpe: Alright, so, let's...let's consider that. Yes, ma'am.

Oklahoma Delegate Julie Daniels: Thank you, Mr. Chairman. Are the drafts or the recommendations from the other committee available to us already?

Chair Thorpe: Do we have photo copies of them or copies? We have copies. So...

Kentucky Delegate Tom Budford: Mr. Chair, we could make our votes, cast our votes complete this. Then at the very end if there is suggestion to do so. Then we call ourselves back tomorrow to go over it once more maybe make that decision at the end of this meeting, if that's satisfactory, that way you have an opportunity to challenge these if you so choose.

Vice Chair Llewellyn: Or we could progress with what we have thus far and then pursue the other portion tomorrow as we have time and that will also give us a chance to reflect on the reviews that we are doing here currently.

South Carolina Delegate Rex Rice: Are we gonna...

Vice Chair Llewellyn: Because were under a timeframe...

South Carolina Delegate Rex Rice: Are we trying to get out of here at four o'clock today? Am I reading the clock, right?

Chair Thorpe: Probably, probably 4:25.

Vice Chair Llewellyn: OK, so we got about a half hour.

South Carolina Delegate Rex Rice: Are we gonna have time to go over the other ones from the other, our other committee, is that correct?

Vice Chair Llewellyn: I would say it's unlikely.

Chair Thorpe: OK, commissioners, how about this as a motion. That we'll go ahead, oh yeah...that we'll go ahead and we'll we've now heard Mr. Kern's committee that we'll go ahead and jump over to Dan's committee and we'll go through that and then reconvene tomorrow morning, and then...

Vice Chair Llewellyn: A vote to amend or a vote approve as...

Chair Thorpe: And then each of you will have an opportunity to take the document home and digest it a little bit at your hotel room.

Arizona Delegate Anthony Kern: So, from the other committee, this is it?

Vice Chair Llewellyn: Sounds more than fair.

New Hampshire Delegate Dan Innis: Single sheet.

Arizona Delegate Anthony Kern: Single sheet? Wow, we know who the worker bees are in this place.

New Hampshire Delegate Dan Innis: 30 years in the corporate world and you and learn how to do it in a one page.

Arizona Delegate Anthony Kern: One sheet...hah.

Vice Chair Llewellyn: And they saved a lot of trees too I'll bet.

[laughter]

[inaudible]

Chair Thorpe: Alright. So, before you is a motion that we'll go ahead and finish reviewing the work product and reconvene in the morning. All in favor say aye...all opposed nay...we have one no and I think the ayes have it, do have it, so ordered. [sound gavel]

Chair Thorpe: So, let's go ahead and jump to Dan and if you can go ahead and review your work product thank you.

New Hampshire Delegate Dan Innis: Sure...we'll keep it right on point. The first paragraph of this document is simply a restatement of Article V and we did take the liberty, I like that, liberty of...of bold typing what we thought was particularly relevant to the work that we are doing. When you get down to the next several paragraphs this is...is where the rubber meets the road. The first one, upon receipt of the Balanced Budget application of the resolution of the 34th state, the states request that Congress shall set a time and place for the convention to convene as soon as practicable, but no later than 100 days

after the receipt of the application. There are a couple of things here worth noting, we have reviewed with a couple of experts the role of Congress in this process and the role of the states and it is Congress' role to set the time, place and subject matter for a convention. So, you'll note in the second line after the word states we request that Congress shall set a time and place for the convention. Item two, which is paragraph three, it's recommended that the place of the convention be held in an accessible location capable of accommodating up to 500 delegates with support, meeting rooms, tech staff, tech support and staff to facilitate the expeditious undertaking of this convention it is recommended that Congress delegate this responsibility to the several states. Yours truly, wanted to insert the word sovereign but that was too much. What we're trying to do here is take back from Congress their ability to set the location because if they set the location we all know where it will be, and it will be Washington D.C. So, we're recommending that they allow the states to undertake this responsibility. Fourth paragraph, third point, it's recommended each state be responsible for travel, housing and staffing of their respective delegations. Attending states should be responsible for the shared overhead expenses of the Balance Budget Amendment Convention. Alright, and then the last item is the motion that we already discussed. The purpose here is to sort of reiterate that, is to show the nation and Congress in particular that we are deadly serious about this. The meeting today, this week is not a one-off meeting. We're coming back together on constitution day, next year, and we're gonna do it again and we're gonna keep coming and that, that's the purpose of that particular motion. I want to thank all the committee members for their dedication and hard work. We had an amazing group of people in the room and without them we wouldn't have a document this strong. So, thank you to them very much and thank you Mr. Chair for indulging us.

Chair Thorpe: Thank you, I had one quick question or comment. I had a conversation down the hall with our rules attorney with regard to some of the process involved in setting a location for a convention. He gave the example that what if Congress chose Anchorage, Alaska in February.

New Hampshire Delegate Dan Innis: I'll be there.

Chair Thorpe: So, so and, and, and so there is a precedent in history where Congress has, you know, gathered people for, not necessarily a convention like this but for the purposes where they will then arrive at that location, immediately adjourn the convention or postpone the convention and then they decide to go ahead and reconvene at another location so there are ways around for example having it in Washington D.C.

Kentucky Delegate Tom Budford: Mr. Chair.

Chair Thorpe: Yes, sir.

Kentucky Delegate Tom Budford: If I understand it once they convene at a location we have the privilege to move it.

Chair Thorpe: That's what I was just saying.

Kentucky Delegate Tom Budford: Just get there before they, as they gavel down.

New Hampshire Delegate Dan Innis: That's right.

Chair Thorpe: There you go, very good. Yes, sir.

Kansas Delegate Blake Carpenter: Real quick, September 17th, 2018 was it discussed, in your guys' committee, about elections going on during that time and potentially moving it to mid-to-late November, or before Thanksgiving or even early December.

New Hampshire Delegate Dan Innis: I certainly think the committee would be open to that recognizing that some folks will be up for election at that point.

New Hampshire Delegate Jordan Ulery: The date offered was only because it was constitution day, is my understanding.

Chair Thorpe: Alright, any other comments or questions?

New Hampshire Delegate Jordan Ulery: I'll be up for election.

Chair Thorpe: Goodness it might. Yes, so let me make a motion that we go ahead and vote on approving this at this point, so a yay will mean we've approved it, and a nay will mean, or...

Vice Chair Llewellyn: Point of discussion.

Chair Thorpe: We wanted a roll call vote actually at the final.

Vice Chair Llewellyn: Mr. Chairman, a point of discussion, further discussion.

Chair Thorpe: Yes.

Vice Chair Llewellyn: Close discussion if I am correct.

Chair Thorpe: Please.

Vice Chair Llewellyn: There's a lot of talk on the, in the other subcommittee about putting together recommendations, reviewing proposals from states on alternate approaches to that convention and I'm wondering if there's a way to incorporate that and include it as an additional sentence after the delegating of this responsibility to the several states that would reference a compilation of recommended alternatives that the, the Phoenix Communication Committee has already gathered. If there's a way to really address the fact that we have our act together don't...don't give us another half a year delay going through a lot of falderal, oh yeah, here's our list attached we've already looked at this and have substantive alternatives already in play.

Kentucky Delegate Tom Budford: Mr. Chair.

Vice Chair Llewellyn: Takes it beyond than just simply the delegation of that responsibility.

Chair Thorpe: Yes, sir.

Kentucky Delegate Tom Budford: I would ask one of the members of that subcommittee. I'm sure that you all debated this thoroughly. This seems like a pretty good approach, what you have here, I don't know that we need to mix it any further.

New Hampshire Delegate John Reagan: As far as we completed, as fairly complete.

Kentucky Delegate Tom Budford: I would yield to their advice. See if we are ready to adopt it.

Arizona Delegate Anthony Kern: Mr. Chair, right here.

Chair Thorpe: There you are...Anthony.

Arizona Delegate Anthony Kern: Something that just sticks out on this amendment or on this recommendation is the fourth paragraph where it's recommending and kinda holding states responsible for their, the appropriation of the expenses and I know that when we planned for this convention, I know, and Kelly you might wanna add in something to this, but one of the concerns that some of the states had was that they did not have the money at all and so. I don't know if that's going to be a contending point for some of these states, that they don't have the revenue to, to basically make them responsible for the overhead expenses of the convention. I know we had talked about that in our committee and that's why on our first recommendation we had, you know, kinda left it up to states to maybe consider their own appropriating instead of mandating and it looks, I mean especially the second sentence, attending states should be responsible for the overhead. Just sticks out and I think it's a concern.

Chair Thorpe: Alright.

Arizona Delegate Anthony Kern: It might stop some of these states from getting on board if they say well wait a minute we're going to have to payout a lot of money to, for all this travel and all this expense.

New Hampshire Delegate John Reagan: Sir.

Chair Thorpe: Yes.

New Hampshire Delegate John Reagan: You want us to remove objections to the whole process? To say that somebody else is not on the hook for your delegation?

Chair Thorpe: OK.

New Hampshire Delegate Dan Innis: If I may, Mr. Chair.

Chair Thorpe: Please.

New Hampshire Delegate Dan Innis: The purpose here was to say it's recommended each state be responsible for travel. How they do that is up to them. They could say... yeah, we're not doing it you're on your own. As New Hampshire is want to do. The shared overhead expenses is another matter admittedly, but, dog gone it, we need to persuade our states, our legislatures that this is the right way to do it and we've got a couple of years to pull it off. So, even those legislatures that meet every other year should be able to get some proposals in front of their bodies to get this, this moving.

Chair Thorpe: And the intention off the second half of this paragraph is really to try to reduce the burden on the sponsoring state?

New Hampshire Delegate Dan Innis: Exactly.

Chair Thorpe: OK.

Kentucky Delegate Tom Budford: Mr. Chair. If I may?

Chair Thorpe: Yes, sir.

Kentucky Delegate Tom Budford: The language does say should as opposed to shall, so it's an optional position.

New Hampshire Delegate Dan Innis: Hmmm...that's right. Yes, statutes indeed.

New Hampshire Delegate John Reagan: Mr. Chair, further comment on that. It's optional, its advisory and its warning that for any legislature that either has a resolution submitted or is planning to submit one, plans now because they know what the recommendation is that they should be ready to deal with, and besides what are your talking three weeks of somebody staying in a hotel you, you know, two or three people you're not talking a vast fortune probably talking less than \$100,000 per state.

South Carolina Delegate Rex Rice: Mr. Chairman. One thing we were trying to address there also is the fact that the federal government is not paying for this. It's gonna be paid for outside of them and the second thing is we feel like in the delegate selection resolution which would be the second part in most states. They do need to address the appropriations at that time.

Chair Thorpe: Thank you. Yes, sir.

Kansas Delegate Blake Carpenter: I'm going to shift gears for us, as far as the discussion point real quick. I noticed that there's 500, it says up to 500 delegates with support meeting and all that other stuff. That's 10 delegates to each state. Why are we attempting to dictate how many delegates a state can or cannot send?

New Hampshire Delegate Dan Innis: Mr. Chair, it was not our intention to suggest that they send 10 delegates. The language says up to 500 delegates with support so it's

entirely up to each state. It could be two people it could be 10 people. We wanted to keep it somewhat open for each state to consider.

Kansas Delegate Blake Carpenter: Mr. Chair. I think that this language to me seems a little misleading as far as, it looks like it's putting a cap on how much a state can and cannot send and so I think that personally I would, I might wanna amend that language.

Chair Thorpe: OK, Would...

New Hampshire Delegate Dan Innis: To that point...

Chair Thorpe: Would...would you be more comfortable with language that said something like, accommodating 500 delegates or more? Something like that?

Kansas Delegate Blake Carpenter: Something that says...

Chair Thorpe: Setting expectation?

Kansas Delegate Blake Carpenter: Or a clause in there that says there's no cap or limit as far as how many delegates a state can or cannot send.

Chair Thorpe: Thank you. Yes.

Utah Delegate Kim Coleman: Thank you, Mr. Chair. It's, it's this is a logistical issue there where we tried to see what, what seems like a reasonable number when we try to define some parameters for what an appropriate venue would be and there's gotta be some number it's not limiting to how many delegates. It is a reasonable factor for a venue, for size of a room. So, I mean, if you think we need to clarify that doesn't mean a cap on the number of delegates, this is simply some reasonable number to accommodate in a venue.

New Hampshire Delegate Dan Innis: Mr. Chair, if I might? As someone who's in the hospitality business, hotel owner, 500 is a number that has meaning, and so is a 1000, that is another number that has meaning. So that was perhaps part of it. The back of my brain saying 500 is a number for planning purposes, for hospitality organizations. Again, we're not trying to prescribe what states can do or should do, but I do appreciate the spirit of the comments.

Oklahoma Delegate Julie Daniels: Mr. Chairman.

Chair Thorpe: Yes, ma'am.

Oklahoma Delegate Julie Daniels: Would it do to change it to the word people rather than delegates? Or does that throw your subcommittee off?

Georgia Delegate Timothy Barr: Well we assume so...[laughter]

Chair Thorpe: Please.

Georgia Delegate Timothy Barr: In the discussion we assumed that, that would actually just be the delegates and then there would be some staff on top of that.

Vice Chair Llewellyn: In addition to support.

Georgia Delegate Timothy Barr: Correct, but again this is a recommendation of the location. We just didn't want Congress to put us in the Holiday Inn Express in somewhere, a remote location.

Chair Thorpe: Then we could really get a lot of work done. In the back, actually, one moment.

Minnesota Delegate Roger Chamberlain: A minor thing. At least 500 delegates, I understand the number we had to quantify it. So, instead of putting it looks like a cap, somebody might read it that way, but to get to a number, at least 500 delegates, 500 people, then you know that you got some floor to work with.

Georgia Delegate Timothy Barr: If you make that as a motion I'll second it.

Arizona Delegate Nancy Barto: Mr. Chairman, that is what I was going to suggest as well.

Chair Thorpe: Thank you.

Minnesota Delegate Roger Chamberlain: I'll move that Mr. Chair.

Chair Thorpe: Alright, what, we're going to go ahead and make that change then. Very good, other comments? Yes.

Vice Chair Llewellyn: Doesn't this limit our facility selection quite a bit though at 500? I mean, are we talking about a conference center exclusively, or at that number obviously, we're eliminating any legislative chambers.

Chair Thorpe: Actually...

New Hampshire Delegate Jordan Ulery: No, not every legislative chamber...[laughter]

Chair Thorpe: Have you been to Texas? Actually, when we were trying to determine the capacity for this convention we decided to do it in the House chambers and felt that if we had, for example, 500 people show up that we could accommodate them with chairs along the outside edge, maybe removing desks, things like that. So, yeah I think it's doable, I, I, I once again, I don't believe that this language at this point, especially with the edit, is really limiting ... would cause hardship as far as determining a location, I think it's reasonable.

Vice Chair Llewellyn: Mr. Chairman, re-changing the with support to in addition to support. Is that what you are doing?

Chair Thorpe: What is the language we have now Dan?

New Hampshire Delegate Dan Innis: [inaudible]

Chair Thorpe: So, we're talking about instead of saying up to...

New Hampshire Delegate Dan Innis: Saying at least...at least...at least 500 delegates that, sure...

Vice Chair Llewellyn: Plus, support?

New Hampshire Delegate Dan Innis: Plus, support.

Vice Chair Llewellyn: OK...so, we're changing the word with to plus? Oh.

New Hampshire Delegate Dan Innis: Well...

Vice Chair Llewellyn: As of right now, it's a confusing term.

New Hampshire Delegate Dan Innis: It doesn't matter to me, if that works for the, it's fine.

Georgia Delegate Timothy Barr: How about in addition to?

New Hampshire Delegate Dan Innis: So, accommodating...

Kansas Delegate Blake Carpenter: At least...

New Hampshire Delegate Dan Innis: At least 500 delegates in addition to support.

Chair Thorpe: That works.

New Hampshire Delegate Dan Innis: Meeting rooms tech support and staff...works.

Vice Chair Llewellyn: Great, that's good.

Idaho Delegate Eric Redman: Mr. Chairman. Friendly change.

Chair Thorpe: OK, very good.

Idaho Delegate Eric Redman: Just a comment from Idaho. We also discussed that it doesn't have to be in a capitol building. There are a lot of universities that have adequate facilities that can be utilized.

Chair Thorpe: Very good.

Vice Chair Llewellyn: Can we put in there Mr. Chairman? A facility under 103 degrees or...[laughter]

Chair Thorpe: Outside temperature or inside temperature?

New Hampshire Delegate Jordan Ulery: That means, that means New Hampshire.

Vice Chair Llewellyn: Alright.

Chair Thorpe: Can we add a humidity limitation?

New Hampshire Delegate Jordan Ulery: There ya go.

Chair Thorpe: And mosquito limitation.

New Hampshire Delegate Jordan Ulery: Mosquitos only in the fall and early spring.

Chair Thorpe: Alright, any other, any other thoughts? Yes, sir.

Idaho Delegate Marv Hagedorn: Mr. Chairman. The motion itself, you know, we kinda discussed this but I'm not sure it was solved about the date of September 17th. Maybe we should put in after 2018, or a date as determined by the convention leadership or...

New Hampshire Delegate Dan Innis: Mr. Chair. I would suggest maybe a no later than.

Chair Thorpe: OK.

New Hampshire Delegate Dan Innis: I don't have a date in mind but we don't wanna push this into 2019. If 2019 is the Michigan recommendation, alright, even though I went to Ohio State.

Chair Thorpe: I, I would, I would tend to agree there. Somebody made a comment that next year will be an election year for a lot of us and so the magic number then is, you know, the first week in November and so I would suggest that if you really want a good turnout, we're probably talking about after that date.

New Hampshire Delegate Jordan Ulery: What, wait a minute, the first week in November, isn't that the election?

Chair Thorpe: Yeah and saying that after the first week in November.

New Hampshire Delegate Jordan Ulery: Oh after.

Chair Thorpe: After the election. Alright.

Idaho Delegate Marv Hagedorn: So, then we should say the date September 17th, 2018 or no later than November 30th, 2018.

Chair Thorpe: Or, or I, I, I would think that a date to be determined, you know, near the end of, you could say near the end of 2018 or a date, with a date to be determined.

New Hampshire Delegate Dan Innis: December 31st, 2018.

Chair Thorpe: Yeah, prior to, or prior to December 31st.

New Hampshire Delegate Dan Innis: Yeah that's a friendly, acceptable amendment.

Chair Thorpe: There ya go. That gives you a lot of wiggle room. Any other comments? Yes.

Kansas Delegate Blake Carpenter: Yeah, Mr. Chairman. We haven't done any voting or motions on any of this, so, I would like to go ahead and make the first motion to replace up to with at least 500 delegates and then what was the other in accommodation to, in addition to support, meeting rooms, and so on and so forth, so that's my motion.

Chair Thorpe: Alright. So, the motion before you is that we're changing the up to 500 delegates and the with support, per the edits of the chair. All in favor say aye...all opposed nay...ayes have it, do have it, so ordered. [sound gavel]

Chair Thorpe: Do we have another motion? I think we're talking about the, the we're gonna change the convening on that it would be before December 31st, 2018. Yes, sir.

Kansas Delegate Blake Carpenter: Mr. Chairman. I make a motion that we add language after or I guess...I guess...we add, I like to add language to gather in convention one year from now, I think we should probably strike that and say.... instead have a states to gather in convention before December 31st, 2018.

Chair Thorpe: OK, thank you. Alright, and the last motion I didn't ask for a second? So, do we have a second on this motion?

New Hampshire Delegate Dan Innis: Yeah.

Chair Thorpe: We have a second. So, you were saying remove the language it says one year from now and instead I think we're changing it to before December 31st, 2018. That's the motion before you all in favor say aye...all opposed nay...ayes have it, do have it, so ordered. [sound gavel]

Chair Thorpe: So, members...commissioners. I think we been calling you commissioners up to this point. So, one suggestion that was made earlier is if we feel comfortable with this particular subcommittees work product, we can vote on it now. So, what I....

Kentucky Delegate Tom Budford: I make a motion that we accept the Planning subcommittee on Time, Place and Logistics reports.

Minnesota Delegate Roger Chamberlain: Second.

Chair Thorpe: And we have a second...do we want to do a roll call vote? That's what we're originally wanted to do or we talked about doing, I think we're ready to go then...

Vice Chair Llewellyn: I call division, why we just do an acclamation?

Chair Thorpe: Is there...do you? Is a voice...OK...motion before you is a voice vote. All in favor aye...all opposed nay...Let's do a voice vote. So, the motion before you is the acceptance of the Planning subcommittee on Time, Place and Logistics, all in favor say aye...all opposed nay...so, the ayes have it, do have it, so ordered. [sound gavel]

Chair Thorpe: So, what we're going to do, we actually have ...I was just told by the president that we have some additional time. Do we want to continue working on Delegate Correspondence? Or do we want...OK, let's continue with that...so.

Oklahoma Delegate Julie Daniels: Mr. Chairman.

Chair Thorpe: Yes, ma'am.

Oklahoma Delegate Julie Daniels: We had begun discussion on number one and the gentleman on the back row said, it wasn't a recommendation he's quite right, and the... I didn't have much to say in our subcommittee. So, I'm going to speak up now...[laughter]

Arizona Delegate Anthony Kern: Yeah...OK.

Oklahoma Delegate Julie Daniels: And said that we could easily take the phraseology from number one...

Arizona Delegate Anthony Kern: Any objection?

Oklahoma Delegate Julie Daniels: And put it underneath recommendation two as part of it. So, before everybody starts rewriting number one and throwing out all of our work we could accommodate the language of number one under the recommendation in number two and it all...

Arizona Delegate Anthony Kern: Just put it all together?

Oklahoma Delegate Julie Daniels: It flows together sir. Yes, it does.

Chair Thorpe: And so are you suggesting that we take the language from recommendation one and just add it after what is currently relatively...

Oklahoma Delegate Julie Daniels: So, I'm going to read it to you sir...

Chair Thorpe: Recommendation two?

Oklahoma Delegate Julie Daniels: And this starting with number two, in anticipation of the possible call of the convention...yadda...yadda...yadda. Earliest opportunity full stop.

Each state will need to formulate a process for delegate an alternate selection, communication, responsibilities, limitations, and appropriation considerations.

Chair Thorpe: Uh, hmm.

Unknown Delegate: That's what we said.

South Carolina Delegate Rex Rice: Yeap, it is...[laughter] We're trying to get your vote.

Chair Thorpe: Alright. Would we have comments on that?

Iowa Delegate Neal Schuerer: I just have a comment in talking about the urgency that we want to put in this document wondering in that they recommendation two in anticipation of a call for a convention take the word possible out, that we're anticipating the call.

Unknown Delegate: That's vaild. Good catch.

Chair Thorpe: It's good. Any other thoughts?

Arizona Delegate Anthony Kern: Where's that at? I'm not seeing that.

Chair Thorpe: In recommendation two.

Arizona Delegate Anthony Kern: OK...OK. I see it.

Chair Thorpe: Remove possible?

Arizona Delegate Anthony Kern: OK.

Oklahoma Delegate Julie Daniels: Mr. Chairman. I move adoption of this recommendation renumbered as number one, as read with the new language and taking out the word possible.

Chair Thorpe: And, and...for everyone's benefit can you go ahead and read it once more.

Oklahoma Delegate Julie Daniels: OK. I will not bore you with reading recommendation number two but the added language is... each state will need to formulate a process for delegate communication delegate and alternate selection, responsibilities, limitations and appropriation considerations.

Kentucky Delegate Tom Budford: Instead of need to... Mr. Chair, could we just put shall, the word shall.

Oklahoma Delegate Julie Daniels: Excellent.

Chair Thorpe: Require...instead of require. I'm sorry is that what you we're saying?

Kentucky Delegate Tom Budford: Where the word shall means they have.

Chair Thorpe: No and I know shall but where are you talking about putting in at?

Kentucky Delegate Tom Budford: Right after each.

Arizona Delegate Anthony Kern: Each state shall formulate a process.

Chair Thorpe: It's state shall...OK. Yes, sir.

New Hampshire Delegate Jordan Ulery: If this was legislation, yes. This is not legislation. This is a recommendation...

Chair Thorpe: OK.

New Hampshire Delegate Jordan Ulery: And any one of the states here would object to being told. Oh yeah. Watch this.

Chair Thorpe: It is a recommendation.

Kentucky Delegate Tom Budford: Either way...I'm pretty sure.

New Hampshire Delegate Jordan Ulery: Should is a good word anything that carries more strength.

[delegates speaking amongst themselves]

Chair Thorpe: Sir.

Indiana Delegate Ben Smaltz: Thank you, Mr. Chairman. Shall is absolute and we cannot tell states how to do it, we don't have the authority to do that.

Chair Thorpe: OK. I agree.

Oklahoma Delegate Julie Daniels: Should...

Chair Thorpe: Any other comments?

Arizona Delegate Anthony Kern: So, is staff clear on what we wanna do there? OK.

Chair Thorpe: Yes, sir.

Idaho Delegate Marv Hagedorn: The only other comment is said to make sure that we put in delegate in between delegate and alternate the word and.

New Hampshire Delegate Jordan Ulery: Or slash...

Arizona Delegate Anthony Kern: Delegate and alternate slash.

Chair Thorpe: I would say a slash there. If that's agreeable for talking about delegate or an alternate to different types of individuals. Is that acceptable? And put it a slash there? Delegates slash alternate?

Arizona Delegate Anthony Kern: I'm fine with that.

Chair Thorpe: Alright...alright. Commissioners...so, before you I'm gonna make the motion. Let's get a second? That we adopt the editing changes combining recommendation one and two and was some additional editing changes. That's the motion before you do I have a second?

Kentucky Delegate Tom Budford: Second.

Chair Thorpe: We have a second. Do we wanna continue with just a voice vote? As opposed...

Idaho Delegate Marv Hagedorn: Mr. Chairman.

Chair Thorpe: Yes, sir.

Idaho Delegate Marv Hagedorn: I believe when we started out we...we did have a motion that was approved that we would do roll call votes on all of these.

Chair Thorpe: OK. The other one we didn't have a roll call vote on but...OK, do we wanna revisit that? Do we wanna do a roll call vote?

Iowa Delegate Jerry Behn: Is there any opposition of this?

Chair Thorpe: Is there? Is there opposition during the roll call vote?

Idaho Delegate Marv Hagedorn: Yes. Excuse me...[laughter]

Chair Thorpe: Now you...now you've just playing with us...[laughter]

Chair Thorpe: OK, members, commissioners I think we will continue with our earlier adoption of a role of roll call vote by state. So, would you secretary go ahead and start a roll call vote? This will be on the combination of recommendation one and two. Yes, please.

Committee Secretary:	State of Alabama.
Committee Secretary:	State of Arizona.
Arizona Delegate:	Arizona votes yes.
Committee Secretary:	State of Georgia.
Georgia Delegate:	Yea.
Committee Secretary:	State of Idaho.
Idaho Delegate:	Aye, yes.
Committee Secretary:	State of Indiana.

Indiana Delegate:	Yes.
Committee Secretary:	State of Iowa.
Iowa Delegate:	Aye.
Committee Secretary:	State of Kansas.
Kansas Delegate:	Aye.
Committee Secretary:	State of Kentucky.
Kentucky Delegate:	Aye.
Committee Secretary:	State of Michigan.
Michigan Delegate:	That's an Aye.

Arizona Delegate Anthony Kern: Could you repeat that? I did not hear that last one.

Michigan Delegate:	Yes.
Committee Secretary:	State of Minnesota.
Minnesota Delegate:	Aye.
Committee Secretary:	State of Missouri.
Committee Secretary:	State of New Hampshire.
New Hampshire Delegate:	Aye.
Committee Secretary:	State of Oklahoma.
Oklahoma Delegate:	Aye.
Committee Secretary:	State of South Carolina.
South Carolina Delegate:	Aye.
Committee Secretary:	State of South Dakota.
Committee Secretary:	State of Tennessee.
Tennessee Delegate:	Aye.
Committee Secretary:	State of Utah.
Utah Delegate:	Aye.
Committee Secretary:	State of West Virginia.
Committee Secretary:	State of Wyoming.
Wyoming Delegate:	Aye.

Committee Secretary: 15 ayes.

Chair Thorpe: Alright. With 15 ayes no nays and the motion does carry.
[sound gavel]

Chair Thorpe: The adoption of recommendation one and two combine and now we're on recommendation number three.

Kentucky Delegate Tom Budford: Two actually. We'll change it to two.

Chair Thorpe: Yes.

Arizona Delegate Anthony Kern: Yeah. Recommendation three is now two.

Chair Thorpe: Three is now two. Well, let's...[laughter]

New Hampshire Delegate Jordan Ulery: Keep it at two.

Chair Thorpe: We'll...we'll renumber it but just so we don't get confused.

Arizona Delegate Anthony Kern: OK.

Chair Thorpe: Let's call them what their printed.

Arizona Delegate Anthony Kern: OK.

Chair Thorpe: Now...now were discussing recommendation three if you could please read it.

Arizona Delegate Anthony Kern: Well, Mr. Chair. I would...I would ask I have been given something by our vice president of this Article V Planning Convention and it's kind of kinda detailed, I would actually ask the subcommittee to meet real quick tomorrow. So, we can discuss the changes first, give them the honor and the opportunity to talk about it and then tomorrow we vote on number three.

Chair Thorpe: OK.

Arizona Delegate Anthony Kern: Because there will be some changes. I think.

Chair Thorpe: So, the motion before you is to...will go ahead and temporarily we will not vote on recommendation three we will reconvene in the morning to go over some additional changes do I have a second on that?

Arizona Delegate Anthony Kern: I second.

Chair Thorpe: And...all in favor say aye...all oppose nay...ayes have it, do have it, so ordered. [sound gavel]

Chair Thorpe: As printed recommendation four. Oh, yes, sir.

New Hampshire Delegate Jordan Ulery: Mr. Chair. It seems that the possible changes that are going to exist for number three may encomp...encompass some of the terms that are going to be in four and five if I am not correct, Mr. Subcommittee chair?

Arizona Delegate Anthony Kern: Umm...I don't think so. I think we could go ahead and move on to recommendation four and five.

New Hampshire Delegate Jordan Ulery: May I continue, Mr. Chair?

Chair Thorpe: Please.

New Hampshire Delegate Jordan Ulery: Considering the wording that's in three now and the wording that's in four and five. It seems as though some of it is repetitive. Some of it needs a little housekeeping and the...maybe...may be that could be accomplished with

the... the proposed changes that take place tomorrow for ... to accomplish all the work that was done by the subcommittee.

Chair Thorpe: Alright, and so we're talking about both four and five. So, three will definitely be edited tomorrow and then there might be impacts on four and five. So, I would say the motion before us is do we want to go ahead and wait on four and five until tomorrow morning? Do I have a second on that as motion before us?

Unknown Delegate: I second.

Chair Thorpe: We have a second, all in favor say aye...all opposed nay...it kinda sounds like we had a lot of nays there...

Arizona Delegate Anthony Kern: I had to get right close to the mic...[laughter]

Chair Thorpe: Because I can't really determine...you know, the number of folks supporting or against that. Let's do a roll call vote on that one. So, the...so, the motion before you is postponing any additional work on recommendation four and five until the morning. If you can call roll.... call on that one.

Kentucky Delegate Tom Budford: Mr. Chair. Question by the chair of our subcommittee have a moment to speak to the issue of this roll call. If you'd like to...

Arizona Delegate Anthony Kern: Ahhh.

Kentucky Delegate Tom Budford: We should...

Arizona Delegate Anthony Kern: I think we should just move forward and it did get at least get four...I don't see the changes that I'm looking out for number three that were advised that I'd like to talk over with the subcommittee. I don't see them changing recommendation four or five, very much and if there's tweaks in four and five we can talk about them right now. I don't think we're looking at changing the whole.

Chair Thorpe: Well...at this point.

Arizona Delegate Anthony Kern: Go ahead.

Chair Thorpe: At this point, the motion is before ...we do have a second? So, we'll make that determination. So, let's have a roll call vote on whether we...want to ...postpone I think there...the motion was to postpone...

Georgia Delegate Timothy Barr: Point of order, sir.

Chair Thorpe: Reconvene four and five until the morning. Yes, sir.

Georgia Delegate Timothy Barr: This is depending on my vote. What time are we breaking?

Chair Thorpe: We are heading to the floor...resuming on the floor at quarter of five or we'll...

Georgia Delegate Timothy Barr: OK.

Chair Thorpe: Try to get out here a little bit early so people need to use restroom and things like that. So, soon...so roll call vote, please.

Committee Secretary:	State of Alabama
Committee Secretary:	State of Arizona
Arizona Delegate:	Arizona votes no and no is we wanna continue with the vote, right?

Chair Thorpe: Yeah.

Committee Secretary:	State of Georgia.
Georgia Delegate:	No.
Committee Secretary:	State of Idaho.
Idaho Delegate:	No.
Committee Secretary:	State of Indiana.
Indiana Delegate:	No.
Committee Secretary:	State of Iowa.
Iowa Delegate:	No.
Committee Secretary:	State of Kansas.
Kansas Delegate:	No.
Committee Secretary:	State of Kentucky.
Kentucky Delegate:	No.
Committee Secretary:	State of Michigan.
Michigan Delegate:	Yes.
Committee Secretary:	State of Minnesota.
Minnesota Delegate:	No.
Committee Secretary:	State of Missouri.
Committee Secretary:	State of New Hampshire.
New Hampshire Delegate:	No.
Committee Secretary:	State of Oklahoma.
Oklahoma Delegate:	No.
Committee Secretary:	State of South Carolina.
South Carolina Delegate:	No.
Committee Secretary:	State of South Dakota.
Committee Secretary:	State of Tennessee.
Tennessee Delegate:	No.
Committee Secretary:	State of Utah.
Utah Delegate:	No.
Committee Secretary:	State of West Virginia.
Committee Secretary:	State of Wyoming.
Wyoming Delegate:	No.

Committee Secretary: 14 nays, one aye.

Chair Thorpe: Commissioners with 14 nays, one aye. The motion does not pass and so we will continue working on recommendation four and five.
[sound gavel]

Chair Thorpe: Would you, Mr. Kern, would you care to go ahead and review?

Arizona Delegate Anthony Kern: OK, so it is title recommendation four which is changing to recommendation three. So, that's our first change. OK, each state Phoenix Correspondence Commission shall appoint a commissioner to join with those commissioners in the other states to carry out the following functions to organize a convention for proposing amendments: One creating a single point of contact to act as a liaison with Congress, two track and certify all Article V applications, three create a process to suggest a time and place to Congress for convention for proposing amendments, four provide a process for legal representation, five perform tasks as need to organize the convention.

Chair Thorpe: Commissioners. Yes.

Idaho Delegate Marv Hagedorn: Mr. Chairman and I would the move to change a little bit of the language, to make it...just a little bit to clarify it a little bit more, because of some of the recommended changes we might see in the morning. The intent of this is to establish the Phoenix Correspondence Commission from delegates or commissioners from all of the other states. So, to clarify that I would recommend that it read as follows: the Phoenix Correspondence Commission shall be created period. It will consist of commissioners appointed by the states to carry out the following functions to organize a convention for proposing amendments and the rest remains constant.

Chair Thorpe: Alright...other...other thoughts? Yes.

New Hampshire Delegate Jordan Ulery: Assuming the content of the resolution that's going to be modified remains essentially the same suggesting that each state establish a Phoenix Correspondence Commission, then telling the Phoenix Correspondence Commission what to do is appropriate. However, the way it's written currently it appears as though you're telling the state that they have to create a Phoenix and there is no way any state is going to listen to, a body consisting of members of other states as to what to do. This has to be their own idea, you have to convince the membership of the state that it's good for them and in their own self-interest and when we don't do that, it becomes an imposition upon the state. I won't say I'm afraid but I know human nature after 12 years in our House people get their backsides up when somebody says you shall and therefore I think the...designation of what is necessary for a successful correspondence commission is good. There's no question about that, but the presentation to the various states needs to be such that the states are encouraged to participate. Thank you, sir.

Chair Thorpe: Yes, sir.

Vice Chair Llewellyn: Can we utilize a phrase such as the position is envisioned as containing the following duties? Mr. New Hampshire? That way we at least know the scope, they would at least know the scope of what we are expecting of someone.

New Hampshire Delegate Jordan Ulery: My two senators would probably prefer stronger language but I'm dealing with 400, their dealing with 24. So...

Arizona Delegate Anthony Kern: So, let me bring some clarification in to this, Mr. Chair. Thank you.

Chair Thorpe: Please.

Arizona Delegate Anthony Kern: So, this is the third recommendation. The second recommendation is actually the one that encourages the states to appoint a commission. OK, this is once a state has appointed a commission, we're asking that they appoint a commissioner and we need that commissioner to communicate with the states. We need a point of contact which was one of our major concerns when we planned for this convention that we're apart of right now, was the point of contact. Who do we contact and that's the whole purpose. That's one of the main purposes of this correspondence commission. So, right here, we're not asking the states to do anything. We're asking the already formed commission to appoint somebody.

Kentucky Delegate Tom Budford: Yes, Mr. ...

Arizona Delegate Anthony Kern: We're not asking the states to do anything.

Vice Chair Llewellyn: The duties would be as such, as follows.

Kentucky Delegate Tom Budford: Mr. Chair I...I agree with our subcommittee chair. This is in point that they have already decided to do this.

Arizona Delegate Anthony Kern: Right.

Kentucky Delegate Tom Budford: And now we, if they decide to do this, we need them to appoint that commissioner.

Arizona Delegate Anthony Kern: Which we do.

Kentucky Delegate Tom Budford: So, they've already stumbled over that block of forcing them to do it.

Arizona Delegate Anthony Kern: Yeah.

Kentucky Delegate Tom Budford: Decided to do it.

Arizona Delegate Anthony Kern: And...and...and...the language in the previous recommendation it, even that you have in front of you delegates, it says states are strongly encouraged to appoint a Phoenix Correspondence Commission. That's not, that intent is

not going to change. We're going to change a few of the words maybe pending the subcommittee's approval but again this is in response to an already formed commission in each state. Which we have to have the communication.

Chair Thorpe: And...and...if I could make a quick comment, in this recommendation and including the next one we do use the word shall which I know that some members already pointed out as problematic some commissioners...One second. Yes, sir.

South Carolina Delegate Rex Rice: Mr. Chairman. I would like to hear the motion again I thought this body was creating a commission. Is that what we we're doing with this motion?

Arizona Delegate Anthony Kern: The, no...Mr. Chair, can I comment?

Chair Thorpe: Please.

Arizona Delegate Anthony Kern: This body is going to create a temporary commission. We're asking, we're strongly encouraging the states to appoint a permanent commission. So, what this body is going to do, and is...is... is appoint temporary commission, commissioners, until the states appoint their own commissions. Most in this body will probably be on those state appointed commissions. But no, this body is only ...

South Carolina Delegate Rex Rice: How does the state, each state individually creates a commission, is that what you're saying?

Arizona Delegate Anthony Kern: We're asking each state to try to do that, yes.

South Carolina Delegate Rex Rice: And they do that by legislation?

Arizona Delegate Anthony Kern: They can do that by legislation or they can do that by an appointment, which pretty much the process, how we all got here. Some states had the Speaker in the House and the President of the Senate appoint them saying yeah you're going. Some states did it legislatively, some states, you know every state was different. So, we've also and...and again that's going to be our second recommendation is we're asking them to appoint a commission or send a delegate from an already appointed commission. You know, so they don't have to necessarily make their own commission.

Chair Thorpe: Nancy.

Arizona Delegate Nancy Barto: Thank you, Mr. Chairman. Perhaps we can use language like, it is further recommended each state, Phoenix Correspondence Commission appoint.

Chair Thorpe: [inaudible] Commissioner. As opposed to shall?

Arizona Delegate Nancy Barto: Right.

Kansas Delegate Blake Carpenter: Mr. Chairman.

Chair Thorpe: We got a lot of folks that want to chime in. Yes.

Kansas Delegate Blake Carpenter: Thank you. To the individual from New Hampshire's point, if you look at the bottom of recommendation five, it says or declines to do the same. So, a state can decline to appoint a commissioner if they do not wish to be a part of the Phoenix Correspondence Commission after we all leave here and, and after everyone's been temporarily selected.

Chair Thorpe: Thank you...we're going to, we're running out of time so what I'm going to recommend is lets, because it's fresh on your mind, let's go ahead and get these questions out of the way. I'm going to make a motion to table this and were going to have to go back to it tomorrow morning. But let's go ahead because your questions are fresh in your mind...in the back, yes.

Idaho Delegate Marv Hagedorn: Mr. Chairman, the intent here is to create the Phoenix Correspondence Commission. If each state, either creates their own commission or appoints a commissioner then you have, to have a place for that person to go and collaborate with the other states that have appointed a commissioner for that commission and is what this does is it defines what that commission is, and what its purpose is the five bullets are the purpose of the commission. So, Idaho will have a commissioner, Utah will have a commissioner, Minnesota will have a commissioner those people will work together to create a single point of contact act as a liaison to Congress. They will work together to track and certify all Article V applications. They will work together to create a process to suggest a time and place to Congress. They'll work on these things as a function of that 50 state Phoenix Correspondence Commission. If a state wants to create their own federal commission or make this part of a state affairs committee, fine and dandy, that's in recommendation number three on how they want to do that. But we're asking that they appoint a PCC commissioner to be part of this functional group that can do the preliminary things that have, to be done before a convention is, is started.

Arizona Delegate Anthony Kern: And with that I make a motion to move forward and take...

Chair Thorpe: Let me, let me make an alternate motion that we do listen to, just a, there's a couple more comments before we table this. Did you have a comment?

Oklahoma Delegate Julie Daniels: Thank you. I just wanted to take the word shall and change it to should and ...

Arizona Delegate Anthony Kern: Yeah, I think we can vote on this today...

Chair Thorpe: OK, and sir.

Arizona Delegate Anthony Kern: Just make a couple, small changes.

New Hampshire Delegate John Reagan: I have proposed wording to replace this first paragraph.

Chair Thorpe: OK.

New Hampshire Delegate John Reagan: I would say, encourage each state to create a Phoenix Correspondence Commission period. Each state PCC will designate a commissioner and alternates to the national PCC to carry out the following functions: to organize a convention for proposing amendments colon. So, then each state has a body to communicate its very inclusive and then we know where to go when somebody drops dead, resigns, doesn't get whatever, you have alternates, it guarantees continuity of the group.

Chair Thorpe: We have time for two more comments. Real quick ones. Get to you in a second. Yes, sir.

Georgia Delegate Timothy Barr: Let me just say I am super excited about this, this is fun stuff. I know we're in the nitty gritty but having worked on this for a young man for four years this is awesome and I'm super glad to be here thanks y'all. Taking, just looking at this, taking this back to my state and I know you all did a lot of hard work on this. The Phoenix Correspondence Commission it, we all know what that is and I like the history that kind of provides but in my state and I think it would be an idea over the interim evening to look at perhaps the Balanced Budget Correspondence Commission. It, it just gives it a little more...immediately people know what we're talking about. And so, I just, I hope we can consider that over the interim this evening.

Chair Thorpe: And sir.

Minnesota Delegate Roger Chamberlain: Thank you, Mr. Chair. So, to the gentleman you mentioned changing the wording, the paragraph. And, some of that wording you brought up kind of brought together the previous recommendations. So, we have to look at this as kind of a continuum and a process. Their separate but their really not and so you're, while your recommendation is well taken it kind of copies and takes pieces of the first two that we already discussed and part of the third that we haven't that we're going to re-do tomorrow. So, it just, the point is that it kind of, their separate but their related, we can't just look at them as separate pieces, as a caution. They all flow together that's why we combined the first two but that's my final comment. We need to think about it and the gentleman from Georgia is also well taken but that he discussed that long and hard, it's a difficult one. Thank you.

Chair Thorpe: Thank you. The motion before you is that we're going to table recommendation four and five until the morning. A second on that?

Georgia Delegate Timothy Barr: Second.

Chair Thorpe: OK, very good. All in favor say aye...hold on, one second everyone, and all opposed nay...

Arizona Delegate Anthony Kern: Nay...

Chair Thorpe: Sorry you're over ruled. ayes have it, do have it, so ordered.
[sound gavel]

Chair Thorpe: One last piece of business and then we're going to head up stairs and I'm sorry that we're kind of running late. I have been asked to go ahead and lead a study group starting tomorrow morning to talk about ethical concerns with how a convention is organized and outside influences, such as financial influences, personal influences, things like that. So, I'm going to start in that role starting tomorrow morning. So, I'm going to resign my position as chairman and so I'm looking for a recommendation for a replacement chairman for this committee.

Arizona Delegate Anthony Kern: Mr. Chair.

Chair Thorpe: Yes, sir.

Arizona Delegate Anthony Kern: I would like to nominate the gentleman from Kentucky to be the next chairman of this committee.

Chair Thorpe: Do we have any other proposals? Be careful, you know, what you wish for. All in favor, the gentleman from Kentucky, say aye...all opposed nay...the ayes have it, do have it, so ordered.

Chair Thorpe: We are adjourned until tomorrow morning nine o'clock. [sound gavel]

Adjourned: 4:43 p.m.

Respectfully submitted,


Imee Andrew
Committee Secretary

(Audio recordings and attachments are on file in the Chief Clerk's Office, Room 203.
Audio archives are available at <http://www.azleg.gov>)

BALANCED BUDGET AMENDMENT PLANNING CONVENTION

CONVENTION PLANNING COMMITTEE

Minutes of the Meeting

September 14, 2017

12:10 p.m., House Hearing Room 1

Chair: Tom Budford

Vice Chair: Tom Llewellyn

States Present--12

Arizona
Georgia
Idaho
Iowa
Kentucky
Michigan

Minnesota
New Hampshire
Oklahoma
South Carolina
Tennessee
Wyoming

Staff:

Anthony Casellman, House Staff
Imee Andrew, Committee Secretary

Chair Tom Budford, Kentucky State Senate: Go right ahead. [inaudible]

Arizona Delegate Anthony Kern: Do I need to go? Thank you, Mr. Chair.

Arizona Delegate Anthony Kern: Anthony Kern, Arizona. Do I need to go through each recommendation? I'm assuming I do because for the...

Chair Budford: Maybe before we start we are in the full committee. If we'll call the role of the states.

Committee Secretary:	State of Alabama.
Committee Secretary:	State of Arizona.
Arizona Delegate:	Arizona Present.
Committee Secretary:	State of Georgia.
Georgia Delegate:	Present.
Committee Secretary:	State of Idaho.

Idaho Delegate:	Present.
Committee Secretary:	State of Indiana.
Committee Secretary:	State of Iowa.
Iowa Delegate:	Present.
Committee Secretary:	State of Kansas.
Committee Secretary:	State of Kentucky.
Kentucky Delegate:	Present.
Committee Secretary:	State of Michigan.
Michigan Delegate:	Present.
Committee Secretary:	State of Minnesota.
Minnesota Delegate:	Present.
Committee Secretary:	State of Missouri.
Committee Secretary:	State of New Hampshire.
New Hampshire Delegate:	Here.
Committee Secretary:	State of Oklahoma.
Committee Secretary:	State of South Carolina.
South Carolina Delegate:	Present.
Committee Secretary:	State of South Dakota.
Committee Secretary:	State of Tennessee.
Tennessee Delegate:	Present.
Committee Secretary:	State of Utah.
Committee Secretary:	State of West Virginia.
Committee Secretary:	State of Wyoming.
Wyoming Delegate:	Here and 2 of us.

Chair Budford: And each state will have one vote as we move along, but we have 12 present, Oklahoma is here, Tennessee. Oklahoma and Tennessee just came in. Very well, OK, back to our committee sub-chair to make this presentation delegates and correspondence subcommittee report. We do have a final report, I hope you have it in your hand. Please proceed.

Arizona Delegate Anthony Kern: Alright, so the subcommittee on delegates and correspondence did approve four recommendations and if you have this report in front of you, I will go ahead and read each one and we'll discuss and vote as needed. So, recommendation number one. In anticipation of the call for a convention for proposing amendments, states are strongly encouraged to enact delegates selection legislation at the earliest opportunity. It is recommended that such legislation establish a process for the appointment of delegates and alternates to a future convention, provide instruction regarding responsibilities, limitations, if any, and appropriation considerations to such delegates and provide standards for monitoring and communicating with said delegates. Asterisk, examples will be included in the organizational appendix. Any discussion? You do discussion. I'm sorry.

Chair Budford: If we're not seeing any opposition to this. I suggest we go onto number two. And then we can just vote them all in one group if we can.

Arizona Delegate Anthony Kern: Excellent. Recommendation number two. The Phoenix Correspondence Commission is hereby created. The commission will consist of commissioners appointed by the states to carry out the following functions to organize a convention for proposing amendments: Number one, creating a single point of contact to act as a liaison with Congress. Number two, track all applications for a convention for proposing amendments. Number three, create a process to suggest a time and place to Congress for a convention for proposing amendments. Number four, provide a process for legal representation, if necessary. Number five, perform tasks as needed to organize the convention. Recommendation number three. Each state is strongly encouraged to appoint a commissioner to the Commission to join with those in the other states to communicate on all matters associated with a convention for proposing amendments with any or all of the following: Number one, State Legislators. Number two, United States Citizens. Number three, convention organizers. Number four, state congressional delegation. Number five Congress. Recommendation number four. The members of the commission will be initially comprised of one member appointed from each delegation present at this convention, until such time as each commissioner's state formally appoints a commissioner to the Commission or declines to do the same.

Chair Budford: Are there any questions? Yes, sir.

Idaho Delegate Eric Redman: Thank you. Eric Redman. And I listened in on the subcommittee so, I certainly agree with what you have come together with. However, I do have one consternation, excuse me keep my mouth glue here. And that, the Phoenix part of it I understand it is Greek mythology, but I and I'm not going to vote against it. I'm just saying I think that when you are talking to other states, I think the focus this time is balanced budget and I feel that it's a better area for the Committee of Correspondence, so I think that's gonna...might throw it off a little bit.

Chair Budford: If I may, after we take a floor vote on this it goes to a committee of understanding and getting language together. We do have the Vice President here with us, he will be on that group and I forgot what we're calling that group...

Delegates: Committee on Style.

Chair Budford: Committee of Style. So, if you want to make some recommendation to them, to call it something different. They can do so.

Idaho Delegate Eric Redman: Thank you.

Chair Budford: Yes, sir...yes, Michigan.

Vice Chair Llewellyn: Thank you, Mr. Chair. The question came up. If we have this brand new commission that we are establishing. Do we not also have the responsibility to provide a temporary set of rules for them that we could establish that is whenever rules come out of the formal session upstairs as a temporary operating base for them to call to order?

Chair Budford: I would assume as that may involve all the...both committees, both groups, three groups that have been meeting and the other group that we're...that's been meeting upstairs that may be something we would want to bring up on the floor to have that discussion.

Vice Chair Llewellyn: In recommendation four.

Chairman Budford: No, no.

Vice Chair Llewellyn: In recommendation four we're already involving all members, you know to the convention here.

Chair Budford: Alright. Gentleman from Georgia.

Georgia Delegate David Guldenschuh: The...the...the commission that we create will be responsible for setting its own set of rules.

Vice Chair Llewellyn: You have to start with something.

Georgia Delegate David Guldenschuh: No, they don't, they can come together. We can give them guidance here, we can have our first meeting or informal meeting here to get them started, but what's important. We're birthing this baby and it is gonna to grow up real fast when 19 people from this convention are on it, but you don't have the same issues with the committee. I mean certainly they have the rules to go by here, but the rules that we have set up here are for much, much more formal gathering of people. As opposed to a gathering of people sitting around a room talking to each other. So, while I appreciate that the issue has come up, I think it is...it is vital that we leave that for the committee and not go any further into that. The framers were brilliant in writing the constitution by knowing where to stop. This is where we stop.

Chair Budford: OK, seeing no other discussion, we will entertain a motion to adopt the report on delegates and correspondence. Do we have a motion?

Georgia Delegate David Guldenschuh: Georgia moves, Mr. Chairman, to adopt the report in whole.

Chair Budford: We have a motion. We have a second, from Kansas. Without further discussion, please call the roll. One state, one vote.

Committee Secretary:	State of Alabama.
Committee Secretary:	State of Arizona.
Arizona Delegate:	Arizona votes aye.
Committee Secretary:	State of Georgia.
Georgia Delegate:	Georgia votes aye.
Committee Secretary:	State of Idaho.
Idaho Delegate:	Idaho votes aye.
Committee Secretary:	State of Indiana.
Committee Secretary:	State of Iowa.
Iowa Delegate:	Aye.
Committee Secretary:	State of Kansas.
Kansas Delegate:	Aye.
Committee Secretary:	State of Michigan.
Michigan Delegate:	Michigan says aye.
Committee Secretary:	State of Minnesota.
Minnesota Delegate:	Minnesota aye.
Committee Secretary:	State of Missouri.
Committee Secretary:	State of New Hampshire.
New Hampshire Delegate:	New Hampshire says aye.
Committee Secretary:	State of Oklahoma.
Oklahoma Delegate:	Aye.
Committee Secretary:	State of South Carolina.
South Carolina Delegate:	South Carolina aye.
Committee Secretary:	State of South Dakota.
Committee Secretary:	State of Tennessee.
Tennessee Delegate:	Tennessee votes aye.
Committee Secretary:	State of Utah.
Utah Delegate:	Utah votes aye.
Committee Secretary:	State of West Virginia.
Committee Secretary:	State of Wyoming.
Wyoming Delegate:	Wyoming aye.

[inaudible]

Committee Secretary: Mr. Chair, 13 ayes and zero nays.

[inaudible]

Chair Budford: The delegate from Georgia has comments before we retire.

Georgia Delegate David Guldenschuh: Yes, this body is recommending this proposal to obviously, the body of the whole of the entire convention. I don't know if we'll get to it today or not, but I would be interested in the view of this committee. Is there any desire on the part of this committee to go ahead and request the states

in antici...if it gets voted on today, which I suspect it will not happen, but if it does then we've got the committee established. Given that everybody will be going home in all likelihood tomorrow night. We do have a window that being this evening to perhaps bring an informal gathering of this committee together because it is not officially created until and unless it is adopted by the whole group. So, what I would ask for there to be some discussion about, is there any desire on behalf of this group to go back to your respective delegations and ask someone to step forward, so that we can perhaps have some form of informal organization.

Chair Budford: Delegate from Idaho.

Idaho Delegate Marv Hagedorn: Mr. Chairman, there is a potential for a meeting that is scheduled for those who would like to attend at 6:30 this evening at the Hyatt, Arizona Compass Grill on the 24th floor.

Arizona Delegate Anthony Kern: To that and don't mean to interrupt, sir but Mr. Chair.

Chair Budford: Go ahead.

Arizona Delegate Anthony Kern: We had discussed that myself and Georgia and there was a little bit of a question as to whether we could even go to that unless we had a delegate from each state that is represented here at the convention. So, I would prefer that we maybe sometime this afternoon, go to our states after the subcommittee and after they are done on the floor. And say hey, Arizona has seven delegates here. So, one of us seven would be appointed to this meeting tonight. You know what I'm saying? So, get that organized and then we can go from there.

Idaho Delegate Marv Hagedorn: And I that's why I brought that up. Just so we know that we have a target.

Arizona Delegate Anthony Kern: Yes.

Idaho Delegate Marv Hagedorn: From the delegation want to appoint that person or want even know more about who should go, that's the target 24th floor at the Hyatt, 6:30 this evening.

Chair Budford: Thank you. Very well. That takes care of that. Now, with that said.

Vice Chair Llewellyn: Mr. Chairman.

Chair Budford: Please.

Vice Chair Llewellyn: As an action of this committee, has it been established that we need to make sure the rest of the body is aware of our rules as soon as possible so they might have a chance to review those in advance of a vote.

Chair Budford: Go ahead. Yes, that is correct, do you have a question in that regard? Yes, I will ask staff to make our two subcommittee reports printed and on the desk above of each state. Now, Kansas.

Kansas Delegate Blake Carpenter: Thank you, Mr. Chairman. Well the issue that Kansas is experiencing right now is that there is only one delegate here and I'm leaving this afternoon. So, as far as this commission goes, I mean, I'm not going to be around to participate, unfortunately in any further in the convention. So, I guess how would that.

Georgia Delegate David Guldenschuh: I think.

Chair Budford: Please.

Georgia Delegate David Guldenschuh: I think it would be very beneficial if you can leave with the staff. Your name, a cell phone number and your private email. So, that the committee, I think that contact information will be vital if you could do that it will serve its purpose.

Arizona Delegate Anthony Kern: To that point, could you leave your credit card information. [laughter]

Kansas Delegate Blake Carpenter: And my social security number?

Arizona Delegate Anthony Kern: Yes, we need somebody to pay for this event tonight.

Chair Budford: And I saw some question as to the very first subcommittee report. That had already been approved yesterday and its dually done and over. Oklahoma.

Oklahoma Delegate Julie Daniels: Point of clarification, are we suggesting that the temporary commission start to work before its actually adopted by the whole body?

Chair Budford: No, I'll ask the Vice President that will come under his purview from the chairs.

Utah Delegate Ken Ivory, BBAPC Vice President: Thank you, Mr. Chair. I think what I will suggest to the President as we go back on the floor here shortly that she make an announcement of...Although, we are not going to have a report from this committee, we've got the preliminary report that will be coming this is

something coming out that we are creating the commission and ask the delegations to pull themselves to appoint a member. Once we have officially voted on, I think this is just an informal meeting at this point that wouldn't be sanctioned, but then once we approve it, we will at least have people get to know one and other and it will be cookies and drinks on Idaho at the Compass Room apparently. And since I'm Utah it's not going cost you very much.

Oklahoma Delegate Julie Daniels: Oklahoma is always good with free food.

Chair Tom Budford: Very well. OK now, the gentleman from Michigan, did you want to go over your point of order or interests at this time or do you want to wait for later?

Vice Chair Llewellyn: I just want to make the body aware.

Chair Tom Budford: Aware? Very well, go ahead.

Vice Chair Llewellyn: I want to be able to present this to the entire body, but I put together a statement of accelerated interests talking about how we as a body need to impress on the country that not only do we have nice pretty rules and a very extensive background.

Chair Tom Budford: Order.

Vice Chair Llewellyn: Of, of historical context to provide for this. Even Dave I got his attention. We do need to create a sense of urgency and I have asked the chair to consider discussion when we get upstairs that would include several whereas' of the threat...you know that we are all aware of, but maybe the rest of the country isn't quite aware. Even those that have appointed us may not be to that level. I wanted to make sure that you're aware that there will be some presentation along that line as an introductory statement, not a preamble to their rules or an adjunct to ours, but as an overall introduction of our efforts here.

Chair Budford: OK, I do have a copy of it. Do you want me to share it with others or not?

Vice Chair Llewellyn: It's being revised already to a different format.

Chair Budford: That's the end of that. Any other business to come before the committee?

Utah Delegate Ken Ivory, BBAPC Vice President: Mr. Chair?

Chair Budford: Yes, please.

Utah Delegate Ken Ivory, BBAPC Vice President: Just a sign post of what we anticipate happening over the next 24 hours or so. We're gonna go back on the floor and deal with the rules. I mean the number one job we came here to do was to produce a set of rules and so we are going to go back on the floor. According to the rules that we passed at the beginning of the convention, our opportunity to amend those is now very limited. We've all had members of our states on that job, on that function working for the last two...two plus days. So, we're gonna go back to review the rules.

Vice Chair Llewellyn: Point of order, Vice Chair. Some of us have, some of us are only one person here so we haven't been in both places.

Chair Budford: Mr. Vice President, please proceed.

Utah Delegate Ken Ivory, BBAPC Vice President: Thank you. What we hope to have is a red line version of what the rules committee has done from the starting point that we had when we came in, so that we will be able to get up to speed quickly, but they'll go through those rules through all of the changes that they've made and we anticipate that will be most of the work for the rest of the afternoon. If we get through faster than we'll do the reports from these committees, but likely, we will have a fair amount of time going through those. Assuming we have no glaring deficiencies in what they've done. We hope to be able to approve those rules. If there is anything that we're just absolutely not comfortable with, we're really not going to have time through the rules that we have passed on how to amend and move forward. We're going to have simply make recommendations and so to the gentleman from Michigan's point with the time that we have left and the work that we have to do. I really don't see that we are going to have the opportunity to introduce new things into that because we are really going to be pressed for time, so we will get through the rules today. We've got the Committee of Style that's going to be meeting afterwards to try to take all of the things that we have done make sure it has a consistent flow and feel and terminology through what we've done and then likely unless we get through the rules today, we'll be meeting in the morning, to go through the work of this committee and again fingers crossed we may be able to adjourn around noon or so. I know that a number of people have some early and mid to late afternoon flights and so that give a little bit of a sign post of what to anticipate going forward.

Chair Budford: Gentleman, Michigan.

Vice Chair Llewellyn: Appreciate the clarification. Thank you. Now the chair upstairs has acknowledged that their objective is to print out for our review whatever they have as the end of business today, so that we can review that in more detail on our own time in advance of tomorrow's session.

Chair Budford: Very well. I want to thank the committees that met and all of the members that were here. The two chairs of the subcommittees, I know it wasn't easy and sometimes not pleasant. Let's hope we've done the right thing. Where I always say we have no enemies, but our friends may dislike us immensely if we don't get this right.

Arizona Delegate Anthony Kern: Mr. Chair.

Chair Budford: Yes, please.

Arizona Delegate Anthony Kern: I know Idaho has a comment too, but I wanted to say as a sub chair that you guys did a great job. It's an honor very big honor to work with each one of you guys.

Chair Budford: Thank you. Motion for adjournment.

Arizona Delegate Anthony Kern: Mr. Chair, Idaho has a comment.

Chair Budford: Idaho.

Idaho Delegate Marv Hagedorn: Mr. Chairman, I just wanted to check to make sure that we have also...and I might have missed it but I want to make sure we have also approved recommendation number three and recommendation number four?

Chair Budford: That was in there.

Idaho Delegate Marv Hagedorn: We're all good?. OK, thank you.

Vice Chair Llewellyn: I do have additional copies if people are interested in my whereas introductory statement.

Chair Budford: Yes. Motion to adjourn. Without objection, so ordered. We are adjourned.

Adjourned: 12:31 p.m.

Respectfully submitted,


Jmee Andrew
Committee Secretary

(Audio recordings and attachments are on file in the Chief Clerk's Office, Room 203. Audio archives are available at <http://www.azleg.gov>)

Credentials Committee

BALANCED BUDGET AMENDMENT PLANNING CONVENTION

CREDENTIALS COMMITTEE

Minutes of the Meeting

September 12, 2017

3:51 p.m., House Hearing Room 2

Members Present:

Michigan Delegate Tom Llewellyn, Chairman

Georgia Delegate David Guldenschuh, Secretary

Utah Delegate Ken Ivory, Vice President

Wyoming Delegate Ray Peterson

Arizona Delegate Kelly Townsend, President

Staff:

Justin Wilmeth, House Staff

President Townsend: I will call us to order. And the order of business is first we need to decide who will be our permanent chair of the Credentials committee. So, do we have a nomination?

Vice President Ivory: I nominate the good representative from Michigan.

Secretary Guldenschuh: Second.

President Townsend: A second. OK, any other further nominations? Appearing that you both have been part of this, I suspect there is not. So, with that, all those in favor, you heard the motion, that the good representative from Michigan be the chair of this committee, say Aye.

Committee Members: Aye.

President Townsend: Opposed say Nay. Appears the Ayes have it, do have it, so ordered and I will hand the gavel over to the gentleman from Michigan.

Chair Llewellyn: We are coming to order. I wanted to be able to validate the findings of the credentials staff, who have gathered, certified our attendees and registered those people and have accommodated the roll call at the beginning of our session. What we are looking to do then is gather and confirm that documentation and then as a committee support that finding.

President Townsend: Mr. Chair, I want to ask staff if they have the most recent accurate numbers. Does that seem appropriate?

Chair Llewellyn: Yea, lets gather and determine what the numbers are and based on the certifications that you have and registrations where we stand in that total that was unofficially referenced early in the opening ceremony.

President Townsend: You are from Wyoming? Come join us.

Chair Llewellyn: For the record, we now have a full sub-committee on credentials. We are looking to gather and confirm the information that was laboriously gathered from the staff and establish what those numbers are.

President Townsend: So umm, Mr. Chair, if I might?

Chair Llewellyn: Yes.

President Townsend: The report from the committee when we were opening on the floor was that we had 19 states, we had 21 in the beginning and an addition, so I believe that makes 22 delegates.

Chair Llewellyn: I am sorry. Correction, 72.

President Townsend: Oh sorry, thank you. OK, so 72 delegates. And a quorum was discussed would be 10 states constitutes a quorum.

Chair Llewellyn: Yea, originally the number was 19 states, so 10 would be the quorum, but did we establish that we had additional states or was that just observing states?

President Townsend: Mr. Chair, that is what was reported by the Planning committee, that Arizona accepted 19 states and so it is my understanding that is the current number, that there hasn't been additional credentialed states joining us that had approvals from both houses, so any further delegates were not actually delegates, they were observers. So, we have additional states sending observers, I believe it is 3 states, but as it stands for credentialed states it was reported that there were 19.

Chair Llewellyn: Can I have a motion?

Vice President Ivory: Mr. Chair if I may, just to satisfy our due diligence as a committee, if I may ask, can you please describe the process of reviewing the submissions, validating the submission, so that we had official responses from the states and give us the, your testimony to this committee on the background and validity of the credentials that you received.

Justin Wilmeth, House Staff: Yes sir, we had official letters from leadership in each state, stating which members would be a part of this and we verified that with basically attendance sheets from each state and cross referenced them and that's the numbers we came up with was 19 states and 72 members.

Vice President Ivory: So we had 19 official declarations from states and you have been able to cross reference those with the people that have signed in verify with signatures, IDs that those are the people that have been nominated from other states.

Justin Wilmeth, House Staff: Yes, myself and Representative Townsend's office verified that this morning.

Vice President Ivory: Mr. Chair, with that information, and that validation of the credentials, I would move that we accept the credentials report now as the official Credentials committee of the Planning Convention.

Chair Llewellyn: Any seconding.

Secretary Guldenschuh: I second.

Chair Llewellyn: Moved and seconded. All those in favor of the recommendation to accept that credentials as depicted, say Aye.

Committee Members: Aye.

Chair Llewellyn: Those opposed. Resolution in support for those credentials does pass.

Vice President Ivory: If I may, just have a question, have we had any issues, irregularities, questions at all about any of the credentials?

Chair Llewellyn: Any challenges, yes?

Justin Wilmeth, House Staff: No sirs, we had one late, one of the Oklahoma members was not able to make it because they got called into a special session and he is in majority leadership. He did not send in a letter. He actually texted me, I used to work in Oklahoma, and said he would not be able to make it and we verified that this morning. Other than that, everything seems to be on the up and up.

President Townsend: Mr. Chair, I did want to report that we do have a state representative from the state of South Dakota, Mr. Isaac Littrell, texted me this morning and said he is making his way to Arizona and hoping to become a part of either their delegation or as an observer and at last text that I received from him, he was not able to secure in writing through email authorization from his leadership and so we are still awaiting a possibility that we add a delegate to that delegation should he get authorization from his leadership, so that is pending, we just want to recognize him that he is here.

Chairman Llewellyn: How many delegates from South Dakota do we have so far?

President Townsend: I believe we have 4, Mr. Chair.

Secretary Guldenschuh: 3. 3, so he would make the fourth.

Justin Wilmeth, House Staff: He would be the fourth, that is right.

Chair Llewellyn: So that won't be changing any quorum or other issues then, excellent. Yes, Counsel.

Secretary Guldenschuh: Yes, Mr. Chairman, a couple of things I would like to report and then also make a formal motion on umm, one there are two representatives from Georgia, who are authorized and I believe who are on the official appointment form that was sent in to Arizona. One, Mr. Welch, has previously notified the committee that he would not be able to attend. The other Senator Calcert, I suspect is not attending but given the hurricane and the closing down of the airport yesterday in Atlanta, that remains open and so consistent with other conventions of states that have been held in the past, there is always the possibility that he may arrive and ask for credentials at that time and my understanding of course is there is nothing in this report that would preclude him from doing that.

Chair Llewellyn: Madame President, we are open to receiving additional credited participants right up until closing.

President Townsend: I would say yes, Arizona committee is agreeable to that but Credentialing committee, that would be up to us I believe, at this point.

Chair Llewellyn: Do we have any other states beyond those that are represented that may be in that category of potential late arrivals?

President Townsend: Mr. Chair, there was word that Illinois might be sending a delegate, but that person was not able to make the trip for unforeseen circumstances, if that changes, I would hope that they would make their way down. But at this point, these are the 19 states that were solid in sending someone.

Chair Llewellyn: OK. Do we have any other open business for credentials?

Secretary Guldenschuh: Yes, I do. Mr. Chairman, I would like the record to reflect that there are two individuals attending here from Florida, very involved in this process, quite frankly, one of whom but for this convention would not have been conducted. Mr. Bill Fruth and Mr. David Biddoff. We would like the record to report that they are here. They do not have designation officially as either observer status or as delegates from Florida, but we would like the record to reflect that of course the past week, the entire state of Florida has been virtually destroyed by the hurricane of significant portion of it and we would just like the record to reflect that that did play a role in their not having more official status at this convention. The other thing that I wanted to bring up is I would like to have the opportunity to actually review the documentation that has been sent in so that we can in due diligence as a committee say that we actually reviewed it. I understand you have it right there in a notebook or Jackie was going to bring it. And then the final thing I would note is I would ask or move as a motion that that documentation that the convention secretary be instructed that the appointment documentation be included in the journal of proceedings of this convention.

Chair Llewellyn: Do we have a recommendation or motion to that affect?

Secretary Guldenschuh: I so move.

Chair Llewellyn: All in favor.

Committee Members: Aye.

Chair Llewellyn: All right, motion passes. We will be able to make sure that that documentation does get forwarded to the convention secretary and that we have all that information on record. I do feel it might be appropriate given the depth of commitment to the weather troubled Florida guests, that they be provided honorary guest status, non-voting, but certainly acknowledged as important attendees. So, I ask that a motion be placed in their consideration.

President Townsend: Mr. Chair, can I add to that thought before it is moot?

Chair Llewellyn: Please.

President Townsend: I think that it may be appropriate, if nothing else, to have their ability to be in the members lounge, I don't know about floor access, because that is up to the body as a whole now on whether or not who gets floor access, but I think that it would be appropriate if they were interested in being in the lounge that they be allowed to do that.

Chair Llewellyn: Yes. I was not specifying accessibility, just simply an honorary status.

Vice President Ivory: If I may, I have a question about that. Is that something we extend to any third parties that are non-participating and non-credentialed.

Secretary Guldenschuh: Well it's kinda up to us.

President Townsend: So if I may, Mr. Chair.

Chair Llewellyn: Yea.

President Townsend: I think that is to the discretion of the body and I think with very careful consideration, I am just going to say it, there has been an ongoing struggle amongst the various groups and I don't want to have one group feel excluded with honorary membership given to another if there are people here that we should recognize from anywhere else that we do that, that it should not be exclusionary.

Chair Llewellyn: Well, perhaps that would be outside of the credential activity, but I do think that at least in Mr. Bruce's instance that he be acknowledged as a critical part of the organizational efforts here.

Vice President Ivory: If I may Mr. Chair, the only concern is that this is a convention of states, officially called, and I just want us to be cognizant and mindful that in a convention of states it should be a convention run by states, run by leaders commissioned from their states and not from outside third party groups, if we are going to hold true to the mission and the call that this is a convention of states and not a rubber stamp for some third party organization. Would be my concern that we make sure we stay pure in that mission.

Chair Llewellyn: Duly noted.

Vice President Ivory: I don't know if admission to the lounge infringes on that, I just want to make sure that is something, this is organized run by and for states and not for any organization as integral as they may have been in pulling this together.

Chair Llewellyn: Clearly understand. I think we do want to certainly honor all of the Arizona staff and leadership in their efforts in pulling this together and any others that may have contributed to the cause and effort because it was a considerable effort.

Secretary Guldenschuh: Madame President, do you have a formal type motion or are you suggesting that we simply in our report recognize them? What is your recommendation, if any to this committee at this point regarding any type of recognition of individuals or granting them status to the lounge?

President Townsend: I think, Mr. Chair, with your permission, I think that if you are asking me, I think that we need to honor anyone who has been working on any Article V effort and I agree with the gentleman from Utah that we have to be careful to keep this a pure movement, but I think on the other hand it's definitely interested parties every time we get together and so we have to really be careful as we walk forward that we advance the Article V cause and that anything that we do doesn't slide us backwards and so if there

is any question at all that that might put us in a precarious position, then I would caution and say that we honor them in a way that doesn't put that in jeopardy if that makes sense, so I am open to ideas on how to do that whether or not that gets put into the journal, I think just even discussing this it is going to be in the journal, and that we recognize this. I would like to hear again from the gentleman and his thoughts.

Vice President Ivory: Mr. Chair with your permission.

Chair Llewellyn: Please.

Vice President Ivory: Yes, I think there is considerable effort that has been put in that certainly merits recognition in all appropriate means. If we make rules to access as a Credentials committee and if we make if we set a policy then that tends to set a precedence. So if we say one person has been involved in an Article V movement other people may have been involved in different efforts there are people who have been involved opposing Article V movements but they have clearly been involved so I think if we open that door and get beyond it being a convention of states by states for states and the people they represent I think that is a concerning precedence moving forward as to recognition, I think that is entirely appropriate and laudable.

Chair Llewellyn: Then I think we should exclude specificity and simply acknowledge the efforts that have made this entire gathering possible both from the hosting committee and staff and other parties who contributed to the process. Thank you. There any other open business.

Secretary Guldenschuh: Mr. Vice President, would it, what would your thoughts be of simply, look Bill Fruth is not looking for any special recognition, this would be something we would do just to recognize him and if we really talk about any one person it would be him.

Chair Llewellyn: He would be opposed to us even mentioning his name.

Secretary Guldenschuh: And so we can do nothing and it is not going to hurt Bill's feelings. We can recognize him simply in our report. I have already for the record recognized him within this committee. I agree with you, I have issues about setting precedent. I think you are right on the money on that. So anyway, you may have a suggestion.

President Townsend: To that point, I think we are straying off of the role of the credentialing committee all together and so I think the question was do we give him special access on any level. I am feeling it might be the pulse of the committee that that might not be the direction to go so if it is not then I think that we table this issue and talk about anything credentialing.

Chair Llewellyn: We certainly appreciate all the efforts of the credentialing who made the gathering of this function possible. Any other open business.

Vice President Ivory: Perhaps Madame President, the appropriateness of what type of recommendation, commendation, thanks, acknowledgement, I think that would be something maybe appropriate for the general body of the convention.

President Townsend: Agree.

Vice President Ivory: As far as access which is the purview of the credentialing committee it would be good to err of the side of caution the precedence that we set.

Chair Llewellyn: Absolutely. Any other open business for the committee on credentials. Yes.

President Townsend: I would like to suggest that, because when we first looked at this committee we didn't think there would be any purpose for it unless there was a dispute that is what was discussed. You brought up some valid points. I think we could do a lot more with this committee with a daily report of you know how many people are here this day, did we lose a state, do we have a quorum, all those things so I think it might be a good idea for you to make that report as we open every day.

Chair Llewellyn: OK. Yes.

Vice President Ivory: I would agree, for the historical record, that is a wonderful point that on a daily basis we are making a report of how our numbers have either maintained or diminished and keeping a record.

Chair Llewellyn: Sounds like a reasonable idea.

Secretary Guldenschuh: I know I am interrupting and that is probably not proper protocol, it actually, Mr. Vice President, when I go back and look at some of the journals I actually have to go back and write down who was here and who was there to try to figure that out so I really think that is an excellent suggestion.

Chair Llewellyn: OK. That will certainly help in the secretary's position as well.

President Townsend: Do we need to move that or is that just something?

Chair Llewellyn: I think that is just something that I would be glad to accommodate that on an opening basis. There is one area I think we need to cover and that is the openness or confidentiality of the attendees. Where do we have discussions, and standing on presenting to the public and those that did attend.

President Townsend: If I may, so the committee, when we discussed this, felt that everything possible should be open and recorded and nothing, as far as names, we have instructed that the names of the delegates go upon the website, and after they were credentialed because we knew there would be changes as much as people wanted the names ahead of time, we said we are going to wait until they have been credentialed, they should be going up as we speak on to the website. Daily, I think that maybe that is good to have that record as well and so we don't want to neglect the journal as well and

so we have the website and the journal and do it in both places. That is my recommendation that names are produced.

Chair Llewellyn: Would that also include anyone that is certified that submitted documentation or just those that did attend?

President Townsend: I think that you have initial and I was thinking when you were talking that maybe we scan these letters and put those up on the internet for people to actually see the letters with the signatures and the names and then we have our daily comparisons of who has signed in compared to this and the report with that and that goes into the journal and as well as online. That is my recommendation.

Chair Llewellyn: So basically taking attendance every morning then.

President Townsend: Yes.

Chair Llewellyn: Are you staffed then for that?

Vice President Ivory: Mr. Chairman, my guess is those would all be public records in any event, so the fact that they were sent from legislative bodies to legislative bodies those would all be public records to your point on confidentiality.

Chair Llewellyn: OK, I just wanted to make sure we are all on the same page there. Any other open issues?

Secretary Guldenschuh: I move we adjourn.

Chair Llewellyn: Any second?

Vice President Ivory: Second.

Chair Llewellyn: Alright, we are adjourned.

President Townsend: Thank you guys.

Adjourned: 4:14 p.m.

Respectfully submitted,



Toy Brown

Committee Secretary

(Audio recordings and attachments are on file in the Chief Clerk's Office, Room 203.
Audio archives are available at <http://www.azleg.gov>)

Rules Committee

BALANCED BUDGET AMENDMENT PLANNING CONVENTION

RULES COMMITTEE

Minutes of the Meeting

September 12, 2017

2:00 p.m., Arizona House of Representatives Floor

Chair: Gary Banz

Vice Chair: Jim Stalzer

Parliamentarian: Jim Drake

States Present--16:

Alabama

Arizona

Georgia

Idaho

Indiana

Iowa

Minnesota

Missouri

New Hampshire

Oklahoma

South Carolina

South Dakota

Tennessee

Utah

West Virginia

Wyoming

Staff:

Jim Drake, Clerk

Katy Proctor, House Staff

Jake Agron, Senate Staff

Temporary Chairman Steve Smith, Arizona State Senator: So, this is the day the Lord has made, let us rejoice and be glad in it. The Rules Committee for the Balance Budget Amendment Planning Convention is called to order. Delegates, I am going to call on our Clerk to take a quorum call, so when they call your state, if you are present, kindly introduce yourself by name and title so we can get it accurate in the minutes. So, without further ado, Mr. Clerk, would you kindly do a quorum call.

Clerk:

Alabama.

Clerk:

Arizona.

Senator Sylvia Allen:

Arizona. Senator Sylvia Allen, District Six.

Clerk:

Georgia.

Senator Chuck Hufstetler: Chuck Hufstetler, Senator from Rome, Georgia.
Clerk: Idaho.

Idaho Delegate: Clarification, do you want us to mention just myself, or all of the delegates that are here from Idaho that are participating?

Temporary Chairman Smith: Just yourself, that you can speak for the delegation please.

Representative Mike Moyle: Thank you. Mike Moyle, Representative, Idaho.

Temporary Chairman Smith: Thank you.

Clerk: Indiana.
Senator Travis Holdman: [inaudible]* Senator Travis Holdman, Indiana.
*(Committee Secretary confirmed)

Clerk: Iowa.
Mr. Neal Schuerer: Neal Schuerer, Iowa.
Clerk: Kansas.
Clerk: Kentucky.
Clerk: Michigan.
Clerk: Minnesota.

Representative Jerry Hertaus: Representative Jerry Hertaus representing three of our five commission delegates on the Rules Committee.

Clerk: Missouri.
Carl Bearden: Carl Bearden, delegate, Missouri.
Clerk: New Hampshire.
Gary Daniels: Gary Daniels, representing three New Hampshire delegates.

Clerk: Oklahoma.
Mark Lepak: Oklahoma, Mark Lepak, State Representative from Claremore.

Clerk: South Carolina.
Alan Clemmons: Alan Clemmons representing the great state of South Carolina.

Clerk: South Dakota.
Senator Jim Stalzer: Senator Jim Stalzer, representing Sioux Falls, South Dakota.

Clerk: Tennessee.
Senator Mike Bell: Senator Mike Bell with four other delegates from the state of Tennessee.

Clerk: Utah.
Senator Kevin Van Tassell: Senator Kevin Van Tassell with three other delegates from Utah.

Clerk: West Virginia.
Senator Robert Karnes: Senator Robert Karnes, 11th district.
Clerk: Wyoming.
Senator Ray Peterson: Senator Ray Peterson from the state of Wyoming.

Temporary Chairman Smith: Thank you, delegates. Would the clerk please announce the results of the quorum call? Yes sir.

Senator Arthur Orr: Mr. Chairman, I was not here for the roll call.

Temporary Chairman Smith: Mr. Clerk, Alabama is in the house, literally and figuratively.

Senator Arthur Orr: Senator Arthur Orr for the state of Alabama.

Temporary Chairman Smith: Thank you, sir.

Clerk: Delegates, there are 16 states present, a quorum is nine.

Temporary Chairman Smith: Thank you very much, and we will have that officially turned in for the Clerk's Office for the record. Now, we have the pleasure of introducing nominations for the Chairman of the Rules Committee for the Balanced Budget Amendment Planning Convention. Yes sir, the delegate from South Carolina.

Representative Alan Clemmons: Thank you, Representative Alan Clemmons from South Carolina. It's a pleasure to stand ladies and gentlemen and nominate Gary Banz of Oklahoma for Chairman of the Rules Committee. I have known Gary for quite some time. He served for a time as the Chairman of the Rules Committee in Oklahoma. I have seen him and been part of meetings that he has chaired on many occasions. Gary knows how to handle a gavel to keep a meeting on track. I nominate, proudly, Gary Banz for Chairman of the Rules Committee.

Temporary Chairman Smith: Thank you sir. Any other nominees? Any other nominations from the floor? Senator Allen from Arizona.

Senator Sylvia Allen: Thank you Mr. Chairman. I would like to nominate Senator Steve Smith from Arizona to be our Rules Chairman, thank you.

Temporary Chairman Smith: Well Senator Allen, that is very kind, but this good senator is going to respectfully withdraw his name from consideration, but I appreciate that none the less. Are there any other nominees from the floor? Seeing none, nomination is now closed and it looks like by acclamation, the good delegate from Oklahoma will now be your official Chairman of the Rules Committee for the Balanced Budget Planning

Convention. Congratulations sir. [applause] Nominations for Vice President. Yes sir. South Dakota delegate, please.

Hal Wick: Former Representative Hal Wick nominates Representative Jim Stalzer who has been to everyone one of these meetings, served on the Rules committees for every meeting and has really done his homework. I would appreciate everyone's support for Jim Stalzer for Vice Chair, thank you.

Temporary Chairman Smith: Sir, what state?

Hal Wick: South Dakota.

Temporary Chairman Smith: South Dakota. Of course, very good. Thank you, sir. Delegates any other nominations for the role of Vice President? Any other nominations? Seeing none, well the good delegate from South Dakota, we have now closed the nominations and again by acclamation, congratulations sir, you are now the Vice Chairman of the Rules committee. [applause] Thank you. And again, we will have the official minutes for the record turned into the Clerk's Office here. So, I would like to invite up our new Chair and Vice Chair, if you would join me up here and take over and you will officially kick off our Rules Committee. Please approach and grab your seats. [applause]

Chairman Banz: OK commissioners, we will commence to organizational activities. If you have in front of you the Temporary Rules that were distributed as of 9/11 yesterday, late. If you will turn to page 5, Article IV on committees, 4.1 is the Rules Committee. I will apologize on the front end. I was in the classroom for 28 years, public education. I am a firm believer that repetition is the basis of all learning, so even though it's in front of you and in print sometimes we just need to keep referring back to what it is that we are attempting to accomplish. After the initial session of the convention, the Rules Committee shall organize, which has just taken place. The Arizona Planning Committee shall provide an individual to act as temporary chairman and we have just witnessed that process. The purpose of the committee, this is the point of instruction, the committee shall discuss and prepare for submission to the Convention rules for procedure for a future convention of proposing a balanced budget amendment convened pursuant to Article V of the Constitution of the United States. Additionally, it may, and you might want to circle, underline, highlight, whatever would draw attention to that, it may make recommendations to the Convention for changes to the Temporary Rules of the Convention, so what you have in front of you and what was approved yesterday was the Temporary Rules. We are not aware of any that has been brought to our attention at this point but that may happen. We would like to direct staff at this point to answer some questions and give us some instructions on the process that we will follow and they will entertain some questions. I will point out that each state has been assigned a staff member from either

the House or Senate staff here in Arizona to work with you to help you with questions. Particularly when it comes time by the deadline tomorrow to submit, at 8:30 in the morning, to submit your recommendations for changes to what was adopted earlier as a motion which is why we assembled the Article V BBA convention Resolution one. I believe Tennessee made that motion earlier, and it was approved, so there is a deadline in the morning and if you want to make amendments or changes to that document as it has been distributed we will begin that process when we reconvene tomorrow, but in advance of that and yet this afternoon, we want to take a little bit of time to acclimate you with the process, so staff who is going to take the lead here on giving us some instructions? You are recognized.

Mr. Drake: Thank you Mr. Chairman, if I could also call maybe on Jake and Katy to maybe come up here and speak. Thank you very much, for the next hour or so probably. If you are a staff member assigned to a state, please raise your hand. All right. States, have you all met your assigned staff folks? If you haven't, now would be a good time. Yesterday we had a few people in the chamber and we did a dry run through to familiarize everybody with the way this is going to work. I imagine it is very different from the state that you might have come from and it's even different from what we normally do here in Arizona. The working document that was moved by Tennessee earlier, it's a blue packet, it's in your materials. That is what we are going to be working through and as they said if as a state you have suggested changes work with that staff person, that staff person will put together an amendment. That staff person will then take that amendment and send it into our dedicated Article V Rules Committee email. These folks over here, wonderful folks over here, will put together a document with all of those suggested changes and then as a committee tomorrow we are going to go thru line by line, debate, move and vote on all of those changes and you will see the document change and grow as we proceed. I thought we might go through, and here is Katy.

Ms. Proctor: Thank you and I just want to mention also that you will receive a copy of all those amendment opportunities back either in a paper form or also electronically through your state liaison tomorrow morning as well. So, you can follow along with those changes that have been recommended by your fellow delegations on the screen and also in a hard copy in front of you and an electronic copy as well.

Mr. Agron: I would just add that what would make things easier and most seamless for us is if you are in a state delegation with multiple delegates, by appointing one person to be the contact for staff, so that amendments are only coming in so that they are consistent from the state and not conflicting within your own amendments and so that we can put that together and have it proposed in writing for everyone tomorrow by the 8:30 deadline.

Mr. Drake: Before we walk through the document and how we propose to make this very transparent and easy for everyone to follow along and understand, are there any questions? Mr. Chairman would you like to recognize Oklahoma?

Chairman Banz: I am sorry. Oklahoma, you are recognized.

Oklahoma Delegate: Thank you Mr. Chairman, question. In order to maybe facilitate some of this, we're likely all to read this and find commonality among changes we want to make and rather than staff catching 15 of the same amendment and producing all of those, I would suggest perhaps we give some latitude to staff to take common amendments and attempt to provide one working version that we could work from tomorrow as opposed to a number of the same one. Is there a way to do that, maybe is my question? Thank you.

Mr. Drake: Mr. Chairman, delegate from Oklahoma. Yes, that is what we plan to do. You will see that on the page, they will all be merged together in one document. At some point, tomorrow if we have Oklahoma and Michigan and Indiana proposing the same change, you will have to figure out who wants to advocate for it, but yes, they will all be together and there shouldn't be redundancy.

Chairman Banz: Follow up.

Oklahoma Delegate: Thank you Mr. Chairman, I'd also suggest that we will often find an amendment early in a document affecting several other sections throughout. I would also request that staff highlight those as they are pointed out so that we save time later on. Thank you.

Mr. Drake: Mr. Chairman, delegate from Oklahoma, our plan is to call those conforming changes and not spend a lot of time as we march through.

Chairman Banz: Other questions of staff? The gentleman from Idaho. You are recognized.

Idaho Delegate: My question is much simpler. Is this document available online somewhere?

Mr. Drake: It is being made available as we speak. In addition to having it in your packet, it will be available on the website electronically and as you leave here tonight, tomorrow, you probably won't be doing any amending right now, but as you leave tomorrow you will get a version that shows current, adopted amendments, so it will be in your hands, you can see what you've already done already and what there is to do the following day too. So, yes.

Idaho Delegate: Thank you.

Chairman Banz: Other questions of staff?

Mr. Drake: OK.

Chairman Banz: Proceed.

Mr. Drake: Well those committee liaisons have that document before them and they will craft those amendments for you. That's important, don't try to self-medicate or do this yourself, we have these folks dedicated to make this process seamless for you. We are here to help. Mr. Chairman, with your leave, can we walk through what the proposal is?

Chairman Banz: Please do.

Mr. Drake: On the board, on the left-hand side, you will see resolution number one.

Chairman Banz: Suspend just a second. Is there a way that we can see up here what you are looking at back up behind us?

Mr. Drake: Unfortunately, no.

Chairman Banz: Alright, we will rubber neck it.

Mr. Drake: So on the left-hand side you will see Resolution number one, that was moved by Tennessee and has now been, as part of that motion, sent to this committee and say for example, overnight, an amendment comes in, five amendments come in, those will all be merged into one document and you will see the proposed amendment up here on the right-hand side of the screen. Momentarily.... [inaudible]... This is taking a little while. We had the process yesterday and we kinda cleaned everything out to make sure we didn't get some of our examples mixed in with the real amendments as they come in so we are kinda having to reinvent the wheel right now. OK. Again, the hallmark of this process is flexibility, don't rush.

Chairman Banz: My mother had a magnet on the refrigerator door for years that said "blessed are they who are flexible, for they shall not break."

Mr. Drake: Thank you Josh. Perfect. OK. Members so, up here on the right, you will see in blue capital letters, those are proposed additions to the draft rules that are on the left and then a red with a strike through line through it, that shows deletions. Now, if you will hover over the disciplining thing Josh. OK, here's how we are going to identify the states. When those amendments come in tomorrow, you will see that that change was brought to us by the state of Clayton. Mr. Chairman, tomorrow if you will say, the Clerk will read the amendment. I will say members on line two we're talking about adding four words and tracking out one and the state of Clayton was the one who proposed that. Then you would call on the state of Clayton to explain why that is a good idea. After the debate ensues and we run out of things to say, we will hold a vote and when that either passes or fails, we will march through that whole paragraph and then we'll move it over and replace it in the living document that is growing here on the floor. Now, so the next change that you will see is down here in yellow. So, capital letters, up style in blue, brand new language, red strike through, language coming out. You will see, you may see, depending on the amendments you may see something highlighted in yellow tomorrow. If it is highlighted in yellow, it means Oklahoma and Kentucky have proposed two ideas that are

in conflict, they can't both be put together. Either there's a numeric threshold that is different, or one says shall and one says shall not. We have to resolve that conflict. We will call on Tennessee, Tennessee will tell us why their sentence is the best way to go and then we will call on Wyoming and Wyoming will tell us why their sentence is the best way to go. At that point, Mr. Chairman, you will tell the committee here, if you like Tennessee, you have to fail Wyoming, because we have to vote the first one first. If Wyoming passes, then we never get to Tennessee. So, there will be a choice, a natural choice. We will go through this at one more time should we arrive at any conflict tomorrow. But it is just like conflicting amendments. You move them both and you adopt one and you never see the second one. Or if you fail it, then you are back on the Tennessee idea. So, we will march through those. There may not be any conflict but if there is, that is what it is going to look like. And Mr. Chairman we stand ready to explain that when we run into the conflict and we will help everybody through so they know exactly what they are voting on. Are there any questions?

Chairman Banz: Questions to the staff?

Ms. Proctor: Mr. Chair, I just want to state that your state liaison is more than happy to explain this process and assist you with anything you need in the form of drafting. That is what we are here for and we are happy to help. So, please reach out to your state liaison exchange information on contacting them so that you are comfortable and you can get ahold of them if you need them. We are here to help you draft whatever you need and we are happy to serve.

Mr. Agron: Mr. Chairman, ditto.

Chairman Banz: One final pass, any other questions for the staff? Alright, seeing none, we will make one more call for the provision in 4.1.1, the Purpose of the Committee. On the Temporary Rules. Are there any proposed changes to the Temporary Rules? If there are none, the Chair will entertain a motion to solidify what you have been distributed, what has been distributed for your counsel as we move forward. I am begging for a motion from the floor. The Chair recognizes the gentleman from Utah. I heard a so moved. Is there a second? There is a motion and a second from Tennessee. Will there be questions? Seeing no questions, do we need a roll call vote. Not everybody in here gets to vote. Only the person who is the designated voice of your delegation gets to vote, so we have 16 voices. I don't want to hear a chorus of response here. All in favor of the motion, say Aye.

Delegates: Aye.

Chairman Banz: Those opposed say No. In the opinion of the Chair, the Ayes have it, the motion carries. OK, one final pass, this is what's on the

horizon, the Article V, it's in the blue binder, BBA Resolution one. You now know who your staff person is in your delegation. You will work through them to prepare the amendments as we get ready to deliberate tomorrow. I anticipate now a short period of time, it may be a long period of time, I don't know how long the other committees are going to be out and gathered, but it's my understanding that we are to reconvene back in here at 4:30. Briefly, the Rules Committee will be called upon to give a report on what we did during this time together today. It should be short and sweet and after reports are heard from the other committees, we will be adjourned for the day. And announcements will be made about activities later this evening and the work will begin, so with that, we will get some counsel from staff here, just a second. I need a motion to adjourn this meeting. [inaudible] State Tennessee and a second? [inaudible] South Carolina second. Any questions? All in favor, say Aye.

Delegates: Aye.

Chairman Banz: Those opposed, No. In the opinion of the Chair, the Ayes have it. We are adjourned.

Adjourned: 2:32 p.m.

Respectfully submitted,



Shelley Ponce
Committee Secretary

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Audio archives are available at <http://www.azleg.gov>)

BALANCED BUDGET AMENDMENT PLANNING CONVENTION
RULES COMMITTEE

Minutes of the Meeting

September 13, 2017

9:47 a.m., Arizona House of Representatives Floor

Chair: Gary Banz

Vice Chair: Jim Stalzer

Parliamentarian: Jim Drake

States Present--16:

Alabama

Arizona

Georgia

Idaho

Indiana

Iowa

Minnesota

Missouri

New Hampshire

Oklahoma

South Carolina

South Dakota

Tennessee

Utah

West Virginia

Wyoming

Staff:

Jim Drake, Clerk

Jake Agron, Senate Staff

Part 1

Chair Banz: Commissioners, let me have your attention please. The chair would respectfully request that if you are not a member representing your state, that you take your conversations to the lobby and that we have our commissioners who are on the Rules Committee to take your positions, take your seats and I would respectfully request that the person who is speaking for the respective states position the state standard in front of your desk and we will be calling on you in that matter. I do not have a master roster of all the names of the people who are serving in these capacities and I think some

of the states may be alternating or rotating some of your members so that you have a chance to, that more than one person has the chance to work in this capacity in the Rules Committee. But we do need to call the roll to establish our quorum for the meeting so we'll, at this time we will ask the Clerk to call the roll of the states for determining a quorum for the Rules Committee to convene on this the 13th day of September 2017.

Clerk:	Mr. Chairman, Alabama.
Alabama Delegate:	Here.
Clerk:	Arizona.
Arizona Delegate:	Here.
Clerk:	Georgia.
Georgia Delegate:	Here.
Clerk:	Idaho.
Idaho Delegate:	Here.
Clerk:	Indiana.
Indiana Delegate:	Here.
Clerk:	Iowa.
Iowa Delegate:	Here.
Clerk:	Kansas.
Clerk:	Kentucky.
Clerk:	Michigan.
Clerk:	Minnesota.
Minnesota Delegate:	Here.
Clerk:	Missouri.
Missouri Delegate:	Here.
Clerk:	New Hampshire.
New Hampshire Delegate:	Here.
Clerk:	Oklahoma.
Oklahoma Delegate:	Here.
Clerk:	South Carolina.
South Carolina Delegate:	Here.
Clerk:	South Dakota.
South Dakota Delegate:	Here.
Clerk:	Tennessee.
Tennessee Delegate:	Here.
Clerk:	Utah.
Utah Delegate:	Here.
Clerk:	West Virginia.
West Virginia Delegate:	Here.
Clerk:	Wyoming.
Wyoming Delegate:	Here.

Chair Banz: The roll call has been taken. There are 16 states represented. A quorum needed is nine, so we will call the Rules Committee to order, a quorum being present. I will offer one other suggestion, when you are called on at your seat, when you begin, if you would please introduce yourself and from your state so that we have a double opportunity to catch your name for the record so when we are making motions and when we are seconding and those kind of things, it is easier for the people that are keeping track of the record for that to occur. Sometimes the mics don't come on quite right and the sound doesn't carry so we would respectfully ask you to do that. As you well know the deadline was 8:30 this morning for amendments to the document that was adopted yesterday to be submitted and the staff has received those and they are in the process as we speak of consolidating some of that and it is going to be necessary for us to recess temporarily to the call of the chair. Don't leave the immediate area. We are going to get this thing, get the air speed up quick and get airborne and wheels up as fast as we can. The staff had last night to consolidate a lot of the things that were submitted by the individual delegates or commissioners from their respective states and I think we had 10 more that met the deadline this morning. So to be fair, for their work, we will give them a little bit of, cut them a little bit of slack here and once we get to rolling, we should be able to move pretty expeditiously, so it is ten minutes till 10 according to my adjusted Oklahoma time at 10 o'clock, we will attempt to reconvene. [sound gavel]

Recess: 9:50 a.m.

Part 2

Reconvene: 10:05 a.m.

Chair Banz: Alright, members, I have been told by staff that the documents are on their way up from downstairs. They will be distributed momentarily. So, stand by, we will, we will call the committee meeting back to order. [sound gavel]

Chair Banz: Alright commissioners, please take your seats. The chair is going to call on the commissioner from Arizona, the chair calls on the commissioner from Arizona for a motion.

Arizona Delegate: Thank you, Mr. Chairman. Yes, I would like to make a motion to entertain a motion to authorize staff to make corrections in capitalization, spelling, form or punctuation necessary for proper style and composition of the resolution, which do not alter its meaning or intent. Language is derived from A.R.S. 41-1224 b, dates back to 1901. Thank you.

Chair Banz: Will there be a second?

Delegate: Second.

Chair Banz: OK, we got a second from Tennessee.

Chair Banz: Would the commissioner like to give a bit of explanation as to the nature of your motion?

Arizona Delegate: Well, thank you, Mr. Chairman. For staff to be able to implement the work that they need to do there will be occasions where there might need to be a change because of a misspelling or punctuation and so this will allow them to be able to do that.

Chair Banz: Questions of the commissioner? Will there be questions of the commissioner on the motion?

Chair Banz: Seeing none, it has been moved and seconded. All of the delegation or commission representatives from the respective states who are in favor of the motion raise your hand. I should only see 16 hands maximum. Those opposed, raise your hand. 12 in favor. Zero in opposition. The motion carries.

Chair Banz: So, that is what most of us would refer to as Scrivener errors, in context, staff is well equipped to handle those kind of things and without knowing all of the amendments that have been submitted, I am sure some may have taken the liberty to address some of that. We can dispense with that now because the motion did carry. The chair recognizes the commissioner from Tennessee.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, before I make a motion to take up resolution number one, may I be recognized for a moment of personal privilege?

Chair Banz: You are recognized.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, the state of Tennessee is honored to bring forth resolution number one, but I want to do so as a representative of the state with the acknowledgement of the hard work that was put into this resolution by many people in this room over the last couple of months and Mr. Chairman if I may ask, if you were on any of the phone calls and the little informal committees that we put together to work on this blueprint, could I ask you to stand so we can acknowledge the hard work that they did in helping to put together this starting point of a document for this body to take up. [applause]

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, I will move resolution number one.

Chair Banz: OK. Will there be a second?

Minnesota Delegate: Second.

Chair Banz: We have a motion and a second.

Chair Banz: The resolution as a starting point for our deliberations is before you. Will there be questions on the initial motion? The commissioner from Tennessee is recognized.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, I would like to make a motion.

Chair Banz: One moment please. Let's back up. We have a motion before us. We will take that up in just a second. Without objection, we will accept the motion that has been submitted to accept the resolution one as been distributed to the commissioners. [sound gavel] That will be the order. Now, the commissioner from Tennessee for an additional motion.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, in looking at the amendments that have been submitted, hearing, being part of the pre-discussion that were had before this meeting, hearing some of the conversations from the other commissioners slash delegates who are here, I would like to make a motion that everywhere in resolution one where the phrase or the words commissioner parentheses delegates is found that we place the language commissioners slash delegates.

Tennessee Delegate: Mr. Chairman, my reasoning for making this motion.

Chair Banz: Will there be a second? Let's get it before us and then we will. We need a second on the motion. The commissioner from Minnesota.

Tennessee Delegate: Thank you, Mr. Chairman, my reasoning for making this motion, is that umm, we could spend a lot of time debating on whether the proper term is commissioner or delegate and that time that we spend in debating this issue in my estimation would be better spent looking at more substantive matters, especially when this issue would be decided by future commission or future convention of states. And so, Mr. Chairman, instead of us wasting and I know that may be a term some of you may not like me using, but instead of us wasting a lot of time spent on whether we should use commissioner slash delegate, let's just put in there commissioner slash delegate and allow the future convention that would be called to actually come up with the balanced budget amendment to make that decision. So, that's a brief explanation of my motion Mr. Chairman.

Chair Banz: Will there be questions of the author of the amendment or the motion? Questions? One moment, the commissioner from New Hampshire, I am having a difficult time seeing your [inaudible]

New Hampshire Senator Gary Daniels: Yes, New Hampshire. Senator Gary Daniels, New Hampshire. I think if we follow the mindset of the gentleman from Tennessee, if we choose to leave things generically for someone else to take care of in the future, then we

fail to do our duty in trying to put together rules that are supposed to expedite the things that are done there. I would, I think it is worthy of the time to determine whether we use commissioner or delegate and therefore uniformly going forward, every state would be using the same term. Wouldn't that help to expedite the process later?

Chair Banz: The commissioner from Tennessee, you can respond.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, and I know we could have a different of opinion in this room, I don't look on the use of the term commissioner or delegate as being a substantive debate or substantive issue and again I think that is does not. A debate spent on that now is not something that umm...we could decide commissioner, we could decide delegate and a future convention could just turn right around and decide to use the other term and again I think we would be better, it would be better use of our time to go on to more substantive matters.

Chair Banz: OK. Thank you. Other questions of the author of the motion? Arizona. Commissioner, you are recognized.

Arizona Senator Sylvia Allen: Mr. Chairman, Senator Allen from Arizona. If I may ask the delegate from Tennessee, my question would be, are the two terms the same basically or is there a difference is that the difference between the two terms that are causing the debate. I would like to know that. Thank you, Mr. Chairman.

Chair Banz: You are recognized for a response.

Tennessee Delegate: Thank you, Mr. Chairman. I believe there are some in this room that feel there is a substantive difference between the term delegate and the term commissioner. I know I was in the pre-discussion that I was part of prior to this meeting, we had, we had a relatively lengthy discussion over these terms and some people in this room may feel strongly that there is a difference. I do not.

Chair Banz: Any other questions on the motion? We will, OK. The commissioner from Utah is recognized.

Utah Representative Christofferson: Thank you, Representative Christofferson. Umm just a question. That if we spend a lot of time working on that differentiation here or if we leave that decision to the future convention and you think that they shouldn't, you know, if we should not spend that time here I am thinking that they shouldn't spend that time there either, would it be more appropriate to spend that time in this body to get that accomplished and not let them use their valuable time in doing that.

Chair Banz: For a response.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, I did not hear the gentleman from Utah's full question. I believe what he said was, would it not help a future convention for us to go ahead and make that decision now.

Utah Delegate: Correct.

Tennessee Delegate: OK, Mr. Chairman again, any decision that we make on this term, especially when it is a term that I think when you go around this room that people may feel strongly one way or the other any decision we make could easily just be reversed in a future convention. And I know that could be said for the whole set of rules that we are doing, that we are doing here, but we were just trying to, by making this motion, I was trying to expedite as the sponsor, the sponsoring state of the resolution, I was making an attempt to expedite this conversation and what as many of us know who have been part of ASL, COS or any of the other Article V groups that have met over the last several years, I was trying to expedite this process and also maybe avoid getting bogged down on these two terms and setting us back for the rest of the week.

Chair Banz: The Chair recognizes the commissioner from Minnesota.

Minnesota Delegate: Mr. Chair, advice. So, this question came up members during the teleconference on the rules and we have in our great nation linguistic vernacular that varies from one edge of the country to the other. Some of us have become more accustomed to using the word commissioner and/or delegate. But some of the constitution scholars had offered that we are commissioners and that commissioners comprise a delegation and on the one state one vote premise commissioners comprise a delegation that gets one vote, so just offer some advice.

Chair Banz: The chair recognizes the commissioner from Oklahoma.

Oklahoma Delegate Mark Lepak: Thank you, Mr. Chairman. Mark Lepak from Oklahoma. I might offer a third path on this one. I don't know if the use of the two words will have really any bearing on any of the other rules we talk about today and perhaps what we should do is set this aside, put it off, table it however we have to do that until we get through the rest of this and then if people want to debate this question and make a recommendation to a future convention we can do it kind of at the end but at least we get through the meat of the rest of this so I offer that as a suggestion. I am not sure procedurally how to make that happen. Thank you.

Chair Banz: Right now, we are in a question period of the commissioner from Tennessee. Is there anybody else that hasn't spoken yet? OK, commissioner from New Hampshire.

New Hampshire Representative Ken Weyler: Representative Ken Weyler from New Hampshire. Think about how your state governments and how the title commission is used. It is usually in an executive position. You have the commissioner of transportation, the commissioner of safety and so on. That is a person with executive powers. We are sent here in a deliberative session which is normally a legislative session. Which normally the word delegation is clearly delineated to be if you are delegate you only have input to a deliberative body, you are not an independent person except within that independent

body so to me it is clear that we are delegates to perform a legislative task rather than commissioners who have independent authority and can delegate hire and fire, etcetera. So, to me it would clearly meant that we should be using the word delegate. I thank you.

Chair Banz: Wouldn't you agree?

New Hampshire Representative Ken Weyler: Wouldn't you agree.

Chair Banz: OK, I probably should have prefaced this a little bit earlier. When we have a motion on the floor like the commissioner from Tennessee has offered, when we open it up for questions, I want it to be just that. If you have a question of the author on the motion that he has made, lets direct the questions to that subject. We will have a period of debate after the Q and A is over with where you can make your statements about why you think it ought be one side or the other. So, are there any other questions of the author? The commissioner from Tennessee, you are recognized.

Tennessee Delegate: Thank you, Mr. Commissioner. Mr. Commissioner, as a phrase that many of you have used or probably all of you have used many times back in your own deliberative bodies in your state, I am at the will of the committee. I offered a motion that I would hope was somewhat of a compromise. As we have heard in the statements that have been made already, there are some in this room who feel strongly that it should be commissioner. There are some, like the gentleman from New Hampshire who just spoke, who gives a reason why it should be delegate. My motion was a motion, which Mr. Chairman, I would like to have a vote on, my motion is that we just put in there commissioner slash delegate and allow the future convention to make the decision and if that motion doesn't pass the gentleman from Oklahoma, his recommendation that he made would be one that we might take up after that but Mr. Chairman, I would like a vote on the motion.

Chair Banz: OK, are there other questions on the motion? Seeing none, will there be debate? Will there be debate? OK, those who wish to, those who wish to be speaking in favor would you please stand and be recognized, so we can get. We will limit the debate to five minutes, 2 ½ minutes for and 2 ½ minutes against. Who's gonna speak in favor? Commissioner from Tennessee. Any others? Commissioner from Arizona. Those who wish to debate against the motion stand and be recognized. Commissioner from New Hampshire. OK. The Commissioner from Idaho, against. OK. Alright we will begin with the opposition. Commissioner from Idaho you're recognized for 2 ½ minutes and the Clerk would, do you have the capacity to time us here? We will go the Commissioner from Idaho then we'll go the Commissioner from Arizona for 2 ½ minutes in favor. We'll come back to 2 ½ minutes in opposition from New Hampshire and the Commissioner offering the motion will close the debate.

Idaho Delegate: Mr. Chairman, point of order. Are we using Mason's Rules as our debate while we are here on the floor?

Chair Banz: The drop-down position is, Mason's Manual, yes.

Idaho Delegate: OK, thank you, that ...

Chair Banz: Absent like you would have in your chamber and we have in our chamber a definitive set of rules for parliamentary procedure. We're not, we don't have that set of rules under which to operate, so for the most part, it should be if there is a question we will defer to our parliamentarian and staff for ruling on Mason's Manual.

Idaho Delegate: That's why I just wanted to make sure, Mr. Chairman that we're using Mason's because some of the things we've done I've kind of been back and forth trying to figure out how we were going but that makes more sense and that will help me as we go on down the road. My concern is this, members, we came here to fix problems, we came here to set a road map, to set a blue print and if we're willing to, if we're not willing to stand up and make this decisions now it's going to keep making the process not get done. We've got to decide these things, I mean if it was my preference it would be delegates like it was in the past. I don't know why it's a big deal, to me it's easy it's delegates and you move on. But if we're not careful we keep punting the easy stuff or the hard stuff we're not going to get anything accomplished. Thank you, Mr. Chairman.

Chair Banz: The chair recognized the Commissioner from Arizona for 2 ½ minutes in favor of the motion.

Arizona Senator Steve Smith: Thank you, Mr. Commissioner. Steve Smith, Arizona. I couldn't have said it better. I think when you look in the 1861 Peace Conference that we referenced on that screen yesterday. They are all called delegates and so, but clearly when I look at the language, something has to be different in the language in that it can't remain in parenthesis because parenthesis indicates it's the same. If you say I'm going to somewhere tomorrow parenthesis Saturday, those are the same things or in our case tomorrow parenthesis Thursday. So, if you want to bifurcate them or show that they're the same or different, I think you need to do that and I think parenthesis denote that the two are the same thing. Whereas a slash would say you can call it this or you can call it that. Again, I would agree, just call it delegates, but I think something needs to be changed in the language, you either delete the word commissioner or use the hyphen or the slash because it, I think it's prudent. I'll yield the rest of my time to my colleague.

Chair Banz: Thank you. The Commissioner from New Hampshire is recognized for 2 ½ minutes to speak against the motion.

New Hampshire Senator Gary Daniels: Thank you, Mr. President. Senator Gary Daniels from New Hampshire. Our delegation yesterday spent a fair amount of time looking to see if there was a difference between a commissioner and a delegate. So, we went with what the definition of each was. A delegate is a person sent or authorized to represent others, in particular an elected representative sent to a conference whereas a

commissioner is a person appointed to a role on or by a commission and they can be an executive position. I believe that we need to have one uniform definition of what we are going to be called. Otherwise we are going to have a convention where some people come in with their name tags that say Commissioner John Smith and others come in with Delegate Mary Smith. So, I would ask that we turn down this motion on the floor so that I can introduce a motion that would put the word delegate in place of commissioner parenthesis delegate. Thank you.

Chair Banz: Commissioner from Tennessee recognized to close the debate in favor of the motion.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, I appreciate all the input from the representatives, delegates slash commissioners from the other states who have spoken. Hmm again, I am going to ask that the body vote in favor of my motion to leave this or to take the parenthesis out and put a slash in and allow the future coming convention to make this decision and allow us to go on to other matters that would be more substantive in their subjects. Mr. Chairman I renew my motion.

Oklahoma Delegate: Point of order.

Chair Banz: That closes the... Point of order. Commissioner from Oklahoma you are recognized.

Oklahoma Delegate: Thank you, Mr. Chairman. The Oklahoma delegation would ask before we vote if we might take two minutes to discuss it among our delegation. I don't know if anyone else needs that kind of time but we've got four people here. Thank you.

Chair Banz: The chair will grant ninety seconds. Convene your delegations and prepare to cast your vote on a roll call vote.

[brief discussion amongst delegates]

Chair Banz: All right, we'll reconvene. The Clerk will call the roll. Normally, as often as is prudent we're going to try to conduct these votes with a raised hand but in this particular case I think it merits being on the record, so the Clerk will call the roll on the question. The Commissioner from Tennessee you are recognized.

Tennessee Delegate: Thank you, Mr. Chairman. Point of order and it was part of the discussion that was going on back here. Had the question, has the question been called?

Chair Banz: Yes, the question has been called.

Tennessee Delegate: Mr. Chairman, a point of order. Can I withdraw my motion after the question has been called?

Chair Banz: Question is in the hands of the body and it has been called. If alternative action is desired, it would be the will of the body, if they don't want to move forward with that then to ensure that the question doesn't move forward. That would be the option that would be available.

Idaho Delegate: Mr. President, I mean Mr. Chairman, point of order.

Chair Banz: The commissioner from Idaho. You are recognized.

Idaho Delegate: Thank you, Mr. Chairman. Because the vote has not been called isn't a substitute motion in order since we're using Mason's?

Chair Banz: The question really had been called and we gave you ninety seconds to deliberate on how you were going to respond with the state by state before we actually called the roll call. So, I think technically we were in the process of calling the roll but we gave you some latitude to be able to counsel within the framework of the group of your respective states.

Idaho Delegate: Thank you, Mr. Chairman and that's what I'm trying to get a call for here because the vote hasn't been taken yet and that's why I am asking if there is a chance for a substitute motion since the vote has not been taken. The debate may have been closed but the vote has not been taken.

[brief discussion amongst delegates]

Chair Banz: The chair has ruled that we were in the process of conducting the vote. We will proceed with that, then if you want to offer a different course of action that will be in order following the vote totaled. The Clerk will call the roll. The motion before you is to have the any reference in the rule one that makes reference to commissioners and delegates in parentheses, that it be commissioners slash delegates uniformly applied throughout the document. If you're in favor of that you'll vote yes, if you're in opposition you'll vote no. The Clerk will call the roll.

Clerk: Alabama.

Clerk: Arizona.

Arizona Delegate: No.

Clerk: Georgia.

Georgia Delegate: No.

Clerk: Idaho.

Idaho Delegate: No.

Clerk: Indiana.

Indiana Delegate: No.

Clerk: Iowa.

Iowa Delegate: No.

Clerk: Kansas.

Clerk:	Kentucky.
Clerk:	Michigan.
Clerk:	Minnesota.
Minnesota Delegate:	Aye.
Clerk:	Missouri.
Missouri Delegate:	No.
Clerk:	New Hampshire.
New Hampshire Delegate:	No.
Clerk:	Oklahoma.
Oklahoma Delegate:	No.
Clerk:	South Carolina.
South Carolina Delegate:	No.
Clerk:	South Dakota.
South Dakota Delegate:	Aye.
Clerk:	Tennessee.
Tennessee Delegate:	Pass
Clerk:	Utah.
Utah Delegate:	No.
Clerk:	West Virginia.
West Virginia Delegate:	No.
Clerk:	Wyoming.
Wyoming Delegate:	No.
Clerk:	Tennessee.
Tennessee Delegate:	No.

Chair Banz: With two in favor, 13 opposed and one abstention. The chair declares that the motion fails. [sound gavel]

The chair recognizes the Commissioner from Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chairman. Mr. Chairman I move that we table this discussion of the terms delegate and commissioner until we dispense with the remaining rules as Oklahoma has submitted an amendment that tries to provide some definition around those terms. It's at the very end of the rules. Thank you.

Chair Banz: Will there be questions of the Commissioner from Oklahoma?

New Hampshire Delegate: Point of order. Tabling motion has no discussion. It is not debatable.

Chair Banz: Point well taken. You have a tabling motion in front of you. Those who, Alabama with a second. OK. Those in favor raise your hand.

Idaho Delegate: Point of order.

Chair Banz: I'm sorry.

Idaho Delegate: Point of order.

Chair Banz: Commissioner from Idaho you're recognized

Idaho Representative Mike Moyle: It is a non-debatable motion I'm taking that the chair's ruled that way but is there an opportunity for a second. For a substitute motion, excuse me, Mr. Chairman, for a substitute motion?

Chair Banz: It would be in order for a substitute motion.

Idaho Representative Mike Moyle: Mr. Chairman, I make a substitute motion that throughout the body of this document that we're discussing with the rules that the word delegate slash commissioner be replaced with just the word delegate.

Chair Banz: OK, we have a motion to use the word delegate exclusively wherever it's referenced in the, throughout the entire document. Will there be questions of the commissioner on the motion? Is there a second, I'm sorry, let's get that. We have Arizona as the second. Now will there be questions of the author of the motion? Commissioner from Arizona.

Arizona Delegate: Thank you, Mr. Chairman. Question, Representative from Idaho, are we substituting the word delegate or the word delegate(s) so it can be delegate or delegates? And the reason I asked, Mr. Chair, there are some points throughout the body of the resolution one that speaks to the word delegate or delegates. Should I assume that when you substitute the word delegate in place of the word delegates the s automatically comes along with it?

Idaho Delegate: Mr. Chairman, it is my assumption that would be the case.

Chair Banz: Thank you. Other questions of the commissioner on the motion? Will there be debate? Seeing no debate, all those in favor of the substitute motion which is to use the word delegate throughout the entire document in reference to those who are selected to gather at a future date, will vote yes by raising your hand, those in favor? Alright keep your hands up and we'll go again. Those in opposition raise your hand? Get them high. This is not an advanced math class but it's got to equal 16 or less. With 12 in favor and four in opposition we declare the motion to have passed. [sound gavel]

Chair Banz: OK, having moved at warp speed through one issue this morning so far. You have in front of you or I believe you have or it has been distributed, the page at the top

upper left-hand corner it says preamble we apologize on the front-end staff was not able to put line numbers on the sheet that, the hard copy that you have in front of you, but I believe on the screen. On the right-hand side when that comes up there should be line numbers to help us in our, there OK. Yes, we're seeing it here. OK, on the preamble, we have taken action that addresses the, let me get my notes in front of me here from the, alright if you'll move to the third line, is it, oh it's on line four, the stricken language and action of, that was an amendment submitted by Oklahoma so the delegate from Oklahoma, as a matter of principle now that the body has acted I will do my best to continue to address each of you and your delegations as a delegate, so the delegate from Oklahoma you're recognized to give a brief explanation as to the amendment you submitted.

Oklahoma Delegate: Thank you, Mr. Chairman. We just simply didn't think it was necessary.

Chair Banz: Questions of the delegate? Questions? Seeing none, will there be debate? Seeing none, all in favor say aye, those opposed no, opinion of the chair the ayes have it. The motion is adopted. [sound gavel]

Alright. We are through the Preamble. Article One, and let's see here. We'll call on the delegate from New Hampshire to explain the amendment stated 1.1 and it's in blue, lines two through six.

New Hampshire Senator Gary Daniels: Senator Gary Daniels, New Hampshire. Thank you, Mr. Chairman. As we went through this and we talked about a balanced budget amendment, we found ourselves questioning what the ultimate goal was. For the last day, all last evening, we have heard the trouble that we're in with the federal debt and so ultimately we feel that the the ultimate goal is we want to put in a balanced budget which can be balanced by raising taxes or cutting spending or a combination of both but ultimately we also feel that the goal is to bring down the federal debt so we felt that with the statement of purpose in the giving guidance as to the purpose of holding this Balanced Budget Amendment Convention to say that this would bring Congress into a model of responsible budgeting without further borrowing and B. systematically bring the federal debt down to zero, would set the boundaries a little more clearer as the balanced budget convention went forward. Thank you, Mr. Chairman.

Chair Banz: Questions of the author on the motion? The delegate from Oklahoma, you're recognized for a question.

Oklahoma Delegate: Thank you, Mr. Chairman. By, and we do this throughout the document I'm afraid, we state balanced budget amendment as a singular amendment, but I believe the call allows for a possibility for more than one related to that topic. My question is, by using the singular here does that create a problem later if a convention were to try to offer two amendments related to the same thing?

Chair Banz: To the delegate from New Hampshire, you may respond.

New Hampshire Delegate: It is certainly not the intent to bind the hands of those are at the convention. If we stated that the purpose of a balanced, of a balanced budget amendment or if you wanted to put an apostrophe, excuse me, a parenthesis s after that. Again, it's not the, the intent is not to constrain it to one particular thing because we recognize that there may be multiple ways to go about doing this all that are beneficial.

Chair Banz: The delegate from Arizona, you're recognized for a question.

Arizona Delegate: Thank you, Mr. Chairman. For a question, I guess I'll yield to the, my question will be for whoever proposed, is it Oklahoma that's proposing the amendment?

Chair Banz: New Hampshire proposed the amendment.

Arizona Delegate: Sorry, my question to New Hampshire is isn't it true that the first amendment of the United States offers multiple points but it's contained in one amendment, meaning freedom of press, freedom of religion, right to assemble. Isn't that accurate?

New Hampshire Delegate: That is true.

Arizona Delegate: So, I think my follow up question would be, wouldn't it be safe to say that if there were multiple points relating to a balanced budget amendment, it's fair to still put them in the body of one amendment and not in a twenty-eighth and twenty-ninth and thirtieth amendment of the constitution. It would be in the twenty-eighth amendment only but it could hit on a couple different areas speaking specifically to that amendment only. It is that true?

New Hampshire Delegate: That is true.

Arizona Delegate: Thank you.

Chair Banz: Others questions of the delegate from New Hampshire? Questions? Seeing no further questions, will there be debate? West Virginia are you wishing to debate in favor or in opposition?

West Virginia Delegate: In opposition.

Chair Banz: OK. Anybody else in favor, I mean wishes to debate in opposition to the adoption of the amendment? South Dakota? Those, anybody else in opposition, those in favor? New Hampshire? OK, we'll go 2 ½ minutes on each. So, we'll begin with West Virginia in opposition, you'll get a minute and whatever, a minute and 15 seconds and then South Dakota, we'll give you the same amount of time. New Hampshire will close the debate in favor of the motion. Delegate from West Virginia you're recognized.

West Virginia Delegate: Thank you, Mr. Chair. I completely agree with what is being said here but the concern that I have with actually putting this amendment within this document is that we are trying to define beyond simply a set of rules and we're trying to define what the outcome of the convention would be and we're trying to constrain them and we're trying to do it in a way that may or may not agree with the individual applications that have been published by the states to this date and the ones that will come later on so for example, paragraph or section B even as part of this amendment goes on to define that a balanced budget amendment includes paying down the national debt. I think it is very arguable to say that paying down the debt has absolutely nothing to do with a balanced budget. They're two completely separate issues and while I certainly support a balanced budget and I support paying down the debt. I'm not sure that a balanced budget amendment has to require paying down the debt or is it in any way associated with paying down the debt. So one, I agree with everything that's in here except the idea that it would be included in here except the idea that it would be included within the rules. I believe that it's us trying to lead that convention from this distance which is not appropriate and I also think that it is interfering with the application process that the states are putting forth and for that reason I oppose the amendment.

Chair Banz: Thank you, your time is up. The delegate from South Dakota you're recognized for a minute and fifteen seconds.

South Dakota Former Representative Hal Wick: Roger. South Dakota, Hal Wick. And I would say that our issue, our job while we're here is to get ready for a convention that will make the decisions of what's going to be in the balanced budget amendment that would be proposed for all the people. We should not be trying to delegate or designate any of that stuff in this particular set of rules and I would ask you to all defeat this motion, not because I disagree with it but because it is not our place and if we start putting things into it we could easily undercut the movement to try to get seven more states so that we can actually have a convention. Thank you.

Chair Banz: The delegate from New Hampshire is recognized for two and a half minutes to close the debate, in favor of the motion.

New Hampshire Delegate: Thank you, Mr. Chairman. I thank my colleagues for their comments on this and we had discussions yesterday on those very points. That's why the proposal before you is written generically. We heard all day yesterday multiple times how 20 trillion dollars in debt is being passed on to future generations. If we just go forward and say that we're going to be satisfied if the convention balances the budget but maintains a 20 trillion-dollar debt then what have we accomplished. I say we've accomplished nothing. We need to go back to Thomas Jefferson talking about each generation paying for their own expenses. That's why we added in the second part that in addition to balancing the budget, there needs to also be a goal of reducing that federal debt systematically and ideally to zero. Thank you, Mr. Chair.

Chair Banz: Thank you. You've heard the debate. The motion, or the question before you is for the adoption of the motion as printed on lines 3 through 6 in blue. Delegations in favor raise your hand. Delegations in opposition raise your hand. With four in favor, 10 in opposition, I've declared the motion to have failed. [sound gavel]

Alright, next would be line 3. I'm sorry. The delegate from Idaho you're recognized.

Idaho Delegate: Can you put the Committee at ease for a moment and can I talk to you to for one second with the parliamentarian?

Chair Banz: The Committee will stand at ease.

[brief discussion amongst delegates]

Chair Banz: Alright, we're back in session and I appreciate the counsel that we've received and in the spirit of trying to mesh 50 different approaches on the management of floor and committee, proceedings. We will make this slight adjustment when we call for debate. We will announce the amount of time that will be allowed for and against and if you choose, if you want to weigh in in favor or in opposition then we'll ask you to move to the chair of the in favor of, you would move to the chair of the person who presented the motion. Then we will ask everybody to gather around, if there's more than one in opposition we will designate a place that way everybody will have an opportunity at least to weigh in. We've been trying to assign time limits and that that has its down sides as well as the risk that's involved in giving a blank amount of time. If there's five of you that line up in favor, the person who advanced the motion should take priority obviously, but your going to have to work that out among yourselves, those who're in favor of the motion. So, if the first guy that speaks takes up all the time that's been allotted, then you run the risk of not even being heard at all. But I know some states operate that way, it's certainly permissible under Mason's Manual. That approach to be used if something is said in opposition and the person that's in favor of it triggers another response, as long as there's still time on the clock, so to speak, you can utilize the entire amount of time. Rather than arbitrarily establishing a minute and fifteen seconds for example, like we did earlier. I mean that candidly, that was the Oklahoma style. So, that's all I've known, but we will make that adjustment when we get to the next opportunity to weigh in with a debate issue. Let's go to our next item which is submitted to us by Oklahoma and I think probably we ought to, I don't know if we need to take both of them at the same time. One is to strike the word granted and in it's place put the word reserve. We'll call on the delegate from Oklahoma to give us an explanation.

Oklahoma Delegate: Thank you, Mr. Chairman. Oklahoma appreciates your flexibility. We simply want to substitute the word reserved granted for the word granted. We think that puts things in proper context between federal and state.

Chair Banz: Questions for the delegate from Oklahoma? Questions? Seeing no questions will there be debate? Seeing no debate, all in favor raise your right hand or raise a hand. I don't care which one it is. All opposed raise your hand. With 16 in favor and none in opposition, the motion carries. [sound gavel]

We'll recognize, the chair recognizes the delegate from Indiana. Line nine. You're recognized to explain your motion.

Indiana Senator Eric Bassler: Thank you, Mr. Chairman. Very good, thank you. Mr. Chairman, my name is Eric Bassler, State Senator from the State of Indiana. The purpose of this slight change is just to add a bit of clarity. An Article V Convention, the purpose is not balancing the federal budget but purposing an amendment to the Constitution of the United States regarding balancing the federal budget.

Chair Banz: Questions of the delegate? Questions of the delegate? Seeing none, will there be debate? Seeing no debate, the question before you is shall the motion pass as listed on line nine, in front of you. Those in favor raise your hand. Those in opposition raise your hand. With 16 in favor and none opposed, the motion carries. [sound gavel]

Alright, our next item is on 11 and where did my delegate from Oklahoma go. Alright, we've got it. The delegate from Oklahoma, you're recognized to explain your motion.

Oklahoma Representative Bennett: Thank you, Mr. Chairman. Representative Bennett from Oklahoma. Basically, we wanted to change this in these delegates have no authority to propose an amendment or amendments on any other subject. We basically wanted to do this to answer the concerns from a lot of constituents, as well as groups of the fears of us trying to have a runaway convention.

Chair Banz: Questions of the delegate from Oklahoma? Any questions? Now this is more than what's on line 11. We're kind of taking it all together as it has connectivity and these delegates strike the word has and insert have and then add or amendments at the end of line eleven and beginning of line twelve. Questions of the delegate? Will there be debate? Seeing no debate. All in favor raise your right hand. The question before you is shall it pass. Alright, all those opposed. Any delegation in opposition? Seeing none, with 15 in favor and zero in opposition we declare that the motion passes. [sound gavel]

Chair Banz: Alright. We're still on 1.1. What's this down here? That's it, I've got it. That's it. OK, I believe that concludes what was distributed to you in the form of the Preamble and Article One, 1.1. So, we can set that aside, we will take a two-minute comfort break and have ... OK, they are checking to see if lunch is here and that will be in the hospitality room outside. Have we distributed, does everybody have 1.2? Does everybody have the hard copies of 1.2? There should be three pages, two pages front and back and a half

page on this second page. Anybody not have that in hard copy in front of them? It appears that we are at a good break time. Lunch is being served in the hospitality area in the foyer, so we will take about a 15-minute recess, go out and grab something to eat, relax for a few minutes and come back. We've got some heavy lifting to do when we get back under 1.1. [sound gavel]

Recess: 11:20 a.m.

Part 3

Reconvene: 12:16 p.m.

Vice Chair Stalzer: I ask the staff to start with a roll call because we know at least one state had to leave for home and so we'll ask the staff to do a roll call so we can see where we are for quorum.

Clerk:	Alabama.
Clerk:	Arizona.
Arizona Delegate:	Present.
Clerk:	Georgia.
Georgia Delegate:	Present.
Clerk:	Idaho.
Idaho Delegate:	Here.
Clerk:	Indiana.
Indiana Delegate:	Here.
Clerk:	Iowa.
Iowa Delegate:	Here.
Clerk:	Kansas.
Clerk:	Kentucky.
Kentucky Delegate:	Here.
Clerk:	Michigan.
Clerk:	Minnesota.
Minnesota Delegate:	Present.
Clerk:	Missouri.
Missouri Delegate:	Here.
Clerk:	New Hampshire.
New Hampshire Delegate:	Here.
Clerk:	Oklahoma.
Oklahoma Delegate:	Here.
Clerk:	South Carolina.
South Carolina Delegate:	Here.
Clerk:	South Dakota.
South Dakota Delegate:	Here.
Clerk:	Tennessee.
Tennessee Delegate:	Present.
Clerk:	Utah.

Utah Delegate:	Present.
Clerk:	West Virginia.
West Virginia Delegate:	Present.
Clerk:	Wyoming.
Wyoming Delegate:	Here.

Vice Chair Stalzer: Staff indicates that we lost one and gained one so we're still at 16 so nine is still the requirement. A little explanation on how we're going to proceed with this next section 1.2. At the very top of your paper is the...the blue language from New Hampshire.

That can pretty much stand alone. It is not in real conflict with any of the ones below the yellow. So, we will proceed to deal with that particular issue first. Then we will start with the section below the yellow and have each of the proposed amendments explained by their sponsor. At that point, we will do about a 15-minute recess or at ease and sort of let you duke it out as to what you like of those which and give people an opportunity to say you know I like mine, I like yours but if we could compromise on wording then I would withdraw mine and support yours or however that might work. At that point, we will start voting and we will start at the last one on this sheet which would, I believe that would be Utah, and work our way back to the Idaho, West Virginia, Iowa which strikes all of 1.2 which probably at that time would become 1.2.1 if the Oath of Office at the top is passed. So, I recognize the delegate from West Virginia.

West Virginia Delegate: Thank you, Mr. Chair. If I could just real quick point out and I see the order that you're going in there but just from a functional standpoint it seems to me like it would make more sense to take up the proposal of West Virginia and Idaho simply because that proposal was to strike that section and if we're going to strike that section then we don't need to waste time debating the language of that section. So, it would seem to make sense from a procedural standpoint in the interest of time to make a determination if we're even going to have that section first.

Vice Chair Stalzer: Give me a second to confer, I'm going on the advice of our parliamentarian on how it is done in Arizona. So ... OK, we are going to, I guess defer that decision until everyone has presented and until we've had our at ease and everybody has negotiated and then we'll let you make your case for what should be first, what should be last. Maybe you're going to convince everybody they like yours and everybody will withdraw theirs. So, we'll at this point take it under advisement. So, then to proceed I would call on New Hampshire to present their oath of office amendment.

New Hampshire Senator Gary Daniels: Thank you, Mr. Chairman. Senator Gary Daniels, New Hampshire. If you recall correctly, I think all of the states as well as New Hampshire were notified that when we arrived in Arizona we would of take an oath of office for this convention, to date I have not taken any. I don't know that any of us have. Looking at that we felt that an oath of office should be taken or given in the home state before being sent to the convention. If you notice on line 3 we talk about that each state shall administer the

Oath of Office. What we have not developed and I would ask if we decide to go forward with this that you give us the opportunity to come back with the Oath of Office that shall be administered which I would take from what was proposed for this Arizona convention and just to wordsmith that to apply to a balanced budget convention of states. That was our reason for putting it in is that there is no sense in sending somebody to a convention for them to get there only to refuse to take an oath of office and then have them go back home, but this could be administered within the home state by the Secretary of State, the Lieutenant Governor any authorized position that a state feels that the Oath of Office should be done at the home state before they come to the convention. Thank you.

Vice Chair Stalzer: OK, are there any questions of the proponent? Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chairman. Senator. I've no problem with the oath itself or the idea. My only concern is the way the context of this appears to be instructing the state the convention rules instructing the state in terms of how they'll do that. And My only suggestion would be we might want to rework the wording in terms of the expectation but not instruction. Not sure how we'd do that in this setting but since we're going to break here in a little bit and work on it some more that might be helpful. Thank you.

Vice Chair Stalzer: I'm gonna call on Arizona but I'm gonna first make a comment to Oklahoma. We will not, this one is being offered separately so we will not have a definite break to discuss this so, now I will call on Arizona.

Arizona Senator Allen: Thank you, Mr. Chairman. Senator Allen from Arizona. I have a question for the gentleman from New Hampshire.

Vice Chair Stalzer: Proceed.

Arizona Senator Allen: Thank you very much. I guess I just want clarification when you say that each state, we will come up with each state will have their own oath. We will determine what that is and that's what I want to clarify or is the gentleman saying that next he wants to show the oath that he wants every state to take.

Vice Chair Stalzer: New Hampshire do you care to answer.

New Hampshire Delegate: The inference is by the words the Oath that there be a standardized oath that every delegate, in every state would take. So, each state would not have their own separate one.

Arizona Senator Allen: So, Mr. Chairman and sir. Then that's implied, it's not really implied in what's being said there that will be a, yeah it says an oath not the oath well. Alright, at least he's clarified in my mind what he's saying. That's fine.

Vice Chair Stalzer: Tennessee are you standing to be recognized?

New Hampshire Delegate: Mr. Chairman, at this time would a motion to table this be in order?

Vice Chair Stalzer: I would ask that you withdraw. I believe we have an option for a withdraw rather than moving to table. It's quicker.

New Hampshire Delegate: A parliamentary question then. If this is withdrawn is there an ability to bring this back later.

Vice Chair Stalzer: OK, I see your point and is there any. I guess we move with a tabling motion we go to the vote.

New Hampshire Delegate: So, I will move to table.

Vice Chair Stalzer: Is there a second?

Delegate: [inaudible]

Vice Chair Stalzer: OK, we have a motion and a second. Will the, I guess we'll go by a show of hands. All those in favor of the tabling motion please raise your hand. Keep them up. These guys had common core math. [laughter] All in opposition to tabling. Apparently, we have four that are abstaining so we will have the vote is 12 to zero and we just had a little wrestling match in Arizona. Apparently, you can't take anything back off the table. In South Dakota and Oklahoma, you can so we're going to overrule our parliamentarian on that and let you bring it back.

Vice Chair Stalzer: OK, everything in here on yellow is only there to show that the rest of these things conflict with each other all over the place. There are eight different motions that are all on the same basic topic but they don't necessarily agree with each other and could really need to be combined into something that we can live with. So, we will start at the...the strike through. We will let the delegation or the delegate do their presentation as to why this is a good idea. We will then proceed to do that with the other seven at that time we will time we will plan to take about a fifteen-minute recess or at ease and let you guys sorta duke it out and see if some can compromise between your two versions and somebody withdraws theirs so we get to what we want a little quicker. So, we've Idaho, West Virginia or Iowa. Who's going to make the presentation on the elimination of 1.2? OK, West Virginia is recognized.

West Virginia Delegate: Thank you, Mr. Chairman. The amendment proposed by Idaho and West Virginia is to simply strike 1.2 and the purpose for that or the reasoning behind that is we have to be cognizant of the real world so to speak, and the real world says that one; we put the entire possibility of a convention in jeopardy if we start expelling members. There's simply no way that a member being expelled, a state being expelled from a convention is gonna withstand a constitutional challenge by the United States Supreme

Court. So, if we expel or provide for the possibility of expelling members we are dooming the convention before it ever starts. There is simply no way the United States Supreme Court is not going to negate the entire convention because there is no way that we can deny a state its equal representation at such a convention so by simply striking that section the purpose is to acknowledge that we as a convention will never have the authority to expel another state from the convention. We won't really even have the authority to in a significant way discipline a state at such a convention. We probably, as the president or the chair of a committee would have the ability to order a disruptive person, someone with disorderly conduct, we could order them out of the room perhaps. But we could not pretend to have the authority to deny states their proper role in the convention and 1.2 seems to do that provide for that. Second thing, that I see as an issue with it and this will go even to some of the amendments that counter amendments that are offered here is the idea that the convention itself will sit in judgement of a state's application and how a state views the particular delegates role or a particular delegation's role at the convention. We're all here talking about a balanced budget amendment and yet the possibility exists that Oklahoma's version of a balanced budget amendment will not look at all like Florida's version or Idaho's version or West Virginia's version and yet we're gonna be empowering the president of the convention to determine what was in the hearts and minds of the people of the state that he may never even been too. So, we can't give the president or even the convention itself the authority to determine what the purpose of the state was that sent the delegation. We have to always recognize that this is a convention of states and each state is going to have the authority to charge their delegation with what they see their responsibilities are and if we tried to put forth the idea that a state can be expelled or shut down or not allowed to offer amendments, we're actually playing roughly the same roll that the federal government's playing now that is holier than though no better attitude. So, we have to recognize states have a right to make these proposals. That is not to say that the president of the convention or the presiding officer in a committee won't have an equal right and responsibility to call that state out of order when they propose something that is clearly outside of the bounds of the convention and that's certainly appropriate and happens, I'm sure in every legislative body in this country when something is proposed that's not germane, or not appropriate to the topic, debate sometimes is not appropriate and people get called to order for those things. That will always be appropriate but you simply have no way to expel or in any significant way punish a state. You have no way to judge what the purpose of the state was in appointing their delegation. We don't want to put ourselves into that role and we also, again coming back to my initial point, we don't want to put the entire convention in jeopardy that might well pass out a great amendment only to have that entire process declared invalid because the United States Supreme Court has determined, and I think they would appropriately determine if a state were expelled from a convention that convention would no longer be valid.

Vice Chair Stalzer: OK, do. OK, is Idaho or West Virginia or Iowa or Idaho wish to speak briefly to this? OK, we just ask you not to repeat a whole lot of what he said.

Iowa Delegate David Miller: Sure. David Miller, Delegate from Iowa supports the deletion of this provision. Basically, this provision is trying to get at the what the runaway convention idea and I agree with what's been said. Discipline is almost kind of a very subjective term and I don't think it's appropriate word or term to use. Once a motion is on the table the chair has to deal with it. What do you do for discipline I mean do you slap somebody, do you expel them it seems a little what should I say not professional. The way to deal with an amendment that is out of order is its either out of order or not germane and that is dealt with...with an amendment that Iowa was filed...that will come later but I think that the discipline provision should just be taken out and the issue should be dealt with on a procedural ruling of the chair either by point of order. Iowa's amendment will say that the chair can rule it not germane. Thank you.

Vice Chair Stalzer: Thank you Iowa. Anyone from Idaho wish to speak?

Idaho Delegate: Mr. Chairman thank you. I do believe that there is one clarification that we want to make sure that everybody understands. The piece that we are asking to be deleted is not necessarily saying that a state cannot be disciplined but where it is at here it listed as a convention limited authority and the convention then has the authority to discipline a state or expel them and we're disagreeing with that completely but I do want to point out and make sure that everybody understands that discipline of a state is still in your booklet here and your gonna find it on page three, line eight under 2.1.2.1.3 under disciplining a state then the discipline of the state falls under the authority of the president not as the convention of the whole so I just want to make sure that we understand the point here is also is to be extremely clear is that we do not believe that you have the authority or the convention should have the authority or anyone have the authority to take away the voice of the state and the vote of the state. The Supreme Court guarantees one man vote, one vote and we all understand how important it is that if we go to that convention it is going to be one state, one vote. Thank you, Mr. Chairman.

Vice Chair Stalzer: Thank you. OK. OK. Our intention was to go forward with the others being presented now as well. OK, go ahead and ask your question Arizona.

Arizona Delegate Steve Smith: Steve Smith, Arizona. If one of the sponsors of the amendment can answer this and its and I apologize I thought the language that I'm about to propose was in here. I would advocate for the state recalling its own delegate if that delegate moved outside of the boundaries that the state placed, not the commissioner, not the president, not the convention and so I would ask one of the sponsors of the amendment would you be open to the state recalling one of its own members if they fell outside of that purview.

Vice Chair Stalzer: I will call on West Virginia but I do believe there's a later rule that allows the state that authority.

West Virginia Delegate: And that's exactly what I would point out is that later in this document it's very clear a state has recall authority and in the end, that's what we have to recognize when we have this convention of states is that only the state that could pull someone and that's our point in this entire amendment. So, yes absolutely the state would have recall authority and a responsibility from the state's perspective to do that.

Vice Chair Stalzer: OK, call on Tennessee.

Tennessee Senator Mike Bell: Thank you, Mr. Chairman. Senator Mike Bell Tennessee. I have a question for the sponsor, could be Virginia or Idaho whoever would like to answer the question. The line that starts with continued violations of the oath taken by a convention delegate. Is that word oath referring to an oath taken by the delegate at his state or is that an oath taken at the convention? And if it's taken if its referring to an oath taken by the state then that's presupposing that we're going to amend this to require an oath taken at the state level before the delegate comes.

Vice Chair Stalzer: Would the delegate from Tennessee, can you reference where you're referring to because my understanding is this amendment strikes all of 1.2.

Tennessee Delegate: OK, it is in 1.2 and I'm looking at the line that starts with continued violations of the oath taken by convention. Oh, all of that was tabled. I'm on the wrong one, I'm sorry Mr. Chair.

Vice Chair Stalzer: Your apology accepted. OK, now we move to the Arizona and as we go through each of these if someone's decided to withdraw theirs that's certainly fine too. I'm not speaking that I disagree with Arizona in saying that.

Arizona Delegate: Thank you, Mr. Chairman. Actually, Mr. Chairman I do ask to remove my amendment. I think that as we go through this process, what I was concerned about will be resolved so no need to present mine at this moment. Thank you.

Vice Chair Stalzer: Thank you. We'll consider the amendment withdrawn.

Vice Chair Stalzer: The next amendment is from Minnesota and would the delegate from Minnesota care to speak?

Minnesota Delegate: Thank you members and we just felt that with regard to freedom of speech issues that with regard to everyone's desire to keep the conversation within the scope of the call of the convention that any other subjects will not be discussed or debated on the floor so that was our proposal however if this provision is stricken from the rules we would have no problem withdrawing the amendment.

Vice Chair Stalzer: the next version come from New Hampshire.

New Hampshire Delegate: Thank you, Mr. Chairman. I believe that the language that we have proposed is what the gentleman from Tennessee was talking about which meant which again mentions the oath which we intend to come back with something that was one that we tabled. I think the main difference between this and other ones is that we have said that if there are violations it should go before the credentialing committee not be put on the convention not be put on the chair but the credentialing committee who finds people eligible via their oath being delegates and violation of that oath we felt that the credentialing committee could also remove that person. We're fine, I see a lot of opportunity to gain together with others. I have no problem with the language from Minnesota, I've talked with the gentleman from Utah and I think ours is somewhat similar to theirs. I'm looking forward to the break that we'll have so that we can try to combine these all into one. Thank you.

Vice Chair Stalzer: Thank you. The Delegate from Arizona.

Arizona Senator Allen: Thank you, Mr. Chairman. Senator Allen, this has brought, I'll try to do it in the form of a question. My concern, when we have the call go out and now we come to an Article V convention and you're going to have all 50 states there. So, a state comes that's totally against this whole process and they determine through the entire process they disrupt, are other delegates that come from states that again were against having an Article V, against a budget amendment and want to disrupt. We have to figure out some way that we're going to handle that and sometimes just calling someone out of order isn't necessarily going to do it if they're determined that they want to disrupt the entire process and so I think it is worth for us thinking it this time how would those things be handled; how can we plan now to maybe within the rules address that? So, I just wanted to make that comment. I think it's important that we keep this one 1.2 or that section that we're on and I do think we need to discuss it and so we do need to figure out a way whether we have the states do it or the states before have to make oath to coming and not to be disruptive or something so that's my concern. I believe there can be disruption.

Vice Chair Stalzer: OK, we would at this point limit things to questions as opposed to...we will have time to debate as we get further into these. The next one is from Oklahoma, if the delegate from Oklahoma would care to speak.

Oklahoma Delegate: Thank you, Mr. Chairman. There are several small amendments that we proposed but I'll try to give context to all of this. The language that was provided in the rough draft we reworked the existing sentence and then simply added. I'll just read the following: the convention may resort, to whatever means necessary, to enforce this provision up to and including exclusion or expulsion of an individual delegate or delegates from the daily sessions of the convention or from the convention in its entirety. So, it goes to the heart of the discussion we've been having as initiated by West Virginia. I know we're not debating but as we consider this going forward I think we need to think about

the difference between disruption as in disorderly conduct and the need to deal with that in real time. As opposed to a state who is just opposed and uses whatever rules we have in place and procedural rules to oppose a proposal, to delay, to obstruct, I think there's a big difference there. I think the thing most of us are concerned about, is staying within the call of the convention and how we police that, so, so we offer this. We like the idea of having the convention be able to enforce that but I would acknowledge there are some good points being made. Thank you.

Vice Chair Stalzer: Thank you and for the final amendment on this topic, we would call on the delegate from Utah.

Utah Senator Kevin Van Tassell: Thank you, Mr. Chair. Senator Kevin Van Tassell from Utah. As we went through this as a state and looked at it there's been a lot of good discussion and I hope that when we get through the next 15 minutes that we'll probably come to some consensus. Our belief was that if we are going to have the ability to censure or challenge a delegate then we needed to have some kind of formal written documents by which we could look at and see and that people would know that they were going to be judged by, as they came in to the commission and as you can see, this one, we give a notice and then it goes, we would make one more amendment that it should go to the Rules Committee, should go to the Credentialing Committee, I believe we decided but there are some other things that are kicking around here that I think we can come up with some good answers.

Vice Chair Stalzer: Thank you. Any questions of Utah? We're gonna then break until 10 after unless people tell us they've come together with an agreement that would call us back sooner but we would encourage the states that have similar proposals to try work out some wording that multiple states can live with and see if we can do it without a real long discussion. So, we will be at recess until 10 after 1:00 p.m.

Recess: 12:48 p.m.

Part 4

Reconvene: 1:17 p.m.

Chair Banz: Appreciate the diligence with which everybody has pursued the challenge in front of us. It is our intent to take up the Idaho, West Virginia and Iowa motion first. That then will dictate, the results of that then will dictate the approach that we use on the remaining resolutions. If it is necessary and there has been a compromise worked out on the others, then we will ask a spokesperson to come up front here and explain that, if that is the case. If not, we will move forward as the action of this body directs. Who, let's see. If you will take. Do we have the lines on the board in front of you? It says Idaho, Iowa and West Virginia, section 1.2 in red and lines are deleting. That is the motion that is before you. By introducing this resolution, or this motion, that is the motion before us,

including a second, West Virginia, you were the first to present on this, so, we will ask you, if you would, to respectfully stand for questions. Will there be questions of the delegations from West Virginia, Iowa and Idaho on deletion of the entire section 1.2? The delegate from Oklahoma is recognized for a question.

Oklahoma Delegate: Thank you, Mr. Chairman. West Virginia, in striking this, I think we were hearing that there is some language being worked on later on for the presiding officer section that would deal with the concerns that people have in this section, such as maintaining order, ruling things out of order, those things. Could you elaborate on that so as we get ready to vote on just striking this we've got some assurances that our issues are being dealt with further on?

Chair Banz: West Virginia, you are recognized for a response.

West Virginia Delegate: Thank you, Mr. Chairman. We actually already have a section and I am going to try to locate it here real quick, so I can give you the right reference. 2., it actually kinda starts duties of the president 2.1.2.1 or two dot one dot two dot one, I should say. The duties of the president, calling the convention to order. Section dot two within that is a duty to preserve decorum. It says the president shall preserve order and decorum and during debate, shall confine delegations, etcetera to the question under discussion, have general control of the convention chamber unless otherwise ordered by the convention and in cases of disturbances or disorderly conduct on the floor or in public areas has the power to order the same cleared. And so, that part addresses the issue of someone who is simply being disruptive. The president, as in I think, the presiding officer in every chamber in this country has the authority with a very broad latitude to maintain the peace and the orderly conduct of the chamber. And so, when we are talking about that type of an issue, I think that is without question, that is implied and it is plainly stated. Then beyond that, we have disciplining a state section, and this is part of the area you are talking about reworking, so I do not have the precise language in front of me as to how that would look, but the president may rule out of order any state or commissioner, in a manner provided for by the rules of the convention, so again reinforcing that. Now, if we got back to section 1.1, which is also part of the rules of the convention, or will be we would presume, part of the rules of the convention, convention limited authority and it talks about how the authority is limited to a balanced budget resolution, etcetera. It makes it clear that the convention has no authority to propose an amendment on any other subject. So, when you combine that with the president's authority to rule out of order, implied directly in that, is the president has a right, when faced directly with an amendment or a proposed amendment or proposed action that is contrary to that section, he would be within his right and appropriately would rule out of order, such proposed amendments.

Chair Banz: Follow up from Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chairman. So, to continue with the idea of a presiding officer ruling something out of order, the intent is still to have the procedure in

place that would allow a challenge of the chair and the president and for the convention to make that decision, possibly over ruling that decision, correct?

West Virginia Delegate: Absolutely, absolutely. Yes, we don't touch that.

Chair Banz: Other questions of West Virginia? 1.2. Other questions? Will there be debate? Will there be debate? Seeing no debate, the question before you is shall the language that is stricken under 1.2 and the motion to adopt that to strike, all those in favor, raise your hand, the voting delegates. Clerk will count. Those opposed. With a vote of 15 in favor and zero in opposition. We declare that resolution to have passed. [sound gavel] Which subsequently then negates all of the other amendments that were submitted under 1.2 from Arizona, Minnesota, New Hampshire, Oklahoma and Utah.

Chair Banz: OK, you should have 1.3 and a 1.4 document in front of you. 1.3, Temporary Rules, we are waiting for staff to catch up with us here. 1.3 is, as it has been written, with no amendments advanced. So, 1.4, under the title Initial Quorum, we have the delegation from Oklahoma, you are recognized to explain your motion.

Oklahoma Delegate: Thank you, Mr. Chairman. We are simply clarifying that a state has to be physically present at the time of the initial roll call vote, before that initial quorum, can be determined.

Chair Banz: Question to the author? or questions of Oklahoma? It is before you in the blue language that and again there is not line numbers, at least it does not appear on my screen here, but we have a technical problem here that we need to reconcile. One moment please. Would the delegate from Minnesota be willing to answer a question? You had submitted, this didn't get caught by staff when they were going through it, there is a slight conflict here, on the line four, it says convention present. I am not sure did Minnesota just add the word present and would you be willing to strike that and endorse the Oklahoma language or vice versa?

Representative Jerry Herta: Thank you, Mr. Chair. Representative Jerry Herta. Yes, Minnesota did just add the word present and we are in consensus that we would be willing to strike that.

Chair Banz: Thank you Minnesota. So, we will just, let's do it officially this way, delegation from Minnesota, we will entertain the Oklahoma resolution first, then you can withdraw yours, which will have the same effect. Other questions of Oklahoma. The delegate from Tennessee, you are recognized.

Tennessee Delegate: Thank you, Mr. Chairman. My question to the delegate from Oklahoma is, the word physically, isn't that redundant with present? Is there another definition of present that would include somebody not present? And in saying that I hope that the gentleman from Minnesota will not withdraw his motion. I think the Tennessee

delegation much prefers the language. I believe both of them intent and both of them goal is the same, both amendments. I believe the Minnesota amendment accomplishes that with fewer words.

Chair Banz: Wouldn't you agree?

Tennessee Delegate: So, my question is, is there another definition of present, other than being in a room physically?

Chair Banz: OK, that is the question for the delegate from Oklahoma. Do you wish to respond?

Oklahoma Delegate: Mr. Chairman, would you give me just a second here?

Chair Banz: The delegate from Oklahoma is recognized.

Oklahoma Delegate: Thank you, Mr. Chairman for the indulgence. I think we would like to keep physically present, given the possibility of online presence and interpretation that way. Thank you.

Chair Banz: Other questions of the delegate from Oklahoma as it is listed? Other questions? Alright, so we are dealing exclusively with the resolution from, or the motion on the resolution from Oklahoma. Again, it is not found with line numbers, but it is under 1.4 initial quorum, in blue, whose delegate or delegates are physically present at the time of the initial roll call of the convention. Will there be debate? Will there be debate? Seeing no debate, does the delegate from Arizona wish to be recognized?

Senator Smith: Senator Smith. Would the good representative from Oklahoma be willing to remove the word initial from roll call? As we do in this body, every day, you effectively take a roll call and if you just do the initial roll call, well what if we have a different count the next day, so I would say based on every roll call it is the majority of those physically present, not just the initial roll call.

Chair Banz: Is the delegate from Arizona offering that as an amendment?

Senator Steve Smith: I would offer that as a verbal amendment if Oklahoma is willing.

Chair Banz: The Temporary Rules give the chair the prerogative of making an adjustment like that if it is direct and brief and to the point and we will do so. Are there questions of the delegate from Arizona about removing the word initial? The delegate from Idaho. You are recognized.

Idaho Delegate: Mr. Chairman, the question I have, if you remove the word initial, do you need to change the heading too because 4.1 talks about the initial quorum.

Chair Banz: The delegate from Arizona, you may respond.

Arizona Delegate: Thank you, Mr. Chairman. If there is not another section in the document that talks about subsequent quorums, then I would agree with you, it should say quorum call and every day, because as we know this convention could last weeks and months, every day at quorum call, it is the majority of the states physically present and so I would be perfectly acceptable, if Oklahoma is, as part of their amendment, to striking initial. If we have a subsequent section, that I don't see, that says in all subsequent quorum calls, here are the rules, then I would leave it as is, but since I don't see that, I believe section 1.4 should just say quorum or quorum call, the quorum for the convention should be.

Chair Banz: Follow up from Idaho.

Idaho Delegate: Just one concern also I have is that if it is not all of the quorum calls every time you could have a situation where states show up for the initial quorum call and then leave which changes your threshold later on on other votes.

Chair Banz: The delegate from Oklahoma. You are recognized.

Oklahoma Delegate: Thank you, Mr. Chairman. My question for Arizona is to help me think through something here. I believe this language here is to allow us to kick off the convention. I am not sure it really speaks to a quorum throughout as the number of participants may vary so how are you going to know how many states are physically present. I am not sure we are going to know how many decided to go home or show up from day to day so what is a quorum? Could you help me through that? Thank you.

Chair Banz: The delegate from Arizona, you're recognized for a response.

Arizona Delegate: Thank you, Mr. Chair and to the delegate from Oklahoma my advice would be the quorum is the quorum call. As they do with any legislative body, or as they would do with this Article V convention, everyday there is a quorum call as we experience in our own legislatures and every day we are going to make sure that the majority of the people of the states that are present can help enact that so I think by just striking initial we solve that unless we want to go in detail and have a duplicative section that say in all subsequent quorum calls from the initial dot dot dot but I think that is repetitive. So, I would just lump it in as all quorum calls and roll calls is how I would look at it.

Chair Banz: Delegate from Minnesota, do you have a question on the amendment to the amendment?

Minnesota Delegate: I have a advice on the gentleman from Arizona's statement about there being no other reference to quorum and in Article Three there is a reference to quorum and it just calls out quorum with regard to voting so I think we do have a situation in the rules where more than an initial quorum is stated.

Chair Banz: Thank you for that expansion. Other questions of the delegate from Oklahoma? I am sorry, we are on the amendment to the amendment. Questions of the delegate from Arizona to strike the word initial both in the heading and in the text of the amendment. Will there be debate? Will there be debate? You don't want to just leave it alone and run with it?

Arizona Delegate: No, I don't.

Chair Banz: Delegate from Arizona.

Arizona Delegate: Thank you, Mr. Chair. To the good gentlemen who cited section three for the voting to the states, I believe that is referring to the states rules. It says each state shall determine the internal voting and quorum and rules for casting the vote of its delegation. So, the way I read it is, the state would say we need to have a quorum of our delegation to cast the vote but it does not speak to the quorum as a whole as the body of the convention.

Chair Banz: Did you look at 3.1, is that what your reference point was?

Arizona Delegate: Mr. Chair, I was looking at 3.2.1. Mr. Chairman, upon reading 3.1, I would defer to Oklahoma. If it appears to satisfy my concern that all subsequent quorums need to be met with a certain attendance and as I'm reading it now, I believe it may. Yea, Mr. Chairman, I am still a little bit fuzzy on that definition, what is a quorum? The 50 states, and this is just me being rhetorical, if 50 states show up on day one but there are 30 states on day two, what is the quorum, the 16 of the 30? If that is how I am reading this, then I would think that this should apply to my concern. But if there is a delegate that thinks it does not answer my concern, then I will remain with my verbal amendment if this body believes that 3.1 does address my concern, I will withdraw my verbal amendment.

Chair Banz: I can't take the if statement. Does the delegate from Arizona wish to withdraw his amendment to the amendment?

Senator Steve Smith: Mr. Chair, upon reading section 3.1. I am sorry for the delay, I would respectfully withdraw my verbal amendment.

Chair Banz: We will take that out of your seventh inning stretch this evening. The author of the amendment to the amendment has withdrawn the amendment.

Chair Banz: We are now back on the amendment. Questions of the author from Oklahoma? The delegate from Oklahoma. Will there be debate? The delegate from Tennessee, you are recognized.

Tennessee Delegate Mike Bell: Thank you, Mr. Chairman. Mike Bell, Tennessee. Mr. Chairman and members of this body, I have already spoken once when I asked a question about does the word present not, is it not sufficient? When we started this meeting this morning, we had a roll call, every state who was here answered here or answered present. You are physically in the room. If the state of New York had been called, we

would have heard a voice come over the speaker, present. We all would have looked up but we would have ignored it and not counted the state of New York present because we have not explicitly made that part of our rules, that a state could be present without being physically here. Back in your states, you have probably done what we have done in Tennessee with certain boards and commissions, certain executive branch bodies, we have allowed for teleconferencing and tele-voting to take place by members of that board or commission who are not physically present in the room but they could vote and participate electronically. But we had to do that through explicit language in the statute. My guess is the states that you are from, if you have allowed that, you have had to do it through explicit language in the statute. I give that explanation and again I am going to restate my reasoning for voting no, and I hope you will vote no on this as well. I think part of our goal in putting together this document is to do it in as few words as possible and words that are clean, precise and have a very clear meaning which the word present does. And I think the history and the examples that our own states have in dealing with bodies define what the word present is and so, Mr. Chairman, my hope is and my request is that the states vote no on this amendment.

Chair Banz: Is there anybody else that wishes to speak against the resolution? Seeing none, Oklahoma, delegate, well we got, OK. The delegate from Idaho is recognized. Are you wishing to address, we are in the debate against the Oklahoma resolution.

Idaho Delegate: Mr. Chairman, yes I would like to debate against the resolution. I like the language of one, Idaho likes the language of 1.4 as it is written. I think we have a legitimacy question if we don't have at least 26 states present for the initial quorum. I think that language needs to stay the way it is without the amendment. I think legitimacy of the convention is very important. If we start with 26 or 20 states physically present and that's all the quorum that is required, I just think there is a legitimacy question of the convention and I don't think that that is what we want to do.

Chair Banz: OK, we will close the debate of those who are against the resolution. Oklahoma, you are driving the train on in favor of the motion.

Oklahoma Delegate: Thank you, Mr. Chairman, with your indulgence, Representative Bennett would like to take this one. Is that acceptable?

Chair Banz: Representative Bennett, you are recognized.

Representative Bennett: Thank you, Mr. Chair, and I thank you to our colleagues from the other states, especially Tennessee, I love Tennessee football. One day you might be able to beat Oklahoma, but I still love the football team from Tennessee and the diversity in this room is just amazing for such an important call that we have to make sure we do the right thing here. You know we are simply changing this to whose delegates are physically present at the time of the initial roll call of the convention. To require a majority of the several states to establish an initial quorum of the convention is to set the bar unnecessarily high. States that are not present because they have not sent a delegation

should not be allowed to affect a determination of the presence of our initial quorum. If the two thirds states, if the two-thirds of the states bar is met requiring Congress to call a convention pursuant to Article V, I believe it is unnecessary to require a quorum beyond a majority of the states that actually participate in the convention as demonstrated by the presence of their delegates at the initial roll call of the convention. We should not make it harder to operate than is absolutely necessary. The ultimate check and balance of what is proposed by the convention is that three fourths of the states must ratify the amendment proposed by the convention. We are simply making sure that people are initially there, we get our quorum and we can move forward with what we are doing. It takes three fourths to ratify what we are doing, so this is simply protecting what we are trying to do. We shouldn't make it as hard as we don't have to so I encourage you to please vote for this amendment. Thank you, Mr. Chair.

Chair Banz: Any other delegation wishing to speak in favor of the resolution? Seeing none, the Clerk will call the roll and we will, lets, let's do this by hand again. Show of hands, those in favor of the resolution, as the question before you is the Oklahoma resolution, whose delegate or delegates are physically present at the time of the initial roll call of the convention. Those who are opposed. Raise your hand. With 11 expressing favor and three in opposition, we declare the resolution to have passed. [sound gavel]

Tennessee: Point of order.

Chair Banz: Now Minnesota. OK. Tennessee you are recognized for a point of order.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, my request to the chairman of the committee that the next time the gentleman from Oklahoma brings up the subject of college football, you would call him out of order. [laughter]

Chair Banz: I will take that under counsel from the delegation from Ohio State. [laughter] The delegate from Minnesota. You are recognized. We have a 1.4 resolution that has been presented. How do you wish to treat your resolution?

Representative Jerry Herta: Thank you, Mr. Chair. Representative Jerry Herta. The gopher state withdraws its amendment.

Chair Banz: Thank you. [sound gavel] We declare the resolution withdrawn.

Chair Banz: OK, one point. Now we are ready to take up 1.5, prohibition on amending or suspending. And let's see here, this article. We will recognize the delegate from South Dakota to explain your resolution, the stricken language, we are waiting for it to come

upon the screen. It is in red, striking the words this article. It's on line two. The delegate from South Dakota, you are recognized.

South Dakota Representative Wick: Representative Wick, South Dakota. This, the part that is stricken is just this article and we put down Article one shall not be amended or suspended by the convention except by a two-thirds majority vote.

Chair Banz: Questions of the author on striking the words this and article? And add the words Article one. Question of the author? Arizona, you are recognized.

Arizona Delegate: Thank you, Mr. Chairman. Question for the sponsor. Can you tell me why you did a two-thirds majority and not three quarters?

Chair Banz: That will be the next resolution. Right now, we are just, South Dakota has the striking of this article and the insertion of Article 1. Any questions? Tennessee delegate, you are recognized for a question.

Tennessee Delegate: Thank you, Mr. Chairman. My question to the sponsor is what is the scenario? Mr. President, what is the scenario that the sponsor sees this would be used in? We spent, we have spent the better part of a day debating what goes in Article 1 and now we are getting ready to put, if this amendment would be successful, to put an amendment on that would allow all that to be suspended, so I am trying to decide or envision what, under what circumstance we would want to, a future convention would want to suspend all that they just adopted.

Chair Banz: The chair will recognize the delegate from South Dakota, who happens to be the vice chair of the committee.

South Dakota Delegate: Delegate from Tennessee, there are two separate amendments. The South Dakota amendment was actually mine. All it does is strike this article and say Article one for potential clarity. The other one is an amendment from West Virginia that will be handled after this one.

Chair Banz: I thought I explained that to him, but I don't guess he understood. Thank you. Other questions of the delegation from South Dakota? Seeing none, will there be debate? Seeing no debate, all those in favor of the motion which is to strike this article and add article one show by raising your hand. Alright, Clerk, the hands have been raised. You are going to need to raise them one more time, we were taking...Those opposed, raise your hand. OK. 15 in favor and zero in opposition. We declare that the resolution [sound gavel] has passed.

Chair Banz: Alright, now we are ready to take up the West Virginia resolution that is at the end of that same, it's on end of line two and the beginning of line 3. The delegate from West Virginia, you are recognized to explain your resolution.

West Virginia Delegate: Sure, thank you, Mr. Chair. You know we are gathered here explicitly because the founding fathers recognized that no matter what they did, there might be a reason that it needed to be changed and to have language within these rules that put ourselves into the position of saying that we can't possibly be wrong is kind of contrary to what we are even here to discuss. Whether its two thirds or even if it were four fifths majority, it seems to me that we don't want to preclude the idea that the folks who are actually at the convention with a super majority might have reason to either suspend or alter even those rules that are in the beginning and obviously, again two thirds is a substantial majority and if we went to four fifths, maybe that would make more people comfortable with it. I am not going to really argue the whole thing hard. But that's where I am coming from, thinking that it is unlikely that we are going to create a perfect document or even a perfect section to the document and precluding any possibility of amending it or suspending it as necessary when perhaps the entire convention would even be unanimous in agreement that such a suspension would be necessary seems a little bit of hubris on our part.

Chair Banz: Questions of the author? The delegation from Arizona, you are recognized to pose a question of the delegation from West Virginia.

Arizona Delegate: Thank you, Mr. Chair. So, if I heard right, you could be open to a three quarters threshold as opposed to the two-thirds and my reasoning for that is, this is with everybody's fear of a run-away convention, you are now giving that 66 percent of the people there can now throw out the entire guts of what we are doing and I think that threshold should be just as high as it can possible go so I would feel much more comfortable if it is a simple rule change or something happened or is it an emergency and needed to move the location, I think you would get an unanimous probably support of that. I would keep that two-thirds as close to unanimous as possible. So, my question is, are you open to any other additional with a verbal amendment?

West Virginia Delegate: I would consider such a change to be a friendly amendment and with the unanimous consent would modify my amendment to, say, reflect three-fourths.

Chair Banz: Is the delegate from Arizona offering an amendment to increase the threshold from two-thirds to three-fourths.

Arizona Delegate: Mr. Chairman, delegate from West Virginia, would you be open to unanimous or would you be more, have a proclivity to do three quarters. Which would you feel more comfortable with since it is your amendment.

West Virginia Delegate: Well I might even suggest four-fifths, which is a higher...

Arizona Delegate: That would be a compromise, right, Mr. Chairman?

West Virginia Delegate: But, you know, even if it turned out to be unanimous, I would not find that to be totally abhorrent. We all do that in our chambers I assume, ask for

unanimous consent for certain things to happen, everyday and as long as they are reasonable, they generally happen and that is all I am looking for here is that sometimes it is going to be apparent and reasonable that a rule might need to be suspended and or slightly altered and we don't want to preclude that entirely.

Arizona Delegate: Mr. Chairman, I would feel more comfortable with unanimous, if that is OK, with the delegate, but of course we got to get votes to pass it so if any other delegates have an opinion as well, I would be curious to hear them.

Chair Banz: Are you offering that in the form of an amendment to the amendment?

Arizona Delegate: Mr. Chairman, I am offering a verbal amendment striking two-thirds and replacing it with unanimous.

Chair Banz: OK, will there be questions of the author from Arizona? The delegate from Oklahoma, you are recognized.

Oklahoma Delegate: Thank you, Mr. Chairman. This is actually to the entire body, Arizona and West Virginia as lead on this. Oklahoma offered some amendments that we will consider later on that really address this, if you get back in section 5.3.6. I am providing this as information so it may help shape your thought here. We separated that into two sections, two paragraphs, left the two thirds piece in there and then offered an additional section that that clearly stated that such a rule change would not change the call of the convention. That is the main concern with changing something in article one is that the call of the convention gets altered and so I offer that as a possible compromise later. Perhaps we should delay considering this until we get to that section and see what that says or you could review it now. Mr. Chairman, I am not sure how to proceed with that.

Chair Banz: The chair will point out that according to our Temporary Rules under 3.2.2, when you change super majorities, it requires a super majority for passage, so we are now on the amendment to the amendment that adds except by unanimous vote. Will there be questions of the delegate from Arizona? The delegate from New Hampshire is recognized.

New Hampshire Senator Gary Daniels: Thank you. Senator Gary Daniels from New Hampshire. I guess on a question on threshold, whether it is unanimous or other, if we look at section 1.1 on there, it defines what the scope is, it is subject to the balancing of the federal budget, as specified in the applications. Are we now going to now allow a body that has not called for a, 34 states have not called for a convention of states to allow a body that came together for a balanced budget amendment to now ask unanimously for term limits and basically violate the constitution because the constitution requires that the states submit a call for the convention.

Chair Banz: The delegate from Arizona is recognized for a response.

Arizona Delegate: Thank you, Mr. Chairman. Part of my concern is that all of section 1.1 could be amended to anything. That is why I believe you should have a very very, the highest threshold, because if there is a motion to amend something, to remove 1.1, to change the call, I would think that threshold should be just about as high as it gets. And so, we know that in any deliberative body, the majority rules, you can throw out you can replace the president, you can do anything, you can change the call, but when you are talking with such sensitivity as you see in section one Article 1.1, Article 1, I, that is why I believe it should be the highest threshold, because if there were to be a coup and they say you know let's get rid of the call for the balanced budget and let's put in something else, that body, according to that language, could do it. Now does that change the entire call of the convention? I believe so, at least I believe it gives a window of opportunity to do so. That is why I would be more comfortable, no, it would be a unanimous vote amongst the states to change anything. Now I understand what West Virginia, this is primarily used in more procedural issues as we do in our bodies almost on a regular basis. But with something as sensitive as our constitution on the line, I would not want to take any chances, I would rather that procedural or not, if you are going to tweak anything in the call, which section all of article one is is the call, if you are going to change that, well you better have a pretty darn good reason and if is an easy enough reason, then the whole body ought to vote for it. If the whole body doesn't vote for it, it must not have been that important of a reason.

New Hampshire Delegate: Follow up question.

Chair Banz: Follow up, New Hampshire.

New Hampshire Delegate: So, if I opposed unanimous or two-thirds, wouldn't I just vote no so we get rid of all this?

Arizona Delegate: Mr. Chair and the representative from New Hampshire, I don't know what you mean by getting rid of all of it, I think if there is a motion, the way I read this is, if there would be a motion from one of the delegates to amend Article 1, for whatever reason, hey maybe they want to change the location, maybe they want to, maybe they want to add a comma here that was missed, whatever it is, if it is small and procedural or if it is as high as changing the call to the convention, yes, if you are the lone no vote then that does not pass. A two-thirds vote would pass it, so you effectively could get a two-thirds of the body changing everything we just spent the last three hours debating and putting it in there, I am not comfortable with that. And so, I think if you are going to talk about changing the guts of this document, which is Article 1, yea, I think that better go through pretty unanimously, I think it would be unanimous that the body would say let's insert a comma or a parenthesis where it is missing, or a time change of the committee or something innocuous, maybe there is something a snow storm so we have to move the time that is fine, but if you say suspend anything in article one, well my gosh, that is everything we just talked about. And I am not comfortable with two-thirds of the people

that we already know about half the states going in could be adverse to this. So, now are you only talking about buying off another one-third of the states to get them to vote for an amendment to change something as significant as could be undone in Article 1. I would not. I think a unanimous, I think a unanimous vote allows for things like time changes, change of venue, things like that. And that would go through unanimous and if it didn't, oh well, it's not that important. But I think if you don't have a unanimous vote on this, you could have two-thirds step up and say, you know what, I want to change the call and they can do it. That is how I read it. If I am reading it incorrectly, please let me know.

Chair Banz: Other questions on the amendment to the amendment? OK, the delegate from Missouri, you are recognized.

Missouri Delegate Carl Bearden: Thank you, Mr. Chairman. Carl Bearden, delegate from Missouri. Question for the gentlemen from Arizona. So, as I understand this whole process, if we don't do either your substitute, or your amendment to the amendment, or the gentleman from West Virginia's amendment, there will be no changes allowed to Article 1, period. Is that correct?

Arizona Delegate: Mr. Chair, if you, yes, yes, I'm sorry. If you do not amend this with the proposed amendment, I believe the way I read it, Article 1 cannot be suspended. However, I believe what the delegate from West Virginia is saying is there may be a time that there is something in this host of this document that something needs to be changed for convenience sake or for maybe an oversight. I would be OK, with not adopting this amendment at all. If we are going to keep something in there for the sake of allowing the body to be able to change an oversight or something what we consider petty, then I think you need to do it the highest threshold. So, I would be perfectly acceptable to vote down the amendment but the delegate of West Virginia does make I think a reasonable point but at the same time, when I look at Article 1, I, I'm not so sure about what I would change in here. It is not an entire manual that maybe is rife with meeting times and date, locations and things like that, it is, it's pretty straight on what it is so personally I would be OK, with voting against this amendment if the body feels that the amendment is appropriate then I think it should be at the appropriate threshold, which is the highest threshold.

Missouri Delegate: Follow-up?

Chair Banz: Follow up from the delegate from Missouri.

Missouri Delegate: So, if I could summarize that. Unanimous is the way to go if we are going to amend it, in your opinion, but not amending it is also OK.

Arizona Delegate: That would be a fair statement, yes, Mr. Chairman.

Chair Banz: Other questions of the delegate on the amendment to the amendment. Point of order from the delegate from West Virginia.

West Virginia Delegate: Thank you, Mr. Chairman. The point that I would make is and we are all coming from different legislative bodies and so I just want to clarify what we are talking about here I had I thought I accepted the gentleman from Arizona's amendment as a friendly amendment which given the current state of the amendment I don't think we actually have to vote on that amendment to the amendment so just to clarify it would seem to me like the amendment as it currently stands before the body is with the friendly amendment offered by the representative from Arizona the delegate from Arizona so because I am hearing people ask do I vote for this and not for that it would seem to me like as it is typed up there that is the amendment that we are talking about and there is only one amendment that is before the body.

Chair Banz: In the opinion of the chair this is a two-part deal. We are taking up the amendment to the amendment which is the language as you see it on line two except by unanimous and on line three adding the word vote. Yes or no. If that passes, then it will be your amendment will have been amended and we will vote on it as a second action. Question from the delegate from Idaho.

Representative Vander Woude: Is this thing on? Thank you, Mr. Chairman and the delegate from Arizona this is Representative Vander Woude. If we pass your proposal here does that then also open the floor basically for anybody to propose amendments to the article of Article 1 that would not fall under the balanced budget but doesn't that open we could no longer rule any amendments out of order because they have the right to try to get unanimous consent for any amendments so all amendments would be open on the floor and couldn't be ruled out of order.

Arizona Delegate: Mr. Chairman.

Chair Banz: Delegate from Arizona, you are recognized for a response.

Arizona Delegate: Thank you, Mr. Chairman and yes. Yes, and that is why I think the previous question I answered was my preference is to just vote down the amendment but if there were an appropriate reason why they wanted some threshold for altering an Article 1 it would only be under that auspice. I would prefer the amendment not even be offered and so I would I guess I would answer your question this I would pass it this way and then when we go to West Virginia's amendment which will now be this unless there is a compelling reason to vote for it I would vote it down. This is a safe guard to make the previous amendment a little more palatable. But I don't think it should be amended at all.

Representative Vander Woude: I agree, I don't think it should be either.

Chair Banz: Will there be debate? Will there be debate? Are you ready to cast your vote? The question before you, I am sorry question from the delegate from Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chair. It was to our good friend from Arizona. If we pass this, this is basically going to open up and allow the restructuring of the first article. Altogether, would you believe if this happens most states that haven't signed on yet and some states that have like the state of Oklahoma there would be a high probability that they would pull out or not even sign on to this balanced budget amendment because the fears that all of the adversaries are touting right now is that we are going to have a runaway convention and this would possibly allow that.

Arizona Delegate: Mr. Chairman, delegate I agree and that's why I am asking our good delegate here I would prefer that the amendment be withdrawn all together. If the amendment is going to remain it should remain at the highest threshold. But again, once we pass this amendment if you pass my verbal amendment the underlying amendment still needs to be voted on which is the West Virginia amendment to which I would encourage the delegates to vote against or encourage a delegate to withdraw it.

Chair Banz: OK. Just as a matter of clarification now this will have to pass at the threshold of which you are asking for it, so this is going to require a unanimous vote for passage. Which would also require unanimous vote on the original resolution. Are you ready to cast your vote? The delegate from West Virginia you are recognized.

West Virginia Delegate: Thank you, Mr. Chair. As according to the Temporary Rules, we have adopted I think you are actually correct and I think I have heard enough to know that is it not going to pass unanimously so I might as well withdraw with the unanimous consent.

Chair Banz: OK. The delegate from Arizona you are recognized.

West Virginia Delegate: If I can get unanimous consent because if I can't get unanimous consent I don't know if we have to vote on the...

Chair Banz: The delegate from Arizona you are recognized.

Arizona Delegate: Thank you, Mr. Chairman. I withdraw my verbal amendment.

Chairman Banz: The amendment to the amendment has been withdrawn. Duly recognized. [sound gavel]

Chairman Banz: The delegate from West Virginia you are recognized.

West Virginia Delegate: I withdraw my amendment with unanimous consent.

Chair Banz: And the original is withdrawn, as well?

West Virginia Delegate: Yeah.

Chair Banz: So, ordered. [sound gavel]

Chair Banz: Alright. I am told that we are 20 percent through and we are over 40 percent through with the amount of time we are allotted for these rules. You get the picture? Alright, we are moving at warp speed. Does that complete the sheet that you had in front you under 1.3, 1.4, and 1.5? I believe it does. I think. Alright. I believe we are now ready to take up Article two. 2.1 lists and duties of officers. 2.1.1 temporary president and I believe this resolution was submitted by the delegation from Oklahoma so you will be recognized. Should be line 4 on page 5. I believe has everyone received the distribution on the remaining proposed changes? That will be what we are working from so you are on page 5 line 7 the delegation from Oklahoma is recognized to explain the resolution.

Oklahoma Delegate: Thank you, Mr. Chairman. If I am in the right place I think we are just striking the word presiding.

Chair Banz: That is correct. Questions of the delegate from Oklahoma? Striking the word presiding. Questions? Seeing no questions by unanimous consent we will adopt the Oklahoma resolution. [sound gavel]
So, ordered.

Chair Banz: To preside on line 8. I believe that one is also Oklahoma. You are recognized for an explanation.

Oklahoma Delegate: Thank you, Mr. Chairman. Probably should have explained that before. So, we restructured this sentence with two amendments. Thank you.

Chair Banz: What is this one right here? We are inserting the word to preside on line 8 is that...oh I am sorry is that oh it's on line 5. That doesn't. You may have a conflict. I was reading off of the hard copy. We probably need to be reading off what's on the screen. So, it is a little different line. Questions of the delegate from Oklahoma on adding the words to preside on line 5? Seeing no questions by unanimous consent. [sound gavel] Be approved.

Chair Banz: Now, we will move down to line 8 and we add the language and name all commissioners delegates present and by previous action we would need to take out the word commissioners and leave delegates. The delegate from Arizona, you are recognized for an explanation.

Arizona Delegate: Thank you, Mr. Chairman. Yes, this would just be at the initial opening of the convention and at the time the states present that their presence they would name those delegates that have been called.

Chair Banz: Questions of the delegate from Arizona? Questions? The question before you is adding on line 8 the words and name all delegates present. Without objection, that will be the order.

Chair Banz: 2.1.2 permanent officers. Let's see. Well we are back to Oklahoma again. The delegate from Oklahoma. We have 2.2 there are two or three changes in there if you would please incorporate an explanation of all of those. They are on lines 3, line 5 and line 6 and then deletions on line 3 and line 5.

Oklahoma Delegate: Thank you, Mr. Chairman. Members this, excuse me commissioners or delegates. This simply removes the Secretary, makes the Secretary an appointed position. The thought is like the parliamentarian probably ought to have somebody with experience and professionalism about them but these changes create a different structure for this paragraph so that we will only have a president and a vice president being members of a state delegation and those remaining officers being appointed. Stand for questions.

Chair Banz: Questions of the author from Oklahoma? Questions? Seeing no questions. By unanimous consent are you ready to accept that resolution. Seeing no objection. [sound gavel] The chair rules that adopted.

Chair Banz: Now, we will move down to 2.1.2.1.2 duties to preserve order and decorum. OK. It. We moved at a pretty good clip here and it is taking our folks that are doing the changes a little bit of time to get those adjustments made and to get us up to where we are but we are at the bottom of page 5 on the hard copy. That is Oklahoma. OK, are we caught up? It appears that we have a verbal coming from Arizona or under the calling the convention to order. Is it adding the words or presiding officer? It is on line 3.

Arizona Delegate: Yes.

Chair Banz: That was not on our master roster here, but we will entertain that as a motion for a resolution. Arizona delegation you are recognized to explain the resolution.

Arizona Delegate: Thank you, Mr. Chair. Members I think we have about 8 of these inserts here where it says or presiding officer. We inserted these in areas much like in a deliberative body we are in now so if the president isn't in the chair but they are a presiding officer much like what you see in committee of the whole sometimes they will appoint either the pro tem or somebody that just isn't the president we just about eight different spots here talking about debate talking about quorum talking about out of order and just ruling and governing over the floor I think it is sufficient to have the president or the presiding officer you gotta think about what happens if the president falls down a flight of steps and he can't get in the chair well then he would appoint a presiding officer to sit to have jurisdiction over the body and so I think in these spots that we inserted it it is appropriate.

Chair Banz: Questions of the author of the resolution? Questions? We are just working on line 8 adding the three words or presiding officer. Questions? Without objection, it will be adopted. Unanimous consent.

Chair Banz: Alright now we are going down to the remaining portion and that will be the delegation from Oklahoma. There are provisions of striking words which we have already dealt with and some verbal verb usage and some additional language. Give us an explanation of all of those components. You are recognized.

Oklahoma Delegate: Thank you, Mr. Chairman. Oklahoma proposes two in this section but I know there is another one from somebody else. 2.1.2.1.2 in the title duty to preserve order and being inserted just clarifies that and further down at the end of the original paragraph reads areas outside the bar of the convention shall have the power to order the same cleared as opposed to has. Those are two changes but as far as Oklahoma is concerned that paragraph that is what we are offering. Thank you.

Chair Banz: Questions of the delegate from Oklahoma. Questions? Alright the question before you is the changes the deletion from previous action commissioners and delegates the addition of the word delegates changing the word has striking the word has and then adding shall have and then on lines 13 and 14 of any parties involved in such disturbance or orderly or disorderly conduct. By unanimous consent Oklahoma moves it be adopted. [sound gavel] So, ordered.

Chair Banz: One point to back up when we adopted the other language we will incorporate that language presiding officer president or presiding officer at all other points in the document where that happens to appear. That to be uniform we will take that off the table. OK. It takes a little bit of time to move this stuff. I believe our next item to take under consideration is 2.1.2.1.3. It is page 6 on your hard copy. It will appear on the screen in just a moment. I believe at this point to give our staff a little bit of breathing room here it looks like we may have some extended conversations about what we are about to take up so let's take a five-minute break real quick and get you a drink of water and take you a comfort break and we will keep this ball rolling. We have been told that it is a target of noon tomorrow for us to wrap up on everything with regard to the rules so we need to keep moving today at a steady pace so that we don't leave too much in the morning to accomplish. Take five.

Recess: 2:26 p.m.

Part 5

Reconvene: 2:59 p.m.

Chair Banz: OK. We are now ready to take up where we left off. Section two 2.1.2.1.3 and under that section we had resolutions submitted by Idaho, Oklahoma, New Hampshire, West Virginia and Utah. In the spirit of developing consensus, we, you should have on your desk a one sheet hard copy of a compromise or a consensus more appropriate term and we will recognize the delegation from Utah to explain what you have

before you. It not only attempts to consolidate the interest of each of those respective states resolutions but it also has adjustments in Article V and he will, the delegate will explain what you have before you. You are recognized.

Utah Representative Christofferson: Thank you, Mr. Chair. Representative Christofferson from Utah. This is as I said the culmination of a lot of input from many of you and a few changes to try to and clarify and simplify some of this language. So, let me go through this and even since this was printed there have been a couple of recommendations which I would like to go through as I speak. So, as we deleted 1.2 which was on disciplinary action and [inaudible] we thought well let's just delete that and strengthen this other section here so 2.1.2.1.3 which shows disciplining a state and some of you have mentioned that we wanted to kind of take that language out so I am proposing authority to enforce rules as the title authority to enforce rules. And then, we just deleted that whole section and replaced it with the following: The president or presiding officer may rule out of order or discipline any state or delegate for violating provisions of the rules of the convention so there is a the that should be inserted in there. Disciplinary action shall not inhibit the right of a state to cast a vote in the convention or any committee of the convention and so, with that discussion there was some point of saying well the rules of the convention may not cover everything so we wanted to refer to Mason's Rules and so the delegate from West Virginia suggested that we move 5.2 which was inserted rules and procedures down at the bottom here so the proposal is to add sessions of the convention shall be governed by rules of the convention and when silent the rules of the parliamentary practice and it says laid down and I am going to substitute as stated so parliamentary practice as stated in Mason's Manual of Legislative Procedure current edition at the time of the convention. So, after current edition at the time of convention, that may be that may clarify that. So, that what that does is basically say the rules of the convention govern if it is silent, the most current edition at the time of the convention will take will fill in where the rules of the convention are silent and then well I think if there are any other questions I could answer those but I think that summarizes pretty much the intent if our discussion so I am open for questions.

Chair Banz: OK, let me see if I can reiterate quickly and reconcile while the staff is putting it up on the board the hard copy that you have. Up at the top on the title where it says disciplining a state it is recommended and I don't know that you mentioned this but there the adding the words authority to enforce rules as the title of that section.

Utah Representative Christofferson: That's right.

Chair Banz: That is different then we strike and then the hard copy on line three of that next group that is inserting leaves out the word the on rules of the convention and on the board I think it has already been corrected but that is a Scrivener's error on the hard copy.

Utah Representative Christofferson: Yea that's right.

Chair Banz: And then go down to their taking out the word laid down and substituting the words as stated and then adding the words at the end current edition at the time of the convention adding the words at the time of the convention to the hard copy that we've got. Is that the changes?

Utah Representative Christofferson: Yes, it is.

Chair Banz: Questions of the delegate from Utah? Questions? Minnesota Delegate you are recognized.

Minnesota Senator Mary Kiffmeyer: Thank you. Senator Mary Kiffmeyer from Minnesota. Question I have for you is the definition of the word discipline or discipline. Can you give me some understanding of what that might be including when you say discipline?

Utah Representative Christofferson: Well we have a big discussion on that when we talked about section 1.2 that we deleted and the idea was that many states wanted to say well what is the discipline and let's lay it out and what we decided to do was delete that and leave it up to the will of the presiding officer to either recommend that discipline or recommend the a committee the credentialing committee to look at that. So, we kind of left that alone. We don't have a section of definitions in this but we wanted to leave it open for the discretion of the presiding officer.

Chair Banz: Follow up Minnesota? None. OK. The delegate from Arizona you are recognized.

Arizona Delegate: Thank you, Mr. Chairman.

Chair Banz: For a question.

Arizona Delegate: Yes sir. Delegate from Utah isn't it true that if we merge section 5.2 which I think you have suggested into 2.1 that to the representative question from Minnesota that the definition is the rules of parliamentary practice as states in Mason's or the rules of the convention. So, discipline when we say what is discipline, discipline is as it is defined in our instruction rule manual and if it is not defined there as it is defined in Mason's and I think that by merging those two sections together that would define the discipline. Yes, and I think that so my question to the representative from Utah is we move section 5.2 in with the top section of 2.1.2.1.3 wouldn't that satisfy Minnesota's concern?

Chair Banz: The delegate from Oklahoma you are recognized.

Oklahoma Representative Bennett: Thank you, Mr. Chairman. Representative Bennett from Oklahoma. Delegate commissioner representative whatever we are going with these days just thinking out loud and the first sentence the president or presiding officer may rule out of order of discipline blah blah blah may and shall we know there is a big

difference between those two. Do you think there's any goods or bads about changing that to shall instead of may?

Chair Banz: The delegate from Utah response.

Utah Representative Christofferson: I think may like I said we are trying to leave that to the judgment of the presiding officer and I think we want to have someone that can interpret what is out of order and not all of us are going to agree with what is out of order so we've elected a presiding officer to make that judgment and he may do that if he like. I think we want to leave that open.

Chair Banz: Would it be true that the use of the word may allow for greater action to take place where as if you use the word shall lesser is not an option?

Utah Representative Christofferson: I think you are right Mr. Chair.

Chair Banz: Questions of the delegate from Utah? This is submitted to you as a package as a substitute for all of the other resolutions that you had before you. They've...

Utah Representative Christofferson: That is correct.

Chair Banz: There has been a consensus developed in the interims here when we have been in recess. I think we have used our time well to spend five or ten minutes to avoid 50 minutes deliberating on all of the others independent.

Chair Banz: Other questions of the delegate from Utah? Seeing no questions, will there be debate? Seeing no debate by unanimous consent we will adopt the revised submission under 2.1.2.1.3 and 5.1 and 5.2 without exception or without objection that will be the order. [sound gavel]

Chair Banz: On your hard copy now we are at the bottom of page seven just for planning purposes it is now about 3:15. I believe we are to reconvene as the large assembly at about 4:30. It is our intent to get as far as we can. I am hopeful we will get all the way through section three. I am not trying to micromanage the behavior of the committee but that is kind of our target. We are now at the bottom of page 7 on the hard copy 2.1.2.2.1 absence of the president and that was OK, it is going to take a little while for him to catch up so I don't know on your hard copy its lines fourteen fifteen and sixteen and that comes from what states here do we have oh Oklahoma you are recognized to present.

Oklahoma Delegate: Thank you, Mr. Chairman.

Chair Banz: Absence of the president.

Oklahoma Delegate: I apologize for all this but not really. This we are simply adding some language to allowing the convention to elect other vice presidents as they deem fit and establishing an order of succession among those vice presidents. Just some flexibility.

Chair Banz: Questions? Questions of the delegate from Oklahoma? Bottom of page seven lines 14, 15 and 16 on the hard copy. The staff is catching up with us on the screen here. It is under the heading absence of the president. They are adding the words in addition to the vice president comma the convention may elect other vice presidents and may establish an order of succession or precedence among such other vice presidents. The delegate from Minnesota, you are recognized for a question.

Minnesota Senator Mary Kiffmeyer: Thank you, Mr. Chair. Mary Kiffmeyer, Senator, Minnesota. I have a concern about this adding more vice presidents, order precedence other things like that I am not quite sure what the purpose is but it seems like we are having a greater degree of effort going into this particular area and I don't know that it is necessary.

Chair Banz: Response, Delegate from Oklahoma.

Oklahoma Delegate: Good question. The thinking here is that since it is a convention and not really a legislative body there may be an occasion, a reason both president, vice president are unable to serve and so it could dispense with some of that turmoil later if you dealt with it up front. Just a matter of succession if you need it.

Chair Banz: Follow up Minnesota?

Minnesota Senator Mary Kiffmeyer: Well, Mr. Chair and Mary Kiffmeyer, Senator, State of Minnesota. That doesn't really necessarily address my concern in regard to that but it is not a matter that I feel extremely strongly about but I think the overall tone here is to have kept it as simple as possible and I am concerned that this raises more complexity for where we are trying to keep this more simple. It is also the fact that at any time in the future they can change these or at the time of installing them can add vice presidents or other such things at the time this is not the last opportunity.

Chair Banz: The delegate from Arizona is recognized for a question.

Arizona Senator Steve Smith: Thank you, Mr. Chairman. Senator Smith. The delegate from Oklahoma when we say in addition to the vice president the convention may elect are we talking the delegates may elect or are we talking maybe some other committee or rules board or convention committee that I am not aware of.

Oklahoma Delegate: Thank you for the question. Good catch. It could probably folks we are not real strong on this one and I really don't want to bog anybody down if we would like to move on. Just a thought that it might save us some time in a convention so.

Chair Banz: Follow up.

Oklahoma Delegate: I think we would be happy to withdraw on this Mr. Chairman and let's just move on. Thank you.

Chair Banz: OK. So, it is the understanding of the chair that the Delegate from Oklahoma is withdrawing the resolution. I mean the amendment. Alright, so ordered.

Chair Banz: 2.1.2.2.2 convention manager can we not by unanimous consent consider that a Scrivener's error? Without objection that will be the order.

Chair Banz: Duties of the Secretary. 2.1.2.3.1 under the duties of the Secretary the delegation from Oklahoma you are recognized to explain your amendment.

Oklahoma Delegate: Thank you, Mr. Chairman. This is consistent with an earlier amendment to change somewhat how the secretary is chosen but also define the roll a little bit better and we are simply indicating this person shall serve as the chief legislative officer of the convention and we go on to talk about records and journal records and all that further amendments but we thought this clarification was needed. Thank you.

Chair Banz: Question of the delegate from Oklahoma? Question? The delegate from New Hampshire you are recognized.

New Hampshire Senator Gary Daniels: Thank you. Senator Gary Daniels New Hampshire. Just wondered about the term chief legislative officer I mean many might perceive that as being the Speaker of the House, the Senate President or in this case here the President of the Convention. So, I am not sure why we would it might be confusing to say that the secretary is the chief legislative officer you might someone might perceive that as being the presiding officer.

Chair Banz: Delegate from Oklahoma is recognized for a response.

Oklahoma Delegate: Thank you, Mr. Chairman. Thank you for the comment. This was offered by somebody who is a professional as a parliamentarian. I think in that world it means something. I don't know that I could stand here and defend it. The points well taken. Again, I am not sure that this is one we want to spend a lot of time on, but we offered it as a clarification.

Chair Banz: OK. Chair recognizes delegate from Idaho.

Idaho Delegate: For a question good gentleman. My question here is when we insert the words legislative officer as we are on a previous amendment we changed the secretary so the secretary is now no longer an elected position but she is he or she is now actually an appointed position and so I would be very concerned about putting an appointed person in as a legislative officer. I can understand how they certainly are the custodian of the convention records those types of things so I think I would be more comfortable leaving it as is but do you feel in your opinion that changing that from an elected position to an appointed position changes this amendment proposal.

Chair Banz: Oklahoma response.

Oklahoma Delegate: Thank you, Mr. Chairman. I understand the confusion this might cause. Why don't we withdraw this one? Oklahoma requests we withdraw.

Chair Banz: Oklahoma withdraws lines eight and nine on your hard copy. Lines nine and ten on the screen above. Without objection, that will be the order.

Chair Banz: Alright. Now down to line 12 striking the word record. Oklahoma. And let's see here take all of that not only in the title under 2.1.2.3.2 but on lines 14 and 15 the changes that are to be stricken and inserted. You are recognized for an explanation.

Oklahoma Delegate: Thank you, Mr. Chairman. At least, in well, journal record really isn't the proper term here journal is sufficient. You can go on through the rest of the language and you will see duties I think think the general intent of all of this is to be very specific about the duties of the secretary with respect to the proceedings how they will be recorded capturing or publishing an electronic copy. I could go on and on. I think this is self-explanatory but maybe I should just yield to questions.

Chair Banz: Question of the chair is it not is it not the case that a journal entry simply records action that is taken during the deliberative body where as your electronic and publishing in other forms are a much more detailed and word for word replication of what transpired? OK. An additional explanation for those of you that are referring to Mason's Manual on page 470 under section 695 the heading is journal record of proceedings. So, I don't know if that adds any weight to the argument of keeping the word record or striking it but FYI. Other questions of the Delegate for Oklahoma on that section the way it is presented to you? Other questions? The matter before you would be to strike the word record on and it doesn't have a line number up there and then strike the words provide to each commissioner slash delegate a insert publish an electronic copy delete the word of add the word from then down on line well that's it under that heading. Those are the changes. Question from the delegate from New Hampshire.

New Hampshire Delegate: Thank you, Mr. Chairman. Can the question be divided so that we take up journal record separately from the rest of the amendment?

Chair Banz: If that is the desire of the body that is acceptable.

New Hampshire Delegate: I would move that.

Oklahoma Delegate: Mr. Chairman.

Chair Banz: The delegate from Oklahoma is recognized.

Oklahoma Delegate: I will withdraw the elimination of the word record if that would help move things along but leave the rest of it.

Chair Banz: OK, the delegate from Oklahoma withdraws the deletion of the word record. Without objection, that will be the order.

New Hampshire Delegate: I withdraw my motion for a division.

Chair Banz: OK. So, now what you have before you the question before you is as I stated before excluding that last action. All in favor raise your hand. One more time. Get em up high, I know it is getting late in the day. All those opposed raise your hand. With 13 in favor and zero in opposition we declare that motion to have passed. [sound gavel]

Chair Banz: Next article or item 2.1.2.3.2 or wait we just did that one. We have two provisions journal record of proceedings from New Hampshire and from Oklahoma. We are going to take those up together and let each explain their positions. Let's go back we've we have a second half of a question beginning on line what is it on the 15 the attested well I just dropped it down the attested journal of proceedings provided in 2.1.2.3.5 below shall be the official legal record of the convention. We did not take that up and I apologize for that oversight. That should have been exposed in the last transaction. We did not do so so it now stands on its own as an addition. Delegate from Oklahoma will stand for questions. Question. So, it looks like it was a formality. Without objection, we will adopt that as posted. [sound gavel]

Chair Banz: Alright, now we are at least back on order. Now, on your hard copies there was a motion or a resolution from New Hampshire which we have already taken up earlier in the day with the delegate commissioner issue so we don't need to take that up and then there was a resolution from Oklahoma that has also been taken up by prior actions so we are now down to 2.1.2.3.3 verbatim record of proceedings. Put the cursor over here who brought that one up. The delegate from Oklahoma. You are recognized to explain the resolution.

Oklahoma Delegate: Thank you, Mr. Chairman. This is a transparency issue. I believe it is common these days to record all sessions and then cause those records to be produced as needed. We can do that electronically these days. That is what this section is about.

Chair Banz: The Delegate from Oklahoma will stand for questions. Any questions? It is all new language. The Delegate from Tennessee you are recognized for a question.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman my question to the sponsor of the amendment and this is something that I just picked up and if this language is contained somewhere later in the rules I will be more than happy to be corrected but I was my question to the sponsor would be should we have in your amendment and then in subsequent amendments in 3.4 and 3.5 would a phrase that would be inserted in the

sentence that would start with the verbatim records required herein shall be published in electronic form where it is now it says as soon as they are reasonably available. Would an insertion of publish in electronic form and be made available to the public as soon as they are reasonably available? I understand the intention of your amendment is for transparency I agree with the intention of your amendment. I agree with the intention of the subsequent amendments in 3.4 and 3.5. My question is is it implied in the word to publish or the phrase to publish or would it read better if we inserted and be made available to the public into the amendment?

Chair Banz: The delegate from Oklahoma you are recognized to respond.

Oklahoma Delegate: Thank you, Mr. Chairman. That is indeed the intent and we find your language acceptable if you would like to submit it.

Chair Banz: Would the delegate from Tennessee like to offer an amendment?

Tennessee Delegate: Mr. Chairman I would and it would be to insert the phrase and be made available to the public.

Chair Banz: After the word form?

Tennessee Delegate: Form. Yes, sir.

Chair Banz: On line 22. We have an amendment to the amendment before you. Will there be questions to the Delegate from Tennessee? The Delegate from Arizona you are recognized.

Arizona Delegate: Thank you, Mr. Chairman and Delegate from Tennessee. How do we define the public? And before we get to that answer my previous question which I missed when we say we provide this in electronic format where? And so, if we are going to provide these things electronically and provide them quote to the public is the assumption that this convention I would prop up a website and now electronically when we say you shall make electronically available where do they put it and so am I assuming it is going to the website and now am I assuming the website is quote to the public but there is no charge in here for them to create a website. And so, I have a little bit of a problem with how are we disseminating this information. I think it should be more appropriate to say it is available upon request but when we got to the previous section we just voted on I don't know how we make it available I don't know what that means so I guess that is my question for Oklahoma and of course Tennessee's question if you insert your amendment to the public who is the public?

Chair Banz: Tennessee delegate you are recognized for a response.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, the gentleman from Arizona brings up a good question. How do you define the public and how do you inform the public again going back to the example that we all have coming from our states, public notice is given, at least in our state, and I am assuming in your state as well, it is given

by posting notice actual hard copies sometimes on the floor or outside the chamber of the proceedings it is making it available to the press which is a very important part of informing the public letting the press have access to it. It could include a determination by a convention to create a website and make it available electronically on a website or make it again electronic transmission could be done to the press who would then transmit it or give it to the public through their means of dissemination. Those questions are good but I think those questions can be answered and those concerns can be taken care of through the normal means that we disseminate notices in our legislative bodies back home.

Chair Banz: Other questions of the Delegate from Tennessee? Oklahoma, you are recognized for a question.

Oklahoma Delegate: This is a wouldn't you agree question. If you look later in this document under 6.2 open meetings you will see other amending language about every official session being live streamed via a website provided by the convention shall be recorded and archived under the direction of the secretary which provides a little bit of guidance and addresses perhaps Arizona's concerns. The second thing would you agree that with today's technology we probably could prop up a website for the duration of the convention and then upon its closing take all records, journal, verbatim records committee minutes etcetera and provide them to the national archives records administration for permanence preservation. Would you agree that that might be one way to resolve this?

Chair Banz: Delegate from Tennessee is recognized for a response.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, I am having a little trouble hearing the gentleman from Oklahoma he is a big fella but his voice has been a little quiet over on this end of the room and so I did not catch all of his question. I guess or if it wasn't a question I am not real sure what I should respond to but I would say even with the questions brought by the gentleman from Arizona I think the phrase make available to the public is important to show our intention to go along with what I believe is the spirit of what the gentleman from Oklahoma is offering with this amendment to have full transparency. Our intention is to let the public see everything that goes on in here. You know it you have heard it back in your states you have heard the naysayers, you have heard those who oppose this idea. They think we are going to shut the doors and rewrite the constitution. We need this to be as open and transparent as possible. That is the spirit of the amendment that has been offered by the gentleman from Oklahoma and my intention by adding this phrase is just to make sure the public knows that that is what we are going to do.

Chair Banz: Other questions? The Delegate from Arizona.

Arizona Delegate: Thank you, Mr. Chair. Delegate from Tennessee then would you be opposed then to saying available to the public via the convention website or via the convention website as stated in 6.2?

Chair Banz: Tennessee Delegate, response?

Tennessee Delegate: I would not be opposed to saying by the convention website and other means that would allow them to do it in other means as well.

Chair Banz: So, is the Delegate from Tennessee modifying his amendment to include that language?

Tennessee Delegate: Yes, and Mr. Chairman I am going to I am going to ask for the bodies wisdom. I don't know if and or if or would be a better be a better word because I think what we don't want to require the convention to go beyond the website but we want to put a word in there that would maybe encourage or allow them to go beyond the website so I am looking to the body. Those who are wordsmiths and know much more about grammar than I do would the better word be instead of and what would the better word be there to say the website or other means the website and other means?

Chair Banz: OK. Staff has placed an option in front of you to accommodate at least the spirit of what the delegate from Tennessee is offering. Take a moment to look at that on line 22 and 23. Use of the word after the word electronic form it would include and be made available to the public by the conventions website and other means and any other means as soon as they are reasonably available. Does the Delegate from Tennessee, the highlighted areas on 22 and 23 does that meet this what you had in mind with the input from the delegate from Arizona? I see an affirmative. Alright so, we have an amendment to the amendment and we will take this up first. The Delegate from Arizona you are recognized.

Arizona Delegate: Thank you, Mr. Chair and the delegate from Tennessee and made available to the public via the convention's website and any other means. Again, I know we are wordsmithing is that compelling them to disseminate it through any other means or giving them the option to.

Chair Banz: In the opinion of the chair, that is an option.

Arizona Delegate: Very good.

Chair Banz: The delegate from Oklahoma.

Oklahoma Delegate: Point of information I am not asking 2.1.2.3.5 preservation of records also has some words in it. I don't know what line they are on that page for you guys 18 and 19 pickup likewise the same records should be filed with the Library of Congress and with the several states in a manner as directed by the convention so manner directed by the convention, to me also suggests that there is some flexibility there for those who will be trying to figure out how to do this later.

Chair Banz: A point well taken. We are on the amendment to the amendment or amendment to the resolution. Tennessee. It is highlighted on lines 22 and 23 to include and be made available to the public by the convention's website and by any other means. All of those. Will there be debate? All those in favor, without objection, a unanimous decision, so ordered. [sound gavel]

Chair Banz: Now, we are on the amendment as amended. That language has now been incorporated into the Oklahoma resolution. Will there be further questions from? Further questions? The question before you now on line 17 through 24 as amended, all those in favor raise your hand. Those opposed raise your hand. What was the count again? 12 yes and zero no. The resolution is adopted. [sound gavel]

Chair Banz: OK, now we are ready for. We will let staff catch up here. Where are we here? On the hard copy it is lines eight, nine well eight through thirteen on the hard copy. On the screen in front of you it begins on line twenty-seven preparation of calendar reports and amendments. Is the first OK, put the cursor, is that another one from Oklahoma? Who submitted that one? Where are we here? This is kind of confusing to me, I don't get that [inaudible]. Oklahoma. The delegate from Oklahoma is recognized to explain the resolution beginning on line 27 through 31.

Oklahoma Delegate: Thank you, Mr. Chairman. Continue with the theme of transparency and clarification we just expand the idea of a calendar to include reports and amendments and then go on to explain the arranging and publishing of these committee reports et cetera, et cetera. It's a transparency issue.

Chair Banz: Questions of the delegate from Oklahoma. On the hard copy, again you have action that we have taken up previously concerning the commissioner delegate debate that we had earlier. That has already been incorporated so now you have the addition on line 27 of the words reports and amendments on line 29, 30 and 31 you have new language. Question from the delegate from Arizona.

Arizona Delegate: Thank you, Mr. Chairman. Delegate from Oklahoma, should I now conclude that publish all committee reports is that via the convention website? When we say publish them are we publishing them where and if it is via the convention website I would suggest that be inserted?

Chair Banz: Oklahoma for a response.

Oklahoma Delegate: As I, thank you, Mr. Chairman. As I stated earlier I think there are the number of ways to accomplish this and at a minimum we will have the convention website up during the convention and all documents made available there at some point they will be filed officially in a, gotta get back over to the other language I saw, national

archives records administration and you will see in the next section some language about copies of these going to the houses of congress and leadership their Clerks of the congress.

Chair Banz: Other questions of the delegate from Oklahoma? The delegate from Idaho you are recognized.

Idaho Delegate: Thank you, Mr. Chairman. Good gentleman from Oklahoma I am actually confused on your verbiage in this amendment when you were talking about how they should do a report on all the amendments offered to the proposed amendments pending on the floor of the convention in its committees is there can we work on some different language there that kind of clarifies that a little better because I find that confusing and cumbersome.

Oklahoma Delegate: I am not sure what she is asking.

Idaho Delegate: Mr. Chairman.

Chair Banz: The delegate from Idaho is recognized for a question.

Idaho Delegate: Thank you sir, if he agrees to maybe working out some language could we just have a two-minute recess to do that?

Chair Banz: I think we can spare that. We stand in recess for three minutes.

Recess: 3:50 p.m.

Part 6

Reconvene: 3:55 p.m.

Chair Banz: I believe we are about ready to go again with the delegate from Idaho give an explanation.

Idaho Delegate: Mr. Chairman.

Chair Banz: You are recognized, I'm sorry.

Idaho Delegate: Thank you sir that's fine. We actually did give the new proposed language. It is just really clean up language it doesn't change the intent of that amendment at all and I believe staff has that written down correctly.

Chair Banz: Has it been has it been incorporated on the screen in front of us? OK members you have in front of you now lines 27 through 31 that's the question before you if there are no further questions of the delegate from Oklahoma the question before you is to add on line 27 the words reports and amendments on line 29 a comma after the word rules and shall arrange and publish all committee reports and all amendments offered to pending

amendments period. Striking the words proposed and striking the phrase pending on the floor of the convention in its committees. All of those in favor raise your hand. Opposed raise your hand. A vote of 13 in favor and zero in opposition the resolution passes. [sound gavel]

Chair Banz: Alright now we are ready for 2.1.2.3.5 preservation of records. The delegate from Oklahoma you are recognized to explain your amendment. OK, we have the last transaction moved over to the running running copy of adjustments. Now on the screen in front of you it is line 31 at the end of one page break and goes down to line 14 of the next page preservation of records. Oklahoma you are recognized for an explanation of your resolution.

Oklahoma Delegate: Thank you, Mr. Chairman. Now everybody knows why we recommended that the secretary be a professional we appoint I am not sure who would sign up for this. This goes on to flesh out some more secretary's duties and how we will preserve records. I won't go into all of this. I would encourage everybody to read this as a whole instead of the edits that are there. I think I noticed one other problem. Down at the bottom we may have that paragraph we may have representatives twice.

Chair Banz: That can be a scrivener's modification. Give that to Hal and have him do it. Are there questions of the delegate from Oklahoma? The chair recognizes the Delegate from South Dakota.

South Dakota Delegate: Yes Mr. Chairman on line 27 of the hard copy where it says be sent to the president...the Speaker of the House of Representatives, the President of the Senate and it says the clerk of both houses of Congress. That is not an accurate portrayal. The both should become the U.S. House and Secretary of the Senate. So, the Senate has a secretary and the House has a clerk. So, I would propose that we make that change for accuracy.

Chair Banz: So the delegate from South Dakota offers an amendment to the resolution on line 13 in front of you. Replacing and the clerk of both houses of congress with one more time delegate will you bring that to the...

South Dakota Delegate: I will bring it to staff and I will read it also. So, after clerk it would be of the U.S. House and the Secretary of the U.S. Senate and I will bring that up.

Chair Banz: It is the understanding of the chair the Congress gets a little testy when you don't address them properly. [laughter]

Chair Banz: Alright the language has been added on lines 13 and 14. Questions of the delegate from South Dakota on the amendment to the amendment? Seeing none, without objection, unanimous consent that will be the order. [sound gavel]

Chair Banz: Back to the resolution, questions of the delegate from Oklahoma on the resolution as amended? All those well let me back up the question before you is the added language on lines three well let me there is a is a period that comes after the word vice president there and then a new sentence? Is that what is reflected on the screen? OK, striking the comma and inserting a period. Then it begins with additional language the secretary shall cause the journal to be both physically and electronically published in full. The secretary shall cause the audio and video recordings of the convention to be compiled and preserved add the word shall file the journal and add the words and all audio and video records additional current language add the word four on line eight add the word video and audio recordings on line eight. On line nine it looks like we are replacing a comma with a period and then add language likewise the same records shall be filed with line 10 add the word with line 11 add the words copies of line 12 strike the word documents and add the word records line 12 add the word representatives and the amendment to the amendment has been added to the original resolution. That is the measure before you. All those in favor raise your hand. All those opposed raise your hand. They were up and down alright. Back track. All those in favor of the adoption of the resolution as amended. 13 yes zero no. The resolution is adopted. [sound gavel] Point of order coming from the delegate from Tennessee.

Tennessee Delegate: Thank you, Mr. Speaker. Mr. Speaker, to attempt to speed up these proceedings a little bit could we do a voice vote without objection and only take roll call votes when there is an objection.

Chair Banz: Absolutely. Thank you. Alright. Well this is the we are now taking up on the screen line 14, 2.1.2.3.6 necessary duties and...deputies and staff. We have some additions we have some striking of language lines 15 through 17 and that comes to us from...Well, before we take that up the delegate from West Virginia for what purpose?

West Virginia Delegate: To further the point of order raised by Tennessee actually and it's our procedure in West Virginia and I would just encourage the adoption of it as well as that in a circumstance like that every state be recorded as a yes vote or as a no vote whatever the case may be on a unanimous request that someone who might want to actually have a vote recorded can be assured that in a unanimous request their vote can be recorded as whatever the will of the body is when there is issues.

Chair Banz: Point well taken. There may be a hiccup at the point of somebody reading the record not knowing who there were 16 who answered the roll call and we are getting 13, 12, 13, 14 votes so somebody may have slipped off the floor not voting may be difficult

to really know who to assign those positive votes to. Alright, back on necessary deputies and staff line 14 through 17. Who's the delegate from Oklahoma for an explanation?

Oklahoma Delegate: Thank you, Mr. Chairman. This just provides a little more flexibility takes out the reference to a clerk for the convention but then also expands as may arise as in the course of the convention. It is intended to give the secretary a little bit more latitude to address the needs of the convention. Thank you.

Chair Banz: Questions of the delegate? By unanimous consent the resolution will be adopted without objection. [sound gavel] That will be the order.

Chair Banz: Is Arizona on the tally? Yea. On line 17 in front of you we have a Scrivener's error there the spelling then we have a change a deletion and a include what is the underline deal. OK, the delegate from Arizona you are recognized the explain the resolution.

Arizona Delegate: Thank you, Mr. Chairman. This just goes back to 3.2.1 which we have not got to yet but where it is one vote per state so it is just removing the divided so it is aye, nay and pass.

Chair Banz: Is the delegate from Arizona aware that this pertains to the vote within the caucus of the respective states so that if you had a even number two are in favor and two are in opposition to the vote that they would in fact need to record that as a divided vote and therefore it wouldn't count.

Arizona Delegate: Well Mr. Chairman then that would be counted that would not be counted. The point OK, so we debated this quite a bit because I wanted to know what that word meant and I was told that it meant that if they were had a divided vote in the vote count I guess sometimes it is allowed that you can have a divided vote but later in the document it talks about that the states can have it recorded afterwards that they had a divided vote but the states can still only do one vote or they vote no or they vote yes or they pass so why do you need a divided vote? Because it is going to have to either vote as a no or a pass it can't count as a divide. Now after the vote is taken it says later than you can then record that you had a divided vote.

Chair Banz: I would simply offer as a historic example what I made in my presentation yesterday about the state of Delaware where they had three delegates one was at home so they had two there one was for independence and one wasn't they were divided so they were not going to be able to cast their vote other than to indicate they were divided so it would not count either for in favor or against the final vote count so it is more the word divided is more an internal description of what goes on in the respective caucuses. Especially, when you well it would only happen when you had an even number.

Arizona Delegate: Then Mr. Chairman that needs to be stated because this is under vote tally and when it comes to recording the vote I mean when we are voting we are only supposed to have one vote so however the caucus has to determine if they have a tie our caucus then would have to either vote no or pass and so then your votes not counted well I mean your vote is counted on the nay ok I am getting confused but I still don't think I think that is confusing that is the reason why I did it because I think it is not necessary when we are only allowing one vote and there is another place where I wanted it removed too when we get over to where it says 3.2.1 where it talks about that.

Chair Banz: Is that the other reference?

[brief discussion between Parliamentarian and Chairs]

Chair Banz: It is not the place of the chair to weigh in on this but to simplify things what you have simply suggested is that it be stricken as so we will open for questions to the body and let you explain.

Arizona Delegate: Yes Mr. Chairman I am just asking that it be stricken because I don't think it counts in the actual when you are finally come down to vote counting the states votes. Now, it might count matter when the states are determining how they are going to vote and they can later report that they are allowed to report that in the journal.

Chair Banz: I think there is historic precedence for that term to be used but I am not prepared to debate that at this point.

Arizona Delegate: Thank you, Mr. Chairman.

Chair Banz: And we will open it for questions of the delegate from Arizona it is a simple request it is simply to strike the word divided on line 19. Will there be questions? Seeing no questions without oh I'm sorry do we have an objection or question from Oklahoma you are recognized. You are recognized.

Oklahoma Delegate: Thank you, Mr. Chairman. I would like to turn this over to Senator Bergstrom. Thank you.

Senator Bergstrom: Thank you, Mr. Chairman. The question that I have for you is instead of removing the term divided if it were left in the document and as you suggested something was added and if we added something such as divided is to be understood that divided is to indicate that the state's delegation is divided and is unable to cast an aye or a nay vote. would something like that satisfy your objection and that way we could keep the historic precedence?

Chair Banz: Arizona, you are recognized for a response.

Arizona Delegate: Mr. Chairman and delegate from Oklahoma thank you I would be happy to do that to accept your motion.

Chair Banz: So, the delegate from Arizona accepts as friendly amendment to the resolution. We will get that submitted in writing and get it posted.

Chair Banz: I've been told that we have been granted an additional 15 minutes of opportunity to keep going on our agenda so we are making good progress and I appreciate the willingness of everybody to work together we are getting quite a bit done. This would be a good time I think probably as well to acknowledge the role that the staff has played in our deliberations. I would simply suggest that you not pass up an opportunity to complement each of them as you encounter them in the halls. They have done a phenomenal job they are not through we've got a lot more work to do but due to the professionalism and organizational structure that we have been given as assistance here both today and yesterday when a staff person was assigned to each of our states through all of these adjustments that we make on the fly that is not an easy thing to do and they are at the top of their game. [applause] OK, now where are we here. Would the delegate from Arizona be willing to accept staff counsel that there is a better place later in the document to insert that explanation and simply withdraw that at this point and it will be more well defined in a later part of the document?

Arizona Delegate: Yes Mr. Chairman I think I know which section he means and would be willing to do that thank you.

Chair Banz: Thank you. Do you want to take it up at this point, where is it? While it is fresh on everyone's mind they will just go to that section and we will take care of that. Because it is now it is given a definition. I am not sure what page on your hard copies it is but it is in front of you on the screen lines 12 through 16. 5.3.5.2 votes cast. Originally, I think there was a resolution to strike the word divided there as well but we will need to keep it in and then we define the term with additional language at the end and that should meet that should meet the expectation of the delegate from Arizona. If you have got your hard copies it's on page 18 down at the bottom. [pause]

Chair Banz: Alright, it is before you - lines 13 through 16...do we need to change the word paragraph to document so wherever it is mentioned...or in as used in these rules? [pause]

Chair Banz: Jim.

Chair Banz: I'll get to you in just a second.

Chair Banz: Come here. Wouldn't it be more appropriate to put as used in these rules instead of this paragraph because it would be referring back to the previous spot? It is obviously this paragraph but...

Clerk: Yea, as used in these rules lets go there. Is that a verbal?

Chair Banz: Well yea. OK.

Vice Chair Stalzer: We are working on it.

Chair Banz: We will get it. [pause] OK, the delegate from Arizona does this meet your expectation?

Arizona Delegate: Yes, Mr. Chairman, thank you very much.

Chair Banz: OK, so the question before us now dealing with this issue in two different places lines 13 through 16 under votes.

Clerk: We had some questions by the states because the states particularly are saying tallying the vote is divided is indeed a vote. It is not that you are unable to vote it is that the vote is divided.

Chair Banz: Right.

Clerk: So I think that we might want to wordsmith this just to just a sec. Give us a minute.

Chair Banz: OK, OK. There has been an additional concern about another word or two and I think it can be resolved with some consensus on wordsmithing. [pause]

Chair Banz: Oh. We are getting close to 3. If we can get through here. That has been taken care of. [inaudible]

Chair Banz: Are we OK? Where is the word [inaudible] here we go so here is divided here we are. [pause]

Chair Banz: Well that is an option here but where there's four people in a delegation and there is two and two then you got to have a way to record that. [inaudible] [pause] Or the state votes divided indicating the state delegation is divided. [inaudible]

Chair Banz: This is it? OK. We will let Idaho sign off on it here until I get a thumbs up. [inaudible] This is important to take care of. [pause]

Chair Banz: Alright, we have a new configuration in front of you it is still lines 13 through 16. It appears we have necessity needed to navigate some divided delegations. Alright, line 14 the state shall not be considered as voting period strike the or and a small I on the if and start a new sentence with a capital I. A state votes divided the state indicates, this is new language that the states delegation is divided and is unable to cast an aye or a nay vote. That is the question before us. The delegate from Arizona you are in control of this resolution. She stands for questions. Anybody have questions? Does this meet your expectation?

Arizona Delegate: Thank you, Mr. Chairman and I appreciate the member's patient and the staff working on this and yes, I think it does meet my concerns. Thank you.

Chair Banz: OK. So, to be clear we are taking care of this in two different sections. We have gone up into section five but this also had implications

for the delegate from Arizona to withdraw her resolution that was going to strike the word divided in the 2.1.2.3.7 section so the question is before you. Do we have questions? New Hampshire? Without objection, we will accept.

New Hampshire Delegate: Point of order. You are going right from allowing questions to be asked and not giving any time for debate. I don't have any questions for the representative from Arizona but I do I would like to make a statement on what is before us.

Chair Banz: You are recognized to make a statement on the issue pending before the vote.

New Hampshire Delegate: Thank you. Section 3.2.1 on the voting in the states clearly states that each state shall determine the internal voting and quorum rules for casting the vote for its delegation. What I am hearing now is that if my delegation of six votes three three then we have to vote divided and therefore we don't have a vote. Internally, we have decided if there is a three - three vote then we are going to go according to our parliamentary procedure in state in which a tie fails. So, I feel that by passing this you are taking away the right of the states to determine their own internal voting which is in violation of the 3.2.1 that we have already passed. Thank you, Mr. Chairman.

Chair Banz: I well. OK, that is a point well taken. It is just an observation that you are making and so are you debating against the passage of the resolution or simply wanting to make a statement.

New Hampshire Delegate: Thank you, Mr. Banz. No, I stand against this and will be voting no against this because I believe we should allow the states to retain that control. Thank you.

Chair Banz: Is there anybody else that wishes to speak against the resolution as you have it displayed before you. Is there anybody that wishes to speak in favor? Delegate from Arizona you are recognized.

Arizona Delegate: Yes, Mr. Chairman,

Chair Banz: Close the close the debate in favor of the resolution.

Arizona Delegate: Yes, but I kinda go back to my original thought on this whole thing then what does divided mean. To me the states have to that they are going to have to vote and he has just made the statement that they are going to be internally deciding what it is all going to mean with their divided votes to me it is just leaves it out there so that is why to me it was just best to remove it yes no or pass that is your three choices and whatever you do internally we don't care you can report it later but I think this is fine but if you know the gentleman from New Hampshire is concerned thinking that then dictates to the states what divide means so anyway I don't know what I am saying here

except I think it is just best to strike divide but I changed my mind and said I would stand with this so I stand with this. Thank you.

Chair Banz: Alright that closes the debate in favor. All of those in favor of the resolution as it has been modified amended changed raise your hand. Those who are opposed raise your hand. I break the tie. Seven in favor seven in opposition the chair votes aye measure passes eight to seven. [inaudible].

Chair Banz: Alright. [pause]

Chair Banz: OK, we are now ready on hard copy on page 10 under the heading duties this is under the overall heading of duties of the parliamentarian but 2.1.2.4.2 duties we have Idaho that has a resolution and we also have West Virginia that has a resolution so we will call on Idaho delegation to explain your resolution and then we will call on West Virginia and then we will see what course the body wants to go moving forward. You are recognized.

Idaho Delegate: Mr. Chairman there should be some language that we West Virginia and Idaho agreed to and that is there OK, we are good.

Chair Banz: Oh, OK.

Idaho Delegate: Thank you Mr. Chairman. Members of the...

Chair Banz: Does the staff have this and its up its up on the board now?

Idaho Delegate: Correct, that's the correct language, Mr. Chairman.

Chair Banz: Thank you I apologize for not having that in advance but you are recognized to explain the consensus.

Idaho Delegate: Thank you, Mr. Chairman. The current language talks about the parliamentarian on the first line it says on the first line upon request the parliamentarian shall provide rulings. We don't want the parliamentarian providing any rulings. That's the discretion of the chairman. So, we also did another thing if you look down there a little further it talks about the Mason's Manual procedures from the 2000 edition. Earlier today, we passed the rule I think it was with 5.2 where we mention it is the rules sorry where we mention it is where we mention the rules are of Mason's and we also say the rules of the committee of the convention which we are working on here so that language does not need to be there but we wanted to make it clear that the presiding officer could listen to the parliamentarian and that they could be advised by the parliamentarian but the parliamentarian is not making the rulings. He is not a delegate he should not be making rulings, the chairman does.

Chair Banz: OK, questions of the delegate from Idaho? Questions? Now again we had two resolutions submitted they have agreed to a consensus and that is presented on the screen in front of you and I don't have line numbers but it is under the heading of Idaho and West Virginia verbal amendment and they took out the lines in red. Well, let's see what they are doing to us here. Alright what is highlighted is the compromised consensus language. So, it now reads striking the word rulings and will add the word duties upon the request of the parliamentarian shall and it strikes providing rulings based upon the Rules of the Convention and when silent the rules of the parliamentary practice as laid down in Mason's Manual of Legislative Procedures comma 2010 edition. A ruling of an Assisted Parliamentarian may be appealed to the Chief Parliamentarian that language will be stricken and the agreed to language added then begins with the sentence advise the presiding officer of the convention or the committee regarding questions of parliamentary procedure or the Rules of the Convention. End of statement. Questions of the delegate from Idaho? Seeing none, will there be debate? Without objection, we will ask this to be accepted by unanimous consent. [sound gavel] So ordered.

Chair Banz: Thank you for the work outside the framework of our deliberations. Let them get caught up here. [pause]

Chair Banz: OK, so you know where we are headed here they are trying to catch up with us. On your hard copy, this will probably be the last issue that we will take up today. Page 11 on the hard copy at the top, West Virginia will stand for questions on this under rulings.

Clerk: [inaudible]

Chair Banz: Duties of Sergeant of Arms with don't have anything until we get to deputies.

Clerk: 5.3 so 5.3 [inaudible].

Chair Banz: As a matter of reference the top of page 11 on your hard copy under rulings. That adjustment was made by previous action so we will move on down to 2.1.2.5.3 deputies under the sergeant at arms.

Clerk: Mr. Chairman, this document this is a verbal amendment that came in from West Virginia? Utah this is a we will go off the working sheet it is not in here because it came in after the fact.

Chair Banz: Alright, we have another example of where the published printed copy does not contain an amendment that was submitted after the printing. It is going to be on the screen in front of you and this will be the last issue that we will take up today. It is 2.1.2.5 duties of the sergeant of arms. And is this Utah? Who is the author on this one, Utah?

Delegate from Utah. It should be on the screen in front of you adding language only delegates and designated staff are permitted to be on the convention floor without leave of the body. The delegate from Utah for an explanation of your resolution.

Utah Delegate Kevin Van Tassel: Thank you, Mr. Chair. Kevin Van Tassel one of the concerns I think we have is that we make sure we contain a strong cord on who has access to those that are here at the convention and this is merely a means by saying that people who are lobbyists and others outside the credentialed people will have limited access and will take access of the body to approve to let them in. I would answer any questions.

Chair Banz: Questions of the delegate from Utah? The language is in front of you. It is language that is being inserted. Questions? Questions? Seeing none, without objection, by unanimous consent we will adopt the resolution. [sound gavel]

Chair Banz: And, with that again thank you for your hard work today. We've got homework to do tonight. I would suggest that you spend a little bit of time looking at the remaining portion of the document that we have not covered to this point. Get a good night's sleep rest and relax and come back ready to go tomorrow and with that we will adjourn to the call of the chair for our session tomorrow and I think we are getting ready to go back into general session

Adjourned: 4:47 p.m.

Respectfully submitted,



Shelley Ponce

Committee Secretary

(Audio recordings and attachments are on file in the Chief Clerk's Office, Room 203. Audio archives are available at <http://www.azleg.gov>)

BALANCED BUDGET AMENDMENT PLANNING CONVENTION

RULES COMMITTEE

Minutes of the Meeting

September 14, 2017

9:23 a.m., Arizona House of Representatives Floor

Chair: Gary Banz

Vice Chair: Jim Stalzer

Parliamentarian: Jim Drake

States Present--14:

Arizona

Georgia

Idaho

Indiana

Iowa

Minnesota

Missouri

New Hampshire

Oklahoma

South Carolina

South Dakota

Tennessee

Utah

Wyoming

Staff:

Jim Drake, Clerk

Jake Agron, Senate Staff

Part 1

Chair Banz: The chair will call the Rules Committee to order. We respectfully request that if you're not on the Rules Committee that you reconvene your conversations to the lobby. We have been given a mandate, we have been given a challenge. We believe that we're capable of responding in a way that will allow us to be successful to address the challenge we've been given. If you have your hard copy from yesterday. We left off on the page 11, the hard copy, 2.1.2.5.3 Deputies. So, while you're turning to that and getting your paperwork lined up, we'll ask the clerk to call the roll so that we know what we're working with this morning.

Clerk:

Clerk:

Arizona Delegate:

Clerk:

Georgia Delegate:

Clerk:

Thank you, Mr. Chairman. Alabama.

Arizona.

Present.

Georgia.

Present.

Idaho.

Idaho Delegate:	Here.
Clerk:	Indiana.
Indiana Delegate:	Here.
Clerk:	Iowa.
Iowa Delegate:	Here.
Clerk:	Kansas.
Clerk:	Kentucky. Was that a Kansas or was that a Kentucky?
Clerk:	Neither.
Clerk:	Michigan.
Clerk:	Minnesota.
Minnesota Delegate:	Present.
Clerk:	Missouri.
Missouri Delegate:	Here.
Clerk:	New Hampshire.
New Hampshire Delegate:	Here.
Clerk:	Oklahoma.
Oklahoma Delegate:	Here.
Clerk:	South Carolina.
South Carolina Delegate:	Here.
Clerk:	South Dakota.
South Dakota Delegate:	Here.
Clerk:	Tennessee.
Tennessee Delegate:	Here.
Clerk:	Utah.
Utah Delegate:	Here.
Clerk:	West Virginia.
Clerk:	Wyoming.
Wyoming Delegate:	Here.

Chair Banz: Results of the quorum call, we have 14 states present, the quorum is eight. A quorum being assembled, we will commence with our work. OK, if somebody would be so kind as to go ahead and close the doors from the lobby we'll not interfere with those conversations out there as we begin our work through. We have made every attempt possible within the framework of the rules that we adopted, temporary rules that we adopted, knowing full well that some adjustments would have to be made kind of on the ...as we're moving through. It's been our intent to make sure that everybody had an opportunity to weigh in on the...any of the resolutions that have been presented and give everybody adequate time to express their view and make their positions known. We do ask your indulgence today, there's going to be some deviation from what you have in the way of printed material in front of you and what's actually going to show up on the screen in front. Our 8:30 deadline is a self-imposed deadline to allow staff adequate time to get everything together and put information in front of you in a timely manner as well as get it incorporated into the electronic presentations, so will those...we've had several new submissions on resolutions that met the 8:30 deadline this morning and it is my understanding there may be more than one that's in the process of being generated as

we speak and as we're moving through here it would be my counsel at this point that we're going to continue to systematically go through the resolution as it was adopted ending with the subtitled Deputies under 2.1.2.5.3 we'll pick up there. If you have submitted a resolution or have interest in conversation about a change, as that area surfaces we would ask that you would be willing to step up at that point and and work with the other state delegations who have offered a resolution that got printed so that we can resolve those as we go through. We think we can handle that on the fly as opposed to taking the resolutions at face value the way they came in this morning and putting them at the end chronologically and then go back after the fact. We think we can handle that simultaneously as we're working our way through. So, at this point, we will look at what you have in front of you on line two under the direction of the secretary, who's the state we've got on this one, Oklahoma is recognized to explain their contribution.

Oklahoma Delegate: Thank you, Mr. Chairman. This is pretty straight forward. Sergeant at Arms, under the direction of the Secretary, may arrange for deputies to fulfill the duties. A simple administrative reality I think and [inaudible]

Chair Banz: Questions for the delegate from Oklahoma? Questions? Seeing no questions, by unanimous consent we move adoption. [sound gavel] So ordered.

Chair Banz: Vacancy of an Officer. We have a hiccup here in that West Virginia is no longer in the Chamber. It is my understanding, he told us yesterday that he was gonna have to leave. He along with, West Virginia along with Idaho have some input here so we'll call upon the delegate from Idaho. Is that one this morning? We have an addition. Is that on the screen in front of us as well? And was this submitted by Idaho this morning?

Idaho Delegate: Mr. Chairman, it was but we did visit with West Virginia when we saw we had conflicting and this was the language we came up with. So, we did discuss with them and resolved their concerns and ours with this amendment.

Chair Banz: OK, the delegate from Idaho proceed to explain what we see in front of us.

Idaho Delegate: Thank you, Mr. Chairman. Our concern was under the original rule that the vice president automatically became the president. We wanted to make sure that the body had the opportunity to vote again to make sure the vice president was who they wanted. So, what this says that if there is a vacancy, the vice president steps up until there is an election to replace the president and then the new president takes over.

Chair Banz: Questions of the delegate from Idaho? Staff has a technical question they're gonna pose. [pause] OK, questions of the delegate from Idaho on the measure in front of you 2.1.3 Vacancy of an Officer. The delegate from New Hampshire you're recognized.

New Hampshire Delegate: Thank you, Mr. President. Just a question if you would be open to a friendly amendment which was included in West

Virginia's and that is just putting a period after shall provide and separating into a new sentence in the event of a vacancy. I just think it reads a little bit better. I wonder if you'd be open to that amendment?

Idaho Delegate: Mr. Chairman, good gentleman from New Hampshire, absolutely.

New Hampshire Delegate: Thank you.

Chair Banz: Is that agreed? I think that's the way it reads on the screen. OK. Questions of the delegate from Idaho? Seeing none are you ready to make a decision? Will there be any debate? Seeing no debate the question before you is posted. Without objection, we'll ask for unanimous consent. [sound gavel] So, ordered.

Chair Banz: Give staff time to get that adjustment made. 2.2 Election of the Officers. The Delegate from Oklahoma is recognized to explain your resolution. I think we also have a resolution that's been offered this morning that pertains to that as well.

Oklahoma Delegate: Thank you, Mr. Chairman. Oklahoma's contribution is simply clean up language. Recognizing that the Secretary is no longer elected, so we remove that and put the and in front of vice president and then we remove the word presiding. The other change you see there about voice or secret ballot is not Oklahoma's so I would suggest we handle those separately.

Chair Banz: OK, the delegate from New Hampshire would you like to explain what you've submitted in the form of resolution this morning and again I'm not sure that everybody has that in front of them. Is that on the screen? Does everybody have a hard copy? I don't think they've got that on the screen yet. Delegate from New Hampshire, would you give us an explanation of your resolution.

New Hampshire Delegate: Yes, thank you, Mr. Chairman. Our proposal is just to change voice vote to a division vote because if you follow the rest of the procedure that is outlined there, where an individual does not get a majority vote to become president then the one with the least votes would be dropped off. How do you determine who has the least votes with a voice vote? So, our proposal is just to make that a division vote. Thank you. If I may. I'd like to move that amendment.

Chair Banz: So the delegate from New Hampshire is offering this as an amendment to the Oklahoma resolution.

New Hampshire Delegate: I am.

Chair Banz: Alright, will there be questions of the Delegate from New Hampshire? The Delegate from Idaho, you're recognized for a question.

Idaho Delegate: Thank you, Mr. Chairman and good gentleman from New Hampshire. Our question is we have the same concern and we would like it to be very open. We're just wondering, would you feel, would you be amenable to using the term roll call vote rather than division?

New Hampshire Delegate: That would be fine. Just something where there is a tally.

Idaho Delegate: Thank you.

Chair Banz: OK. So, that's really a scrivener's change. It is that acceptable by the Delegate from New Hampshire? Other questions of the Delegate from New Hampshire on the amendment to the Oklahoma amendment or resolution? The delegate from Oklahoma you're recognized.

Oklahoma Delegate: If it helps. Thank you, Mr. Chairman. If it helps, we would accept that as a friendly amendment so you only have one consideration of the whole thing together.

Chair Banz: By unanimous consent, seeing no object... the delegate from Arizona you're recognized.

Arizona Delegate: Mr. Chairman, Arizona also had an amendment that wanted the voting to be done by voice. I don't see that...are you recognizing that up there? Well you do down below on line nine it says Arizona. So, my concern is again, back to the debate we had yesterday, Mr. Chairman, about one vote per state in the voting process. I'm wanting it to be open. I guess the roll call vote, how would that be done? You would just do it up on a board and...

Chair Banz: It would be a roll call of the states just like we take a roll call to establish a quorum for our committee when they took the roll call this morning. They would call a roll of the states as they, an official vote on that particular item.

Arizona Delegate: Correct. OK. Thank you, Mr. Chairman.

Chair Banz: It would be of record.

Arizona Delegate: That would then, I think, the purpose was to be sure and keep it consistent with how the voting's happening throughout the convention. Have it open and so that would, using that term roll call rather than voice would be fine. Thank you.

Chair Banz: OK. The Delegate from Oklahoma has accepted as a friendly amendment. The work from New Hampshire. Without exception that will be the order, [sound gavel] unanimous consent. Now we need a final action on the Oklahoma resolution as amended. Questions? Questions? Will there be any debate? Seeing no debate, by unanimous consent we'll adopt the resolution. [sound gavel] So ordered.

Chair Banz: In the spirit of sharing the work load here we're going to do a quick flip and Representative Stalzer will take us through sections three and four.

Vice Chair Stalzer: [discussion with staff] Question for the delegate from Oklahoma. You had an amendment that was in the stuff from yesterday and then you submitted a new one this morning. We're assuming it's the one you submitted this morning that you want us to work on?

Oklahoma Delegate: Yes, Mr. Chairman. Our colleagues from Arizona had some good suggestions that we wanted to incorporate to save a little time here but it looks like you have got other suggestions as well, so. Yes, this morning's is the language we would like to use.

Vice Chair Stalzer: We also have the New Hampshire's. We will let you present yours and then New Hampshire can question and see if there is a way we can work them together, or if not then we will let them present and we'll go from there. So, go ahead and make your presentation.

Oklahoma Delegate: Thank you, Mr. Chairman. To explain to the body, originally, we had asked that the word states be removed and substitute committee members but upon reconsideration we're fine with the word states. You'll see new language basically that says one delegate from each state, from a state who is physically present. Arizona suggested at least one delegate and we're fine with that. So, who is physically present in the hall of the convention we're willing to strike in the hall of the convention and instead say present at a quorum call during a session of the convention et cetera, et cetera. I hope that was clear. I can't see that very well so, our colleagues from Arizona, does that look like what we talked about yesterday?

Vice Chair Stalzer: Delegate from Arizona.

Arizona Delegate: Thank you, Mr. Vice Chairman. I'm just trying to figure out why it says on line four voting delegates states which needs to be corrected in whatever type it's in. I'm sorry? That was New Hampshire, well good, maybe New Hampshire can explain that then. So, I just don't know what it means and is that supposed to be one word delegatestates rather than just states but yes, Delegate from Oklahoma, I think that satisfies our concern.

Oklahoma Delegate: So, for clarity, Mr. Chairman, I think the combined Arizona, Oklahoma is on the board under Oklahoma and the New Hampshire follows or is it the other way around? OK.

Vice Chair Stalzer: And this should be on your handout from this morning of hard copy and it's on the first page. Now, are there questions or we'll ask New Hampshire to either ask questions or see what we can do with it. New Hampshire is recognized.

New Hampshire Delegate: Thank you, Mr. Chairman. I think we're fine with the going back to the states present. What we were, we weren't sure of what committee members meant so we were going to say voting delegates but when you talk about the majority of the states present, I believe that satisfies the same thing. The other question that I would have is when we talk about a session of the convention, is there anything other than a general session of the convention?

Vice Chair Stalzer: OK, the advice of the Parliamentarian is that session really has not much bearing on this at all, whether you say a session is the whole meeting from beginning to end or if it's the morning or the afternoon session or something that's not really material would be his interpretation.

New Hampshire Delegate: So, to clarify, to put in the world general before session would make no difference?

Vice Chair Stalzer: The parliamentarian says no but if the body is more comfortable with that, the Chair certainly wouldn't have a problem, if you and Oklahoma agree. We'll proceed. OK, I recognize the Arizona Representative first.

Oklahoma Delegate: What are we agreeing to?

Arizona Delegate: Thank you, Mr. Vice Chair and for New Hampshire, Oklahoma if we could suggest, how about a committee or voting session in front of that it if that would satisfy any ambiguity that hangs in the word session. Then it says a session, so I think a session could be a committee, a voting period, a breakout, a voting to elect a new president. So, maybe if you want to specify it's for a committee or a voting session, but again I'm not sure we've used the word session before, but committee or voting preceding those words might help further clarify.

New Hampshire Delegate: Thank you, that would help clarify things for us.

Vice Chair Stalzer: That would satisfy New Hampshire, is that correct?

New Hampshire Delegate: Yes. If that's OK with Oklahoma?

Vice Chair Stalzer: Oklahoma, we're back to you now.

Oklahoma Delegate: Works for me, thank you.

Vice Chair Stalzer: OK, we'll consider this wordsmithing and if our staff could get that incorporated. Are there any additional questions? I guess at this point it's of Oklahoma, they have accepted the amended version, so we're. OK, seeing no questions, do we have any discussion? OK, seeing no discussion, we will ask for a unanimous consent. And without objection, so ruled.

Vice Chair Stalzer: OK, that takes us all the way through three? [discussion with staff] OK, we're have a small little hiccup in what we just passed and we want to make sure that New Hampshire is satisfied with the final result, because in their proposal there was another minor wording that... OK, New Hampshire has said that they're acceptance of the Oklahoma was, did fix that issue so we will move on. The next issue is 3.2.2 the Majority Vote. That was submitted this morning and so far, staff hasn't told me who submitted that, so if you submitted it would you please raise your hand? OK, New Hampshire. New Hampshire is recognized to explain and this is on page the second page of your handout from this morning. [sound gavel]

New Hampshire Delegate: Thank you, Mr. Chair. Yes, this is section 3.2.2 the Majority Vote. We felt it would be beneficial to a future convention. Instead of saying that to create a rule would require a majority greater than a simple majority which shall then require an equal majority to say that a vote to create a rule would require a two-thirds vote which then shall require a vote equal to the designated threshold to prevail. So, it says somewhat the same thing but we felt there was a benefit to putting in a static threshold as opposed to leaving it open to the convention. Thank you, Mr. Chairman.

Vice Chair Stalzer: OK, any questions for the delegate from New Hampshire? OK, hearing none is there any debate? Now we're going to ask for a role call on this or a show of hands because we're adding a two-thirds, we will need a two-thirds in order for this to pass. I guess I'll first ask for unanimous acclamation and if that passes that meets our two-thirds. OK. Hold on. OK. We have a little difference between what's on the screen and what's on your paper. We need to quickly resolve that. OK, never mind the chair and vice chair don't read very good early in the morning. They strike to prevail but they also have to prevail in there so it's a non-issue. So, at this point we'll ask for a unanimous consent.

Oklahoma Delegate: Mr. Chairman, question of New Hampshire. I'm sorry I couldn't get...thank you.

Vice Chair Stalzer: Sorry, I couldn't see the screen's in my way, but go ahead with your question.

Oklahoma Delegate: Representative, the question I have is by putting this in here and we may have a stated otherwise in another place in the rules but does this mean that when the convention assembles to adopt rules, you have to have two-thirds to adopt a set of rules? The amendment speaks to a vote to create a rule which requires two-thirds vote and so at the beginning of the convention, one of the first things they'll do is adopt a set of rules. Does that require two-thirds?

New Hampshire Delegate: Thank you for the question. My understanding was that this would be beyond the adoption of the rules which we would be presenting which we are developing and establishing today. If they wanted to create a new rule then it would require a two-thirds vote.

Oklahoma Delegate: Follow up.

Vice Chair Stalzer: Follow up Oklahoma, go ahead.

Oklahoma Delegate: Thank you, Mr. Chairman. So, I still have kind of the same question. The convention will not be bound to accept the rules we produce here. This is a template for them to consider as they develop rules. So, if that is your intent, then to me it's that it requires two-thirds threshold, which they're not going to be obligated to accept any way, as this is a template. But if what you mean is after they adopt a set of rules and they want to throw a new rule in while they're in convention then maybe that's a two-thirds and maybe that we could clarify that way. And I'm looking for your intent there.

Vice Chair Stalzer: If I understand correctly and I'm gonna, maybe from the chair I'm gonna propose a slight wording change and New Hampshire you can take it or leave it, but instead of after for any vote to and strike create and insert amend the rules after the initial adoption. Would that satisfy what you want to do?

New Hampshire Delegate: That would be fine with me. Thank you.

Vice Chair Stalzer: Any other questions, then if we...[discussion with staff] OK, are there any additional questions? And they're going to try to get that on the board here quickly. OK, seeing none, I'll ask for debate, but I'll wait till they get it up there before I cutoff the call for debate. OK, I believe that's what I said or close enough. Are there any questions or I guess we'll do question or debate at this point? The Representative from South Dakota or Delegate.

South Dakota Representative: Thank you, Mr. Chairman. Representative Wick, South Dakota. I question the idea of a two-thirds vote. I mean, and I question it because of this. Simply 60 votes are required in our United States Senate and they can't get anything done sometimes. Lots of times and I just feel like, do we want to tie up a group so much that they can't do anything without a two-thirds vote. Are we being too restrictive? Thank you.

Vice Chair Stalzer: Delegate from Arizona, do you still wish to speak?

Arizona Delegate: Thank you, Mr. Vice Chair. I was gonna speak about line 8 after the comma after the word vote do we need the trailing sentence which shall then require a vote equal if you designate two-thirds is the vote, I'm not sure that that language is needed. I would also submit after the word adoption on line 7 it should probably say there of so amend the rules after the initial adoption thereof. Just a couple sidebars. To my good friends point over here, if you only need a simple majority to adopt the rules, logic might stand, why would you need anything but that simple majority to continue to adopt them, so I don't know that I'd disagree with that either but then again, I guess that's more rhetorical a question than a direct question.

Vice Chair Stalzer: OK, is that a verbal amendment?

Arizona Delegate: Mr. Vice Chair, I would ask if this is New Hampshire's amendment that we're working off of? If New Hampshire's amenable to, I would prefer New Hampshire offer the verbal amendment if they're amenable to alter the word, to alter the second half of line 8 and delete from the comma to the word threshold to line 9 and then add the word thereof after the word adoption. If New Hampshire's amenable to that, I would New Hampshire to make that that adoption.

New Hampshire Delegate: I would concur.

Vice Chair Stalzer: OK.

Arizona Delegate: Mr. Vice Chair, based on New Hampshire's concurrence then I will submit a verbal amendment thereof as we see line 7 now and striking. Thank you.

Vice Chair Stalzer: OK. Are there any questions on this amendment? OK. The question before you, as amended, is the wording on the screen. Now because it's asking for a two-thirds vote, this will have to pass with at least two-thirds. I'll start with asking for unanimous consent, but I do see, I have not called for a vote yet, so Tennessee Representative the delegate.

Tennessee Delegate: Thank you, Mr. Chairman. Mr. Chairman, Tennessee just rises to agree with the opinion expressed by the gentlemen from South Dakota that requiring a two-thirds vote is potentially allowing the minority to control what happens in situations at the convention. Tennessee will be voting no on this amendment.

Vice Chair Stalzer: Then we will proceed to a roll call vote or a show of hands and this will require two-thirds vote. What is that? It will require 11 yes votes in order to prevail.

Arizona Delegate: Point of order.

Vice Chair Stalzer: Point of order, Arizona.

Arizona Delegate: Thank you, Mr. Vice Chair. If that is the vote, then can we bifurcate the vote and split the vote if we're going to vote on my verbal amendment. The words there of and striking the remaining text on lines 8 and 9. I would like that to be a separate vote than the two-thirds vote that's also in question.

Vice Chair Stalzer: [discussion with staff] Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chairman. I might point out that later in the document there'll be a pretty healthy discussion about alternating or amending rules, vote counts. Idaho and Iowa has spoken with Oklahoma off line about ways to address that section. Section referring to Mason's Rules, once we determine this section we may influence that section later. We may not need to address that in this section if we're going to deal with it later. I'm not sure how we want to proceed, but I want to offer that as something to consider before we vote.

Vice Chair Stalzer: Could the delegate from Oklahoma step up to the podium and speak to the parliamentarian quickly?

[discussion at the podium]

Vice Chair Stalzer: OK, if the committee will come back to order. We believe that the questions have been resolved and so we will proceed to a vote. And we would ask those in favor of the amendment as presented on the board, please raise your hands. OK, what we're voting on whether we would accept this amendment as is with the two-thirds. As it is presented on the board. It will be a yes or no vote.

New Hampshire Delegate: Point of order. Some of us can't clearly see that, so could you please read what the amendment is. Thank you.

Vice Chair Stalzer: The staff is attempting to see if it can go to one side and be made larger so we'll hold while we find out if that can be done. Is that readable or I can I guess read the entire section and the changes. OK, on line 6, strike create a insert amend the rules strike rule and add after the initial and then on line 7, adoption thereof and again on line 7, striking a majority greater than a simple majority which shall then require an equal majority insert a two-thirds vote, and then striking which shall then require a vote equal to the designated threshold to prevail is already there. We will need to do a show of hands because we already heard somebody say they would object to the unanimous. So, we will proceed to a show of hands for the acceptance of this amendment. OK, those in favor of the amendment as read will vote, with the two-thirds majority, will vote affirmative, which is, will vote now yes and will do that by a show of hands. Six ayes. Those

opposed? Six for and because of the two-thirds requirement, it failed, it needed a threshold of 11.

Vice Chair Stalzer: So, we will move on to the next. I show 4.1.2 is that what you ... OK, the next section will be 4.1.2 and that is I believe Indiana. And there is also an amended version from this morning and I do not know who submitted that amended version. Does staff? Is that New Hampshire? OK, so we'll start, we'll hear both issues and we'll start with Indiana who presented the first amendment.

Indiana Delegate: Yeah, we were just interested in exchanging the word substituted for alternated or I mean yeah, we wanted to eliminate alternated and insert substituted. The main interest there was the fact that there might be a little bit of confusion when you think about the verb to alternate, you're doing something repeatedly back and forth so for example if Indiana had two delegates, delegate one and delegate two, you can alternate back and forth. The challenge becomes if delegate one were to leave for whatever reason, then delegate three comes in, we're not so sure if you're continuing to alternate if delegate number one is now gone. But we did think it was appropriate to be able to substitute so that was our thought process on that.

Vice Chair Stalzer: OK, then, Indiana go ahead.

Indiana Delegate: Having said that I do like some of the other amendments as well. Preferably again we would use the word substitute or substituted instead of alternate or alternated.

Vice Chair Stalzer: Just bear with me a minute. You had one in the original document and then you submitted one separately today. Correct?

Indiana Delegate: No I just had the one.

Vice Chair Stalzer: Oh, New Hampshire. I show one with, I show an Indiana here with this one. OK, that's previous. I'm sorry. Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chairman. Oklahoma submitted one as well but we're willing to withdraw. Indiana addressed our concerns we just were wordier. If that helps move things along thank you.

Vice Chair Stalzer: Ok, thank you. Yeah, I see that. Would New Hampshire be prepared to explain what they submitted this morning?

New Hampshire Delegate: Yes, thank you, Mr. Chairman. New Hampshire just proposes that we add on to the end of either one of those that are adopted unless there is only one delegate per state and I will use Kansas as an example. Right now, we have one delegate from Kansas. We had one yesterday from West Virginia. If there is an equal requirement under the rules and other committees that the committee be comprised of at least one

delegate, so if you've only got one delegate attending the convention how can you split them up between numerous committees. That's why we're putting that on there, unless there is only one delegate for a state. Thank you, Mr. Chairman.

Vice Chair Stalzer: The Delegate from Indiana, would you be willing to have their wording amended to the end of your amendment, because the two are not really in conflict. They're two different concepts and so, would Indiana accept that as a friendly amendment from New Hampshire?

Indiana Delegate: We sure would.

Vice Chair Stalzer: And would that satisfy New Hampshire?

New Hampshire Delegate: Yes, Mr. Chairman, it would.

Vice Chair Stalzer: OK. Thank you. Would the staff combine those and we'll be at ease for a minute while the staff gets the wording up for us. Because like I said they are two totally different things and this section could definitely handle both of them without any conflict within the rules.

Vice Chair Stalzer: Delegate from Indiana, you want the word substituted as opposed to alternated is that correct?

Indiana Delegate: Yes.

Vice Chair Stalzer: Just trying to make sure we have it right, Thank you. OK. Recognize Oklahoma.

Oklahoma Delegate: Thank you, Mr. Chairman. I might point out, this may save us time. We're going to have the same issue when we consider the same language in other committees, specifically and my suggestion will be with this one change we make this substitution all the way through the document. This will come up under 4.2.2, this section is 4.1.2, so forward 4.2.2 and 4.3.2 on the other two committees. Then further on under 5.2 seating and participation, I don't see any amendments offered here but we still have kind of the same thing. The state may alternate the delegate in the seat at it's discretion. And I suspect in all those the intent is the same so perhaps we should carry the same language forward in one consideration at this time.

Vice Chair Stalzer: Are the delegates from Indiana and New Hampshire in agreement that this should carry throughout the rules for the instance where the delegation isn't large enough to send multiple people?

New Hampshire Delegate: New Hampshire agrees.

Vice Chair Stalzer: OK. Both agree. Now Idaho has the floor.

Idaho Delegate: Hey, thank you, Mr. Chairman. Actually, Idaho. We have a question for either state, but by adding the words at least in that sentence, it tends to denote that there is a possibility of having more. You have to have at least one but you could have more. Where if we take out the words at least it says the committee will have one delegate unless that state only sends one delegate. And so, we would like to ask if its, if it makes sense to everybody if we could go ahead and take out the words at least so that we know that we have one delegate from every state on each committee unless the state only sends one delegate.

Vice Chair Stalzer: OK, would Indiana or New Hampshire care to address that?

New Hampshire Delegate: Thank you, Mr. Chairman. I guess my only question is if we take out at least it says the committee shall be comprised of one delegate. Is that going to be read that you cannot have more than one there?

Vice Chair Stalzer: Idaho. Go ahead.

Idaho Delegate: Follow up. Thank you, Mr. Chair. Good gentleman from New Hampshire, that was kind of our question also, but we think that's a separate issue that's not necessarily being addressed by that language. We think there's a difference between having one there that is a member of the committee, but we'd like to also be assured that you could have maybe other fellow delegates there assisting, but that only one is representing each state. And so, but I don't think that this language is actually covering that concern. I think this language by putting in at least says the committee could have at least one Idaho delegate but they could have two or three but does that mean they are actually participating or can only one actually be a member of that committee. We would like to see one as a member of the committee but have yet have other people in attendance. And I don't think that that language here actually gets to that point. I think it would require additional language to specify one actually belonging to the committee and the rest can be in attendance.

New Hampshire Delegate: Mr. Chairman, in response, I believe that there was language elsewhere that specified that in committee that the state only had one vote. So, it did not matter to us whether there was at least one or just one because a state only had one vote. So, by saying at least that was acceptable to us that there would be as many as they wanted to, but each state would only have one vote in committee.

Vice Chair Stalzer: OK, the delegate from Idaho for follow up.

Idaho Delegate: Thank you, Mr. Chairman, I'm sorry it's difficult we're trying to follow something else. Are you addressing, excuse me, Mr. Chairman and good gentleman from New Hampshire. Are you addressing the language then in 5.2, is that what you were referring to?

New Hampshire Delegate: No, I was looking back at 4.2. The original language that we put in was 4.1.2, that's the first time we see that the committee is comprised of at least one delegate. If 5.2 is something separate from that then maybe we need to take that up separately.

Vice Chair Stalzer: Question from the chair for New Hampshire. We're basically dealing only with the rules committee section 4.1.2 in this particular one, five could be addressed separately when we get there.

Idaho Delegate: Mr. Chairman.

Vice Chair Stalzer: Go ahead.

Idaho Delegate: Could we recess for two minutes and confer?

Vice Chair Stalzer: Certainly.

Idaho Delegate: Thank you.

Vice Chair Stalzer: We will be in recess for a couple minutes.

Recess: 10:26 a.m.

Reconvene: 10:44 a.m.

Vice Chair Stalzer: OK, would ask the delegates to return to their seats. The delegate from Indiana. Since this was originally your amendment, are you amenable to this being the new wording?

Indiana Delegate: Yes sir.

Vice Chair Stalzer: OK, thank you. So, we will proceed with the wording that has just been worked out and I will read this and I will also explain that it's our intention to make this amendment pertain to both 4.1.2 and 4.2.2, so that we've handled both of them in like manner. Which is a rules and the amendments committees. There's another one in five but there are reasons we don't want to do that one identical at this point, so we'll address it separately. But the wording for the people in the back of the room: one delegate has the right to occupy the seat of the state and speak and vote on behalf of the state and the balance of the delegation may be seated in the same location space provided and the state shall substitute the delegate in the seat of the state at its discretion. It says may, did I say shall. Sorry, it is a may and then lines 9,10 and 11 which was the original wording has all been stricken. And also, there's also a title or a heading change, where composition has been stricken and seating and participation has been

added. Are there any questions at this point? Any discussion? Seeing none, we will ask for unanimous consent for the adoption of the amended amendment as stated? Hearing none, [sound gavel] the amendment is adopted.

Chair Banz: While they're catching up with this here, we need to make this note, obviously, we've known from the beginning this morning that we're kind of up against the clock. Lunch will in the lobby at some point. We're gonna have a working lunch in that we're gonna continue to go here until we get through the document, but you feel free to go out and take a few minutes and grab a bite to eat then come back to your seat. Just make sure that somebody is manning your station for your delegation while you're out.

Vice Chair Stalzer: OK, we have an amendment that was proposed by West Virginia who is not present. It was on 4.1.3 and without objection we will just move that to the end of the calendar and move on with 4.1.4 which is a article on the vice chair. Is that Oklahoma? You are recognized.

Oklahoma Delegate: Thank you, Mr. Chairman. I think we've got the same issue with 4.2.4. if a vice chair is selected from within the committee then the proposal here is the state place somebody else on the committee since the vice chair will be presiding. Perhaps I should restate that. If you look at 4.2.4 we're bringing language that's consistent that you find there too 4.1.4. It's the last sentence in the paragraph.

Vice Chair Stalzer: Are there any questions of the amendment proposed by the delegate from Oklahoma? OK, any discussion? Seeing no questions or discussion, we will ask for unanimous consent. Seeing no objection, [sound gavel] it's so passed.

Vice Chair Stalzer: Next item will be 4.2.1 it's on the document from yesterday. There's no change this morning. So as soon as we get it up here. Oklahoma, would you ...

Oklahoma Delegate: Thank you, Mr. Chairman. Simply rewrites the first sentence with a few words and strikes the word original on the second sentence.

Vice Chair Stalzer: Any questions for the delegate from Oklahoma? Any discussion on the proposed change? OK, on line seven on the board or it's line 19 on page 14 on the archived or yesterday's copy. They're striking the and after prepare including proposed amendment striking the language is there, striking for the proposed amendment so it would read: the committee shall prepare proposed amendment language, which will be transmitted and then on line nine they're just changing striking original which would say any amendment as opposed to any original amendment language. Any questions of the author? Seeing none, any discussion? Hearing none, we will ask for unanimous consent. Seeing no opposition, [sound gavel] we shall rule it passed.

Vice Chair Stalzer: We've done 4.2.2 with the same language as 4.1.2, so I believe we're on 4.2.2.

Chair Banz: One other extension on our previous announcement: Lunch is served out there. The monitors are picking up what's transpiring in the assembly hall here. So, you can eat and watch what's going on and if you need to slip back real quick for a vote.

Vice Chair Stalzer: OK, there's an amendment on 4.3.2 is that also Oklahoma? I tried to get the West Virginia delegate to take Oklahoma with him but he wouldn't. [laughter] Go ahead Oklahoma.

Oklahoma Delegate: This is clean up language. Well it's not clean up language, pardon me, we appointed earlier, we changed the rules so that the secretary would be appointed position, therefore, we don't think they should serve, that person should serve as the shair, so we simply changed that last sentence and say the committee shall select a member to serve as chair. This is the, we're talking about the credentials committee.

Vice Chair Stalzer: Any questions for the delegate from Oklahoma? Any discussion? Seeing no questions or discussion ... Idaho, sorry.

Idaho Delegate: Mr. Chairman, thank you. Good gentleman from Oklahoma I just would like a point of clarification. When the committee selects a member to serve as chair, is the intention that the chair on this committee does have a vote where the chair in other committees only votes in a tie?

Vice Chair Stalzer: The delegate from Oklahoma would you care to answer?

Oklahoma Delegate: I'd be happy to take advice on this. My thought is that since this is a unique committee, their credentials committee, it's got the elected officers and the chair of those other committees that it would be a voting member.

Vice Chair Stalzer: The chair would believe that this committee does not represent all of the states, but rather the body, so. Any other questions or discussion? Seeing none, we will ask for unanimous consent? Seeing no opposition, [sound gavel] we will consider this passed.

Vice Chair Stalzer: OK, next section is 4.3.4, which is recall authority of the states. Whose amendment is this also Oklahoma? No, its Idaho. OK, Idaho would you like to explain the amendment?

Idaho Delegate: Thank you, Mr. Chairman. We just wanted to make it clear and that's what this amendment does. That the state has the authority to recall and reappoint its members. That's all this language does, its similar to what we talked about earlier.

Vice Chair Stalzer: OK, any questions of the Delegate from Idaho? Any discussion? OK, without opposition, we will ask for unanimous consent. Seeing no... Excuse me, we'll recognize the Delegate from Arizona.

Arizona Delegate: Thank you sir. Would the Delegate from Idaho answer a quick question before our vote?

Vice Chair Stalzer: Sure.

Arizona Delegate: Thank you, Mr. Vice Chair. Delegate. Line 30, when it says the legislature should it not say their legislature? I know that's not your language, but I'm wondering if that fits with what your intent is?

Idaho Delegate: It could be yeah, it could be, but that's not our language but it could be.

Vice Chair Stalzer: Would Idaho consider, we yeah, I guess it does matter. Idaho, you have the amendment so would you consider this friendly?

Idaho Delegate: Yeah, I'm OK with that.

Vice Chair Stalzer: And would you move that to be amended?

Arizona Delegate: Thank you, Mr. Vice Chair. I would just move that line 30 strike the word the and replace it with the word their as a verbal amendment. Thank you.

Vice Chair Stalzer: Thank you. Is there any questions or discussion of that change? OK. Seeing nothing, we will ask for unanimous consent for this amendment as amended? Seeing no opposition, [sound gavel] we will consider that settled and move on.

Vice Chair Stalzer: We're now on additional committees and we need to speak to staff a second. OK, it's been pointed out that 4.4 was resolved in an early action just the delegate, the word delegate and so on. So, we're now on 4.5 Committee Debate and this would be a new section that was not in the template. Oh, OK, there's also one this morning. So, OK who submitted the one this morning? New Hampshire and the one, the original one came from...was that Arizona? OK ... we have two amendments on this so we would ask that Arizona explain theirs and then we will go to New Hampshire. And this is a section that did not originally, was not in the original rules. It's in the amendments thing that was given out. It's on page 17, line 10.

Arizona Delegate: Yes, thank you very much, Mr. Vice Chair, I appreciate it. The reason for this goes back to 5.3.7.4 where it says no state shall, without leave of the convention, speak more than ten minutes at any one time we haven't go to that section yet, but in Arizona's concern was are we talking about debate such as we've been doing here on

the floor? We certainly have been speaking more than 10 minutes at a time, so that's why Well, so looking at 5.3.7.4, I.... we were thinking that means for the general sessions, so, in thinking of creating this new section it was then talking about the debate procedures within a committee not in general session so that it can be left up to the chairman to determine that just as we've been doing here in this committee. That's the reason for that.

Vice Chair Stalzer: Thank you. And then New Hampshire.

New Hampshire Delegate: Thank you, Mr. Chairman. We thought there was a lot of merit in adding on the method of participation in committee debate should be the same method as used in general session. I think have seen over the course of the last couple of days how each state has their own way of doing things and this certainly has merit in being able to go to a separate committee whether it's rules or amendments and understand what the process is because you'll be using the same thing in general session rather than going in and whoever ends up chairing that committee use what they have in their state and no one be familiar with the process. So, we felt that just having a uniform process added a lot of merit. Thank you, Mr. Chairman.

Vice Chair Stalzer: A question of the Arizona delegation? Does New Hampshire's which includes, I believe, the bulk of yours meet with your approval or do you need to handle them separately?

Arizona Delegate: My question would be Mr. Vice Chair, to the delegate from New Hampshire, when he's talking about the same method as used in general session, is he then referring back to 5.3.7.4 which says no state shall without leave of the convention speak more than 10 minutes at one time, at any one time and a state shall not speak more often than twice without special leave upon the same question and not a second time before any other who had been silent but shall choose to speak on the subject shall have been heard. So, my question is are we saying that that's how it's going to be in the general session, is that what the gentleman from New Hampshire is wanting? Is he wanting that wording for how we conduct committee debate?

Vice Chair Stalzer: New Hampshire would you care to answer that?

New Hampshire Delegate: Thank you for the question. Not knowing what 5.3.7.3 and 5.3.7.4 were, I came in and that's why you see on your sheets that there were two different amendments. On there, one with the notwithstanding language and one without. I'm prepared to go either way. My main issue is that I'd like to see a standard method of participation in committee as we see on the convention floor.

Arizona Delegate: Alright, thank you, sir. Mr. Vice Chair. If I might make a suggestion. Could we table this and as we move to the 5.3.7, to that section where we're gonna talk about how the debate is conducted within the general session? Determine that and then once we determine that we can come back to this question to make it all the same procedures in both? Because then I would not be for the way it's worded about, in the

5.3.7.4 et cetera. See what I'm asking? I think we need to determine, Mr. Vice Chair, excuse me, then how is it going to be in general session.

Vice Chair Stalzer: I'm going to let the Minnesota delegate speak and then we'll talk about the tabling.

Arizona Delegate: Thank you.

Minnesota Senator Mary Kiffmeyer: Thank you, Mr. Chair, Mary Kiffmeyer, Minnesota Senator. I think what's important here is there is two issues at stake and because we're thinking of having a separate work group I think it's important to recognize both have great merit. One is the method, the other one is the time. I think it's critically important that when we are in committee, this is a working group and you need to be able to have the exchange, the discussion, the questions and all of that. That needs to be addressed, because I would agree and be sympathetic with the gentleman in regards to certain things that we want to have be the same in that regard but the time I think is a critical thing that needs to be dealt with otherwise I think we will hamper the work of any committee.

Vice Chair Stalzer: OK, thank you. I believe what the chair is going to do, I'm not going to ask for a tabling motion. What I'm going to do is defer this down the line and come back to it. That way we don't need a formal vote in order to bring it off the table and I would ask that if the delegates from New Hampshire and Arizona could get together in that time and see if there is common ground and then we will readdress it a little later. If that is acceptable to both parties?

Arizona Delegate: Thank you, Mr. Vice Chair, I accept that ruling.

Vice Chair Stalzer: New Hampshire? OK, since both sides are agreeable to that, we are in a really good spot here because the chairman is going to move back which means I get to have lunch.

Chair Banz: We're making good progress, lunch is served and like I said the monitors will keep you abreast of what's going on in the chamber as we move forward. We're now ready for Article 5, with the previous question having been temporarily set aside. Order of business 5.3.3? We're now ready for the section 5.3.3 Order of Business and while you're turning to that in your printed copy that was distributed yesterday on page 18 line three we will reiterate announcement we made earlier. When you rise to speak, to answer a question or to respond please again state your delegation name as well as your name so that our staff up here can get that appropriately recorded. Alright, 5.3.3 it's a change to delete the words the chaplain and insert in its place an individual approved by the chair and that was submitted by Utah. Would the delegate from Utah give us an explanation as to your resolution, you're recognized.

Utah Senator Kevin Van Tassell: Thank you very much, Mr. Chair. Senator Kevin Van Tassel from Utah. Many of our states, we do not have chaplains in our state. I think we

can accomplish the same thing by just allowing the chair to pick the individual and to open each session by prayer and I think it just makes for a smoother operation.

Chair Banz: Questions of the delegate from Utah? Questions? Seeing none will there be debate? One point of clarification for the delegate from Utah. We're talking about the assembly to be consistent with the language in our offices we refer to the president as opposed to the chair. Are you opposed to making that adjustment in the language?

Utah Delegate: None what so ever.

Chair Banz: OK. Any other questions? The delegate from New Hampshire.

New Hampshire Delegate: Thank you, Mr. Chairman. I'm going to rise in opposition to the proposed amendment. I believe that in most legislative arenas there is a chaplain and while holding a convention it seems though we could find a chaplain and it would be a good neutral party so I would prefer to stay consistent with other conventions that we have had. Thank you.

Chair Banz: Other questions of the delegate from Utah? No questions, will there be debate? Other than the statement we've already heard from New Hampshire. Will there be debate? The delegate from Minnesota you're recognized.

Minnesota Delegate: Thank you, Mr. Chair. This is probably a bit more of a question. It says the chaplain. After I heard the answer it made me wonder, do you mean that there would be an appointed chaplain of that body? Or is it a chaplain, meaning that would designate the type of person who would do the prayer? And if we could address that issue. It came up because of the last comment.

Chair Banz: Anyone else want to rise in opposition, in the debate form that has not already been recognized? Anybody would wish to address the resolution in favor? The delegate from Utah you're recognized to respond and close the debate on the resolution in favor.

Utah Delegate: Thank you. I do not know how the chaplain will be chosen or who that, where that chaplain is chosen from. I believe the president has the ultimate decision.

Chair Banz: OK. You've heard the debate, the question before you on line 22, on the screen in front, striking the two words the chaplain inserting the words an individual approved by the president. Since we had a debate, we will take a show of hands. Those in favor of the motion raise your hands. We'll get the count. Those in opposition raise your hand. With eight in favor and three in opposition, we declare the motion to or the resolution to have passed. [sound gavel]

Chair Banz: OK. We're getting ready to wade into the weeds here. 5.3.6 we have two resolutions that have been submitted. The Iowa delegation and the Oklahoma delegation. We will hear first from the Iowa delegation. The Delegate from Iowa is recognized.

Iowa Delegate: Thank you, Mr. Chair. David Miller, who started with this committee wanted me, he had to leave but wanted me to continue on and share his concern or his interest in this amendment and this amendment is to really give as much of the authority to the chair in terms of ruling on germaneness as possible and to also strengthen the ability and set a fairly high bar on the part of the body to rule, over rule the chair. So that is the reason for that. There's been some discussion with some of the other delegations to kind of merge that in together but we feel it is important that to maintain the order of the convention, that the chair has the authority to rule issues non germane and then if the body has a problem with that setting a high bar to overrule the chair.

Chair Banz: Questions? OK, before we go to questions of the Delegate from Iowa, we will hear from the delegate from Oklahoma. You're recognized.

Oklahoma Delegate Mark Lepak: Thank you, Mr. Chairman. Mark Lepak, Oklahoma. Colleagues this is gonna take a little while by way of explanation but we may see a way through to compromise without all the words. So, to start with Oklahoma has no issue with Iowa's proposal, but we may have to do it a little bit different way. Oklahoma proposed, if you'll go to the hard copy page 20, from yesterday's document. A lot of words there, but let me step back as to the intent and then perhaps we can short circuit this a little bit. We were looking for transparency. The basic framework that we're familiar with in a legislative schedule. The boundaries of parliamentary procedure as we're familiar with in particularly in Mason's. In as written, the section does things like combine, amend and suspend. I believe in Mason's those are handled separately, as different things with some are subject to table, one's not. You know that kind of thing. The other thing is we split out and you'll see it first, a section on readings, to make sure we have adequate time to review language before it hits the floor for a final vote. So, you have the reading in the first section, then you have two sections, one addressing amending convention rules and the other suspending. And then at the end reaffirming the notion that no rule changes are going to deviate from the call of the convention as stated in Article 1.1. Now offline, Iowa, Idaho, maybe one other got together a little bit and talked through this and the suggestion from Idaho was that Mason's pretty much deals with most of the issues Oklahoma dealt with in its submitted language, in that, I believe its section 5.2 that we dealt with yesterday, speaks to Mason's manual as the place that we ought to default to if not specified in the rules. Now, I personally am not a Mason's expert so I'm looking for a little guidance on whether or not striking this section in its entirety would take care of the Mason's rules part of it and then somehow dealing with the germaneness question that Iowa raises and our concern about no rule change changing the call of the convention. So, a lot of words offered there as a way to deal with it but we're open to making sure we just point to Mason's as a way to resolve any differences. Thank you, Mr. Chair.

Chair Banz: Would the delegate from Oklahoma be prepared to offer a concise rendering of the conversations held offline that would have abbreviated this?

Oklahoma Delegate: I wish we'd have had time to do that and we might, to give everybody a chance to get a bite, we might spend 5 or 10 minutes doing that with the three delegations and come back? Everybody else could go grab something real quick. But even without lunch we'd be happy to consult if we could have a couple minutes.

Chair Banz: The chair would like to at least roll out an option to take a look at 5.3.6 as a standalone. Separate that out at this point and take questions on that and see if we have a consensus evolve around that and then 5.3.6.1 and 5.3.6.2 that are covered in Mason's manuals in greater detail. Set those aside and deal with that separately with maybe some abbreviated language later. Would there be any objection to doing that at this point? OK. The delegate from Oklahoma, you're stand for questions on 5.3.6 which is essentially the component of three readings and it would lay out the specifics that would make that 3 standard threshold. Arizona Delegate, you're recognized.

Arizona Delegate: Thank you, Mr. Chair. The very first word on line 4, each. When I read each proposed amendment, shouldn't it say the proposed amendment?

Oklahoma Delegate: My understanding is the call of convention is around the subject of a balanced budget but there may be more than one offered to accomplish that and the other suggestion is that you could have one with several sections in it. So, I'm not quite sure if each limits us too much or opens it up more, or if the the limits us too much.

Arizona Delegate: And, Mr. Chair, I would submit that the word each opens us up to that there would be more than one. And my reading of our at least our application for the state of Arizona, it would be limited to an amendment, a single amendment and I think the word each opens a door if there were to be more than one I think you would take them one at a time anyhow and I think the word the still would be adequate there. So, if it's all the same I think if there were more than one the would work, but I think when you start saying each that's slightly problematic for me.

Chair Banz: Would the delegate from Oklahoma accept that as a friendly amendment?

Oklahoma Delegate: Yes, sir thank you.

Chair Banz: So ordered.

Chair Banz: Other questions of the delegate from Oklahoma? We're dealing now with the section 5.3.6, any other questions? The delegate from Idaho, you're recognized for a question.

Idaho Delegate: Mr. Chairman and good gentleman from Oklahoma, I appreciate you bringing up my concerns. I think when we start adding all this language in 5.3.6, 5.3.6.1, 5.3.6.2, they're already addressed in Mason's. I think earlier on we agreed to 5.2 and the three readings is addressed in Mason's and so, it's already in the book, it has to be read on three separate days. I think it's ... I don't know what section, 507 or 570, I can't remember in Mason's manual. The three readings is already addressed, when we start doing it this way I think it, we'll get to a point where we're going start to micromanaging all the different rules and go outside of what we agreed to earlier in 5.2, that Mason's would be our blueprint. I think if we're going to go down this road of adjusting this much information in these things then we need a little more time because I think our guys need to sit around and be able to micromanage and rewrite this the way, to address some of our concerns. So, I would much prefer that we not do it this way. That we settle and stay with Mason's. So, I have concerns with that. So, good Gentleman is there a reason why we can't just stay with Mason's on the third reading knowing that Mason's says that it has to be read on three separate days?

Chair Banz: For a bit of explanation or clarification on the question that the delegate from Idaho is asking. Mason's has been accepted as our default if our rules don't specifically address something prior to that. Conventions, notwithstanding, are substantially different from legislative sessions where you have an open ended or at least appear to have an open-ended opportunity to deal with things on three separate days. Is it not the intent of language written like this to make that adjustment for a convention setting where it would be unnecessary to have the product of a rules committee come out with a recommendation and then be forced because we're defaulting to Mason's manual to wait three days before you could, before you could take action. Whereas this language would give specific direction that would expedite that in a convention setting. Is that?

Idaho Delegate: Good gentlemen, I think if we have a convention like we're talking about, if we get to that point more time is better. When you talk about what we're talking about doing with the U.S. Constitution, I don't care if it takes a week, I want to get it right. I don't care if it takes a month. I don't care if it takes six months. My concern is exactly what you're saying. We're trying to expedite it, we're trying to make it happen faster and I don't think that is wise with dealing with the subject we're dealing with. I think time and caution is on our side and if we're gonna do it we ought to do it right and the longer we wait the better. You know, I remember a good advice from a good friend of mine in the legislature years ago. He said write it down and sleep on it and read it the next day before you send it out. It's good advice for all of us and it's the same with this. The longer we have to look at it, the longer we have and the more eyes to look at it the better product we'll have in the end. That's why I prefer to stay with Mason's.

Chair Banz: OK, so what is your question then of the delegate from Oklahoma? To just simply delete this or this section or not?

Idaho Delegate: Well maybe I'll address the question this way, what is our reason to try to hurry? What is our reason to try to force the issue knowing that we're dealing with

something of great importance? Why are we trying to push it through? Why are we trying to get it done fast?

Oklahoma Delegate: Well, Mr. Chairman and my colleague from Idaho. I don't know that I look at this as trying to rush it through. There's certainly no requirement that it be rushed through. It simply provides three readings and at least a 24 hour soak period, if you will, before it's out on the floor so, so I think the other thing, when you think about is the perception that those outside this discussion who are looking at this and one reason we may want to consider putting some things in here even if they're covered in Mason's manual. In this case it deviates slightly, it sounds like, is some reassurance that we've thought about this stuff, these things and stated something about it. Now we're probably going to talk about the amend and suspend here in a minute and on those, I think, we're willing to just go to Mason's, but we might offer alternate language if we can confer that points to Mason's specifically talks about these kinds of issues and reaffirms it may, I know we've said it in other places, default, but perhaps for appearances sake, for those outside this room it's worth revisiting.

Chair Banz: Other questions from the delegate from Oklahoma on section 5.3.6?

Idaho Delegate: One more, Mr. Chairman.

Chair Banz: The delegate from Idaho is recognized.

Idaho Delegate: Thank you, Mr. Chairman. Good delegate from Oklahoma, good gentlemen. On 5.3.3 we kinda have an order of, call of order the convention and in that on number eight we talk about the first reading. Is it in your intention also, with this proposal that you're offering here, to adjust that language also to include second and third readings too after I guess it's on your written copy on page 18 line 9 talked about the introduction and first reading. Would it also be your intention to include something there for the second and third readings?

Oklahoma Delegate: That may need to be done. I mean you don't know until you, we have many opportunities within this document where one is in conflict with another and you've gotta go back and revisit, and so it's possible.

Idaho Delegate: I agree good gentleman and hopefully when we get the final draft we'll figure out some of those conflicts.

Chair Banz: The delegate from Idaho, are you raising the question that if 5.3.6 were to pass then that we would, of necessity, need to go back and make that adjustment on the Order of Business in that previous section?

Idaho Delegate: Mr. Chairman, I don't know. There's a lot that we're dealing with on page 20, not only the section we're talking about now but the next two and when we adjust that it goes back to what the good gentleman from Oklahoma talked about is it changes things

in the past or in the future. My concern is this late in the day and this late as we're trying to get done in the next 20 minutes, I know that I personally want more time to digest what we're trying to do here. It's easy for me to default to Mason's cause we've already said we're gonna do it, but when we start changing the rules outside of Mason's I don't know how that's going to affect that other stuff. I don't that it needs to be there. I guess our parliamentarian can tell us, but we may want to look at that if we're going to go down this road.

Chair Banz: OK. Other questions of the delegate from Oklahoma. You have before you now 5.3.6 as listed on the screen in front of you. It's all additional language. We'll dispense with actually reading through that in its entirety. Will there be debate? Will there be debate?

Oklahoma Delegate: Point of order.

Chair Banz: Delegate from Oklahoma is recognized.

Oklahoma Delegate: Iowa also has suggested language change for 5.3.6. If this passes, if it fails and we're back to original language, Iowa has a different amendment. If it passes then we might have to deal with Iowa separately. I'm just not sure about the order of things here.

Chair Banz: I don't think there's a conflict between Iowa and Oklahoma at this point. We will proceed with the 5.4.6. I'm sorry, 5.3.6. Get on the right, well up here it has 5.4.6. Can we get a determination from staff on what... Oh there was a renumbering, I got it. I'm reading from an older deal. OK. So, it is 5.4.6. seeing no debate, we'll ask the clerk to call, well ... All those in favor of the amendment or the resolution raise your hand. Those opposed raise your hand. OK. With 3 voting in favor and 8 voting in opposition I declare that that resolution fails. [sound gavel]

Chair Banz: We're now back to Iowa's resolution. Will there be additional questions from the delegate from Iowa? Questions from the delegate from Iowa?

Iowa Delegate: I just ask the body to consider this amendment to the additional rules of procedure on germaneness.

Chair Banz: OK. To be clear, the delegate from Iowa, on your original 5.3.6 amend and suspend rules, you're inserting language after a, except sections 5.3.7.6 if everybody would turn over to that section then that's all new language relative to germaneness. So, this is kind of a package, this is kind of a package deal. We'll wrap it all, we'll wrap both of those together so the delegate from Iowa you're recognized to give an expanded explanation of those two combined.

Iowa Delegate: Yes, what we're concerned with in Iowa is that there is not an easy path to expand the scope of the convention and wanting to give the authority to the chair to rule on germaneness and as the chair rules if the body intends to overturn that ruling a high bar beyond just one state, one vote to all the delegates in the body to make absolutely sure that we are understanding what we are overturning because we want, we would like to see the chair be able to maintain a very very narrow scope of the balanced budget amendment convention.

Chair Banz: Questions of the delegate from Iowa? Again, you're dealing with two, two sections here. The addition on, I don't see the, on line 5.4.6, except sections and it makes that reference and so the bulk of the content of what we're considering now is on the lines one through five, under the general heading of Germaneness. The delegate from Arizona is recognized for a question.

Arizona Delegate: Thank you, Mr. Chair. The delegate from Iowa, so just so I'm reading this correctly, are you saying in section two, that the Call to the Convention can be overridden by two-thirds of the delegates?

Iowa Delegate: What I'm saying is the rule, the ruling of germaneness by the preceding officer may be overridden by two-thirds votes of the convention delegates. So, it's the ruling of germaneness not the scope.

Chair Banz: Follow up. You're recognized.

Arizona Delegate: So, Mr. Chairman. Mr. Chairman and the delegate from Iowa, so if the, if a state proposes, makes a motion to go outside the scope and the chair rules that it is in fact outside of the scope, but two-thirds of the body believe it is not outside of the scope and that motion is carried, does that mean the scope was just changed?

Iowa Delegate: The ruling has been changed and the scope potentially could be expanded.

Arizona Delegate: So, Mr. Chair, that's, of course where I have a big problem, not only should we not have any opportunity that the scope should ever be changed but not only that it violates section 1.4 of this document that we just produced that says Article 1 shall not be amendment or suspended by the convention. So, there is nothing that can or should derive in any motion, in any debate, in any overruling that would change the scope which is what section 1.4 of this document says. Article 1 cannot be amended or changed and I'll remind you that Article 1, if you go up here starting on line 14, says this is limited to the subject proposing an amendment to the constitution regarding the balanced budget as specified in the application of states. And so, I think when you open up something like this, and I think we're trying to do same thing, we're trying to safeguard it but, this language usurps 100 per cent of what we're trying to accomplish and not only does it usurp it, it then violates section 1.4 of this document that says even with a two-thirds or a unanimous vote Article 1 cannot be changed. And so, I would advise that this language

is duplicative because if we stick with Article 1.4, it doesn't matter if it's a two-thirds, three-quarters or unanimous, it's not needed.

Chair Banz: Is the delegate from Arizona suggesting a substitute?

Arizona Delegate: I'm sorry Mr. Chairman, my suggestion is to withdraw the entire amendment because I think Article 1.4 sufficiently gives I think we're both looking for, what we're all looking for, is no opportunity what so ever, for the call to be amended or expanded. So, I would kindly ask that it be withdrawn.

Chair Banz: What's the pleasure of the delegate from Iowa?

Iowa Delegate: I would say that we would let the body rule and just moved the amendment and see where it goes.

Chair Banz: OK. Will there be other questions of the delegate from Iowa? The delegate from Tennessee you are recognized.

Tennessee Senator Mike Bell: Thank you, Mr. Chairman. Senator Mike Bell from Tennessee. My question to the sponsor of the amendment from Iowa, in 5.3.7.6.2 where it says the decision shall be made by the president or presiding officer or maybe overridden by two-thirds vote of the convention delegates. Would a better phrase be the states or were you intending if a state had four delegates that each one of them would get a vote or we still be holding to the one state, one vote?

Iowa Delegate: The intention of this amendment is those members that are on floor would have a vote to override the germaneness decision of the chair.

Chair Banz: The delegate from Tennessee is recognized for follow up.

Tennessee Delegate: So, if Idaho had ten delegates on the floor and Tennessee had one then Idaho would have ten votes.

Iowa Delegate: Correct, that is the intent of this amendment to override the germaneness ruling by the chair.

Chair Banz: The chair would suggest that would violate the one state, one vote provision that we have elsewhere in this document so that would be a substantive change and I also will advise everybody to keep in mind as you're considering your vote on this issue, is it asking for a two-thirds threshold so of necessity require two-thirds threshold for passage of this particular resolution. The delegate from Tennessee is recognized.

Tennessee Delegate: Thank you, Mr. Chairman and thank you for your, for weighing in on what this amendment could possibly doing to the overall resolution. My next question would be if we were going to, if we're looking at possible exceptions to allow suspension

of the rules, this would also appear to allow for suspension of a rule concerning open meetings. Should there, to the sponsor of the amendment, should there only be specific, enumerated instances of when this convention should have the authority to close a meeting to a public? Such as for security reasons? And so, my question has the sponsor contemplated open meetings in this and would this amendment allow a body to close a meeting by two-thirds vote and close it to the public?

Chair Banz: Delegate from Iowa's recognized for a response.

Iowa Delegate: The intention of this amendment is to deal with particularly the ruling of the chair on an issue of germaneness with the scope of the convention and that the two-thirds of the delegates in the chamber, setting the bar as high as we can to overrule that decision of the Chair, not to deal with any kind of open meeting or anything like that. It is to deal with germaneness. If that's not clear, then I'm, I apologize for that and again I would say that let the body decide and if there's no more questions, move the amendment and we'll see where it goes.

Chair Banz: Did I see North Carolina...South Carolina you're recognized for a question.

South Carolina Delegate: Thank you, Mr. Chair, I respectfully move to table this motion to amend.

Chair Banz: The delegate from South Carolina has moved to table. Will there be a second? The delegate from Idaho is recognized.

Idaho Delegate: Thank you, Mr. Chairman. Point of order. It's my understanding you can't make a motion to limit debate while in a committee. You can do it on the floor, but not in a committee. Could we check that?

Chair Banz: In response to the delegate from Idaho's question, our temporary rules are silent on that, obviously we would need to default to Mason's Manual and I don't know that we have a definitive answer on that. I would simply ask the delegate from South Carolina if he'd be willing to withdraw his motion so that we can go immediately to the vote and proceed.

South Carolina Delegate: [inaudible]

Chair Banz: Thank you delegate from South Carolina. The delegate from Georgia you are recognized.

Georgia Delegate Chuck Hufstetler: This a question, Chuck Hufstetler from Georgia, and I use Robert's Rules of Order in Georgia so I'm a little bit disadvantaged on Mason's but I'm sure they're very similar. If this language isn't in there, what is Mason's default position, and I'm trying to look at hypotheticals. If we had a president who may be opening it up more than the body thought they should, doesn't default to his ruling being overridden by

a majority? What's Mason's rule on that? That maybe a question more for the parliamentarian on this than anybody I guess?

Chair Banz: We'll take that under advisement. Stand by. I think, the delegate from Georgia, I think it takes a simple majority to overrule the chair, based on Mason's Manual. We...OK, we've had a motion for the previous question to be addressed. All those in favor of the previous question raise your hand.

Idaho Delegate: Point of order.

Chair Banz: The delegate from Idaho is recognized.

Idaho Delegate: When you call for the previous question, don't you have to have a second and a vote on whether to call for the previous question before you vote on it?

Chair Banz: We are in the process of voting on that question and then we will proceed if it prevails.

Idaho Delegate: Voting on which question, the question to call for the question or the previous question?

Chair Banz: We're in the process of acting on the South Carolina motion for the previous question. There had, well I thought I heard a second. South Dakota seconded. I'm sorry I didn't announce that. So, we have a legitimate motion and we have a second and there is no debate at this point, we move into the decision. All those in favor of the motion raise your hand. The previous question, I'm sorry. You're voting on whether or not to approve the previous question motion. And that essentially cuts off debate and we move immediately then to debate on the issue at hand and vote on the issue. Now let's call for the vote on the previous question. Raise your hand if you are in favor. All those opposed raise your hand. With 7 in favor and 6 in opposition, the motion carries.

Chair Banz: OK, that calls for immediate addressing of the resolution and we will go now into the debate phase. We will allocate a total of 3 minutes for and 3 minutes against. Iowa, if you are wanting to support the Iowa resolution, make your way over to the Iowa chair. If you are in opposition, hold on here just a second. The chair recognizes the delegate from South Carolina.

South Carolina Delegate: Point of inquiry, Chair. Point of inquiry. Is previous question now, is the previous question now debatable under Mason's?

Chair Banz: Yes.

South Carolina Delegate: Thank you very much.

Chair Banz: Yes. That's what we're trying to do. Now, those who are in opposition raise your hand so that I can determine who wants to debate against. If you are in opposition to the passage of the Iowa resolution make your way over to the New Hampshire delegation and we're going to recognize the opposition first. There'll be a total of 3 minutes allocated to speak in opposition to the resolution. There will be 3 minutes allocated to speak in favor to close the debate and those will move over to the Iowa delegation. I'll give you a couple of minutes to organize and decide who's gonna speak and how much time you're gonna take. Recognizing the inherent problem here, if your first speaker takes all 3 minutes the rest of you are not gonna be able to speak. So you put your heads together and decide how that's gonna go. Are both groups ready to make their presentations? Alright, the chair recognizes those in opposition. You may begin. You've got 3 minutes.

Arizona Delegate: Thank you, Mr. Chairman. Delegates. I'm going to submit to you this is the most important thing we're discussing here this entire week in Arizona. What you are discussing is number 2 of germaneness. That the scope can be expanded of this convention. This this amendment directly opposes section 1.4 of this rules document we just administered. This is the poison pill. I look at it as, of what you're trying to do. Here's what could happen, the way I read this, and I hope Iowa tells me that's not their intention because if it is we have a big problem. This reads that if the California, for example, says I want to go outside of the convention, I want to propose repealing the Second Amendment and the chair says nope you're outside of the scope. Two-thirds of the body can say no the chair isn't outside of the scope, we want to entertain that topic. That is in direct violation to what this body just past in section 1.4. where it says section 1 cannot be amended. This is now, if you want to refer this to everything but section 1, I'm OK, but what you're saying is two-thirds of the body can change the scope of the call of this convention which is kind of the most important thing that we're doing at the convention, when you start messing with the scope. That means you start messing with the constitution. Article 1 of this document that we're amending right now says what the call is is based on the application of two-thirds of the states and that's the call and oh by the way in 1.4 that call cannot be amended. This that we're voting on right now says oh yes it can with a two-thirds vote. That's a big, big, big poison pill problem. So I would encourage everybody in this body who especially flew a long way to come here to tell your constituents I am not opening up this convention to anything but what is stated in Article 1. This undoes that.

Chair Banz: You've got one minute remaining.

South Carolina Delegate: Thank you, Mr. Chair. I would suggest that the language before us, by opening the convention overriding by two-thirds votes of the all the delegates present will be an invitation to those states that are opposed to the subject matter that is intended to be discussed, to pack their delegations with members. It will be an invitation

to pack the delegations that are opposed to a balanced budget amendment. I would suggest that that would be a very dangerous precedence for us to set.

Chair Banz: You've got 30 seconds, anybody else want to speak?

Oklahoma Delegate John Bennett: John Bennett from Oklahoma. I agree with my colleagues that just said the exact same things and the same argument. It's a poison pill. We came here to make sure we didn't go outside of the scope of what we're looking at and that is a balanced budget. We get outside of that scope we get outside of that scope we're doing a disservice and being disingenuous to our constituents.

Chair Banz: The time has expired. The delegate from Iowa, do you have anybody else? OK, you've got the full 3 minutes.

Iowa Delegate: Thank you, Mr. Chair and thank you for the delegations from the other states. Putting some hard look at this and we have, Iowa has no intention changing the one state, one vote approach and Iowa respectfully withdraws this amendment.

Chair Banz: The body will honor the request of the delegate from Iowa and withdraw the resolution. That'll be the order. [sound gavel]

Chair Banz: Representative from Oklahoma is recognized.

Oklahoma Delegate: Mr. Chairman, now that we have voted down two proposals, we're back to the original language of 5.3.6, 5.4.6, excuse me, 5.4.6 which refers to Amending or Suspending Rules. In consultation with Idaho, we know that elsewhere in this document we are defaulting to Mason's Manual. Mason's Manual we believe treats amending or suspending rules differently. But this section as it currently reads, treats them the same. So, it's with somewhat with trepidation I propose that we remove that section 5.3.6. Leave it silent and then Mason's rules will apply as we've got specified elsewhere.

Chair Banz: OK, you've heard the motion, is there a second? Idaho delegation seconds. Will there be questions of the author on the motion? Will there be questions? Seeing no questions will there be debate? Seeing no debate, the question before you is...I'm waiting for staff to pull it up on the screen in front of us...that line 25...the delegate from Oklahoma is recognized.

Oklahoma Delegate: I failed to add one other thing, for those that maybe worried about the rest of the blue writing 4.3.6.1, I'm sorry, 5.3.6.1 and 5.3.6.2. We're withdrawing that in favor of withdrawing all the language in 5.3.6. You know what I'm talking about. Thank you.

Chair Banz: That adds to the explanation. Line 25 delete 5.3.6 and all of that language and that also would include deletion of what Oklahoma had

presented earlier. On amending the convention rules and suspending the convention rules under 5.3.6.1 and 5.3.6.2. I didn't see indication of debate so with that, without objection we'll ask for unanimous consent to approve the motion. Without objection that will be the order. [sound gavel]

Chair Banz: They told us we need to be through by twelve yesterday, which is fine, we're not going to get there. We will take a leave real quick to give everybody a comfort break, grab you a bite to eat and be back in here in about 10 to 12 minutes. We'll stand in recess to the call of the Chair.

Recess: 12:03 p.m.

Part 2

Reconvene: 12:26 p.m.

Chair Banz: We will call the rules committee back into session. [sound gavel] If somebody will step outside and let everybody know that we are about to take off again. We are going to hold this one off too until the very end. The West Virginia deal. Jim we got everybody here? Where are we? Well that's alright. 5.3.7.3. Did we have this one up here? [inaudible] Go back the other way. There it is right there 5.4.6.1. Was that a [inaudible] maybe it was that way by [inaudible] I don't know if there were two in there and that is a Scrivener's error. Alright. That's Utah. So that's Utah. I think that's a Scrivener's error so we will just. That's a Scrivener's error so let's go to five three seven three. OK. And four. Both of those. Arizona. And Arizona. Would somebody from the delegation of Utah approach the desk please. OK members while we have some sidebar discussions going here I think we are getting real close to some agreements and some consensus. If you are following along in your hard copy 5.3.7.1 there was a change which really is an editorial or a Scrivener's change and we won't take any action on that. We are ready to address 5.3.7.3 and 5.3.7.4. OK now this may be a little convoluted but we are going to get through it and we are going to be out of here when we are out of here and everybody else can just play along. We will be nice in the sandbox together. Before we take up 5.3.7.3 and 5.3.7.4 we would like to go back and pick up on the discussion we had earlier this morning that we set aside New Hampshire the delegation from New Hampshire as it was related to they had two amendments that they submitted earlier today that make reference to those provisions and we would like to recognize the delegate from New Hampshire for an explanation of how they would like to handle both of those resolutions. They were striking language notwithstanding 5.3.7.3 and 5.3.7.4 in committee. The chairman shall determine that they were striking in one and there was another that they added language that addressed putting that back in so the delegate from New Hampshire you are recognized to explain what you were intending to do there.

New Hampshire Delegate Gary Daniels: Thank you, Mr. Chairman. Gary Daniels New Hampshire. Would move that we strike the language notwithstanding 5.3.7.3 and 5.3.7.4

in committee that shall determine and replace that language with the method of participation in committee debate shall be the same method used in general session.

Chair Banz: OK. It is my understanding that the delegate from Arizona had some issue with that or some question and would you care to respond on how that has been resolved.

Arizona Delegate: Yes, Thank you, Mr. Chairman. The delegate from New Hampshire and I have come to an agreement so I am supporting his amendment. So, I have no problems.

Chair Banz: OK, so technically we are back on 4.5 and we are using the New Hampshire language with incorporated both statements and that is before you on the screen. While we are waiting on staff to get that adjusted on the screen in front of you just for giggles and grins how in the world would we have done this without technology that we have today? My big chief tablet and pen just wouldn't cut it I guarantee you. OK, the delegate from New Hampshire on lines one, two and three on the screen in front of you. Does this reflect the intent after all of the negotiations and modifications on how you intend for 4.5 Committee Debate to be recognized?

New Hampshire Delegate: Mr. Chair, if these eyes can't read that clearly but if it is what I just discussed with the gentleman over there then that would be good.

Chair Banz: OK. It simply says the method of participation in committee debate shall be the same method as used in general session. All new language.

New Hampshire Delegate: That is correct.

Chair Banz: Alright. Will there be questions of the gentleman from New Hampshire the delegate from New Hampshire. Now we have kind of doubled back here but we knew we were going to come back and revisit that. Any questions? Seeing no questions any debate? Seeing no debate the question before you is shall 4.5 Committee Debate read with that new inserted language. All in favor well without objection we will ask for unanimous consent. Without objection that will be the order. [sound gavel]

Chair Banz: Alright, now let's go back to go in your hard copy go to page 21 there is only 22 pages folks so we are getting close. On 21 we mentioned earlier if you were not here there was a Scrivener's error on 5.3.7.1 and now Arizona 5.3.7.3 and 5.3.7.4 you had submitted those earlier how do you wish to treat that at this time?

Arizona Delegate: Thank you, Mr. Chairman. Yes, at this time, Mr. Chairman, I am proposing a verbal amendment I would like to strike 5.3.7.3 and 5.3.7.4 strike both of those the entire the entire the entirety. I did not feel good about this section and I think that it should be left to whoever is in the chair to the rules of our convention and to the Mason Rules on how time

is given to the states whose you know the order in which they are speaking if you are going to limit this or that let that be up to the discretion of whoever is in the chair rather than limiting and having this rule about you can't speak more than the second time before every other who had been silent and not for more than ten minutes at any one time. So, I would prefer Mr. Chairman rather than doing my amendments I am proposing to strike both of those 5.3.7.3, 5.3.7.4.

Chair Banz: So your resolution now would be to simply strike those two sections as they were distributed?

Arizona Delegate: Yes sir.

Chair Banz: And the amendments that you offered? So that we would strike those and renumber the sections subsequent to that.

Arizona Delegate: Yes. Thank you.

Chair Banz: Alright, you have heard you have heard the resolution. Will there be questions of the delegate from Arizona? You are recognized no question. The delegate from Oklahoma you are recognized.

Oklahoma Delegate John Bennett: Thank you, Mr. Chairman. John Bennett from Oklahoma. To the delegate from Arizona could you give us just an example of how it would work since we are deleting that completely out of there?

Arizona Delegate: Thank you, Mr. Chairman and thank you delegate from Oklahoma. I just envisioned that as we are in general session or we are in committee that we will be following the rules of those in the chair and the rules of Mason and also the rules of the convention rather than setting up a rule here trying to remember well we don't get to speak again if we are in a certain my problem with that is I just think that limits a real good debate because you have to wait til be sure all fifty states have had a chance to stand up and comment so I think it makes it difficult. Now I am certainly open if that is too harsh to have limited eliminated both of those but so I am open to debate and I welcome debate from the delegates here to think this through but I was very uncomfortable and in talking with my other delegate about how that is for the general session. I understand that everybody can't take all the time I understand that but I believe that is can be managed from the chair. That's what I want to do. That's what I'm thinking about.

Chair Banz: Other questions for the delegate from Arizona? Any other questions? The delegate from Tennessee you are recognized.

Tennessee Delegate Mike Bell: Thank you, Mr. Chairman. Mike Bell from Tennessee. Mr. Chairman my question to the delegate from Oklahoma I mean Arizona I'm sorry my question to the delegate from Arizona would be does her legislative body have any time

limits or rules on how long a member may speak or how many times a member may speak on the floor or in committees?

Chair Banz: The delegate from Arizona is recognized.

Arizona Delegate: Thank you, Mr. Chairman and thank you delegate from Tennessee. We do have those allowed for but they are done through the chair and set up by the chair. Sometimes though I only remember one session where the body of the senate was allowed to set time limits for each speaker and we voted on that before we started as making it part of our rules of the senate conducting the senate. Other than that it's just the chair will say I am going to allow for ten minutes I am going to allow for five three whatever the debate and the chair just seems to handle all of that and how that flows.

Chair Banz: Follow up Tennessee.

Tennessee Delegate: I am sorry I do not have a follow up question. I will have a statement when we get to debate.

Chair Banz: OK. Other questions for the delegate from Arizona? Seeing no questions will there be debate? There will be debate. Those is there anyone wishing to debate in opposition to the striking of this language. Tennessee. Anybody else? OK. Those wishing to debate I favor of the new motion. Arizona. Alright. We will. Idaho in favor in support of? We will limit this debate to two minutes each side. We will begin with the delegate from Tennessee two minutes in opposition.

Tennessee Delegate Mike Bell: Thank you, Mr. Chairman and I will not take two minutes. This is Mike Bell from Tennessee. Mr. Chairman I would say most if not all bodies in here have in their rules I know we have in Tennessee in our rules that we have adopt each session that sets limits on how many times a member can speak and now long a member can speak. Those rules can put there for order and decorum and I would suggest it would be good for this convention as well. Thank you, Mr. Chairman.

Chair Banz: OK that closes the debate in opposition. Idaho and Arizona you will have two minutes. Who is going to go first? The delegate from Idaho you are recognized.

Idaho Delegate: Thank you, Mr. Chairman. Just a quick comment. The issue we are dealing with is an issue that needs to be well versed and well discussed. If the perception in the public is that we are somehow trying to limit a state or an individual to certain time constrains I think that ultimately that plays against us in the public eye. It may take us longer to get to the end result but I think it is smarter not to have those constraints on this body especially when we are dealing with a constitution amendment so I think this is a fair reasonable and probably a very wise idea to strike these two sections. Thank you.

Chair Banz: OK the delegate from Arizona is recognized to close the debate in favor.

Arizona Delegate: Thank you very much Mr. Chairman and I totally agree with the remarks of the gentleman from Idaho and I think that again this can be totally managed and time constraints can be placed upon speakers and upon debate and upon the order in which states can speak all done from the chair. I don't think we need to put it into the document and I rest with that those comments.

Chair Banz: The chair appreciates you giving time back to the chair on both counts. Are we ready for the division? The question before you is shall the language in red that is stricken be taken from the document as it is posted in front of you there. All those in favor of the motion to delete sections 5.4.6.3 and 5.4.6.4 raise your hand. Keep them up we had a we have 12 in favor. Those who are opposed raise your hand. [laughter] Alright, with 12 in favor and zero in opposition we will declare that that motion to delete has passed.

Chair Banz: Alright, 5.4. we have to renumber that. OK, the delegate from Oklahoma is recognized to explain your recommendation or your motion.

Oklahoma Delegate Mark Lepak: Thank you, Mr. Chairman. Mark Lepak from Oklahoma. We weren't sure what declared meant so we thought we would clarify once voting has started the motion cannot be withdrawn so that is why we changed the word to commenced.

Chair Banz: Questions of the delegate from Oklahoma. Questions? No questions. Any debate? Seeing no debate by unanimous consent we will adopt the resolution as submitted. [sound gavel] so that will be the order.

Chair Banz: Page 22 on your hard copy is it page 22 line nine in front of you. Minnesota would you care to explain your resolution? 5.3.7.11 you are recognized.

Minnesota Delegate Jerry Hertaus: Thank you members Jerry Hertaus from Minnesota. Our delegation just felt that all questions of order being decided by the president should be subject to advice from the body and it didn't appear that that as written permitted any opportunity for advice before making during making an appeal or the president making a decision.

Chair Banz: Any questions of the delegate from Minnesota? The delegate from Idaho you are recognized.

Idaho Delegate: Good gentlemen wouldn't it be better to be advice from the parliamentarian do we want the body making all those decisions? I think that is kind of what we talked about the parliamentarian earlier.

Chair Banz: The delegate from Minnesota you are recognized to respond.

Minnesota Delegate: Thank you member from Idaho. I think in our own legislative experience we were referring to those opportunities where rather than and I am reading it here now where questions or order I guess I take your point about the parliamentarian. We were thinking about other issues or information that would be pertinent to making a proper and just decision.

Chair Banz: So is the delegate from Minnesota accepting that as a friendly adjustment to your original resolution?

Minnesota Delegate: Just a moment please. Thank you, Mr. Chair, after consultation with our delegation we will withdraw the amendment.

Chair Banz: OK, without objection we will allow you to withdraw, so be the order.

Chair Banz: 5.3.7.13. Arizona, you are recognized to explain your resolution.

Arizona Delegate: Thank you, Mr. Chairman. I think the thinking on this was there doesn't seem to be a real strong reason for it and we haven't done that here at this convention and so unless there is a historical reason for it I just didn't know what that was put in there and so I just we just thought to remove it 5.4.6.13 I think it is.

Chair Banz: 5.3.

Arizona Delegate: It is 5.4.6.13.

Chair Banz: OK, it is a different numbering.

Arizona Delegate: Yeah.

Chair Banz: Because we changed some prior to that. Alright, will there be questions of the delegate from Arizona? It appears that we are just simply deleting language that is not needed. Any questions no debate. By unanimous consent we will accept that order.

Chair Banz: 23. OK, 20. OK, 6.2. He is while they are moving text over to the composite it should be on your printed copies 6.2 Open Meeting that will be what we are taking up next. I think we had one come in this morning that you may not have in front of you. OK [laughter] We have had a...a resolution that was submitted by the state of Idaho that will be inserted into section 6.1. Would someone from the Idaho delegation be willing to explain your resolution?

Idaho Delegate: Mr. Chairman, Idaho requests that that amendment to 6.1 be withdrawn though we do believe it is appropriate.

Chair Banz: OK by unanimous consent we will accept.

Chair Banz: OK, the delegate from Oklahoma.

Oklahoma Delegate: Mr. Chairman, let the record reflect that had that amendment remained we would have offered a friendly amendment specifying that they not borrow the money to bear the costs.

Chair Banz: [laughter] There you go. Point well taken and we do accept the withdrawal on that and now we are on 6.2. There we go. Who's our sponsor on this one? Oklahoma. The delegate from Oklahoma you are recognized to explain your resolution.

Oklahoma Delegate Mark Lepak: Thank you, Mr. Chairman. Mark Lepak Oklahoma. We passed several things yesterday related to duties and how we would keep records and all of this this stays consistent every official session of the convention including committee and subcommittee meetings shall be live streamed via website provided by the convention shall be recorded and archived under the direction of the secretary. Yield to questions.

Chair Banz: Questions of the delegate from Oklahoma? New language. The delegate from New Hampshire you are recognized for a question.

New Hampshire Delegate: Thank you. Would you accept a friendly amendment in there that would place commas so that it would read every official session of the convention comma including committee and subcommittee meetings comma shall be live streamed so forth and so on

Oklahoma Delegate: Yes.

Chair Banz: That's a Scrivener's that would be a...

New Hampshire Delegate: Friendly amendment.

Chair Banz: That would be a Scrivener's change just to put two commas in there to break up the language read. OK, that has been accepted. Other questions? Will there be debate? Seeing no debate. By unanimous consent we will adopt the Oklahoma resolution. [sound gavel] that will be the order.

Chair Banz: 6.3 Adjournment. Do we have another one come in? Alright, on 6.3 we actually had three resolutions that were submitted. West Virginia, Idaho and Oklahoma. Idaho and West Virginia appeared to be in conflict. West Virginia is not here to defend so we will defer to Idaho and Oklahoma. Idaho's was submitted today earlier today so we will defer to Oklahoma to introduce yours and then we will allow Idaho to explain your

resolution and hopefully you have a compromise or a consensus worked out between the two of you. The delegate from Oklahoma is recognized.

Oklahoma Delegate Mark Lepak: Thank you, Mr. Chairman. Mark Lepak from Oklahoma. After reviewing the three versions we think we like West Virginia's better so we withdraw and will take over sponsorship of West Virginia if that is allowable.

Chair Banz: I am sorry I missed.

Oklahoma Delegate: Oklahoma would like to withdraw its amendment and instead will sponsor West Virginia's amendment.

Chair Banz: Got it. OK. The delegate from Oklahoma wishes to withdraw their resolution and instead adopt and answer questions on the West Virginia resolution which is on page 23 of your printed copy. Will there be questions of the delegate from Oklahoma on behalf of the West Virginia delegation? The delegate from Minnesota you are recognized.

Minnesota Delegate Mary Kiffmeyer: Thank you very much Mr. Chairman. Mary Kiffmeyer from Minnesota. My question is in regards to the line that says an informal session. My question to you is informal and session seem to conflict with each other. Session would be something formal and then you have the word informal. If anybody wants to get together in an informal way they are certainly free to do so without the permission of this set of rules. If it is session then it should be governed under the official rules.

Chair Banz: Oklahoma is recognized to respond.

Oklahoma Delegate: Thank you, Mr. Chairman. I am not sure but I think Idaho's resolution is or proposed amendment is to strike that language and Oklahoma would be fine striking that sentence on informal session so the combined three would now read the convention shall adjourn promptly after completion of the business contained within the call of the convention.

Chair Banz: OK.

Oklahoma Delegate: Period.

Chair Banz: With all due respect to the delegate from Minnesota I am going to call on the delegation from Idaho to explain theirs and this may give us reason to move forward. The delegate from Idaho you are recognized.

Idaho delegate: Thank you, Mr. Chairman and good lady from Minnesota. We totally agree with you. Our concern is by having that last sentence in there it makes it some implication that we agree with something that is going to go on after the convention so we want that sentence stricken. Our amendment does not conflict with the proposed

amendment by Oklahoma they can both go together they work well together so we are OK with Oklahoma's and we hope and it sounds like they are OK with ours and ours addresses your concern. Thank you, good lady.

Chair Banz: OK. The delegate from Minnesota does that compute.

Minnesota Delegate: Yes, Mr. Chair it does.

Chair Banz: OK. Thank you. Well I am not sure who wants to own this now? West Virginia in abstention through Oklahoma or Idaho. We will call on the delegate from Idaho to make one final pass on their resolution and you are now the proud owner of this resolution which may very well be the last action we take here before we take the document as a whole.

Idaho Delegate: Good Chairman, I hope that it is the last one. If you look at those up there and you look at what Oklahoma slash West Virginia is proposing and what Idaho has proposed it goes together. I think we are all trying to accomplish the same thing and I hope that you can support the amendment. Thank you, Mr. Chairman.

Chair Banz: The question before you now under 6.3 is highlighted and it would now read the convention shall adjourn promptly after and we add language completion of the business contained within the call of the convention period and then delete the remaining language which reads either proposing an amendment in accordance with Article 1 or voting not to propose an amendment period and in formal session may continue after official adjournment to discuss the events of the convention being deleted. That is the question before you. Will there be debate? Will there be debate? Seeing no debate we will respectfully ask for unanimous consent for its adoption [sound gavel] that will be the order.

Chair Banz: If you will stand at ease for a moment, we will determine what our next course of action is here. Alright, this ladies and gentlemen is what we have been working towards the last two days. The delegate from Minnesota is recognized. I am about to call for any other business before the committee so if it fits into that category.

Minnesota Delegate Jerry Hertaus: Thank you, Mr. Chair, Jerry Hertaus Minnesota. Mr. Chair during the course of our work here I had suggested to our staffer that is supporting our effort if we could get an index of the entire document that we are working on and what I didn't realize until just now is that I thought everybody had gotten this but an index of all of the articles and the different items were prepared for us and not the rest of you but I am just going to suggest to the body as part of this document as part of the rules that we are preparing as our final work effort that we include an index at the beginning of and just before the preamble would make it very easy for anybody wanting to use this in the future to search for and find different topics that they want to look for the rules.

Chair Banz: Thank you for that suggestion. I believe staff has the capacity to do that. It is my understanding that when we adopt the work of this committee in a few moments that they will immediately proof it for one final pass make sure everything got moved and transferred over in final action and everybody by the end of the day should have a copy at least electronically and I think a hard copy if you so desire of what will constitute our report to the general assembly when it convenes and when they call on us to give a report that is what we will present as our body of work for the last couple of days. The delegate from Arizona had a question.

Arizona Delegate: I...thank you, Mr. Chairman. I would like a point of personal privilege if I may.

Chair Banz: You may as long as its...

Arizona Delegate: Fast? [laughter]

Chair Banz: You are recognized.

Arizona Delegate: Mr. Chairman I just wanted to thank you and also all the delegates I just wanted to let you know it has been such a pleasure to be here the last two days. I have learned so much. You are all wonderful and I think that we will be proud of the document that we brought forth so thank you.

Chair Banz: Thank you. The delegate from Minnesota is recognized.

Minnesota Delegate: Thank you, Mr. Chairman and echo that and also to the staff here have done just a wonderful job in managing all of these it has been a wonder to see it as we go through it but one question I have is now that we have this what is the availability of the cleaned-up work product? What is the timing and availability of that?

Chair Banz: I am not sure I heard the question. What is the time frame?

Minnesota Delegate: And the availability of the cleaned up?

Chair Banz: Should be by the end of the day by the end of the business day today and we are going to come back into session I think in the general for a period of time I don't know that we can set a definitive hard drop dead time like four-thirty or five o'clock or something but they are working as rapidly as they can to produce the final product. The goal is four-thirty.

Minnesota Delegate: Well, Mr. Chair. I am not putting any pressure what so ever they have done a wonderful job and I want them to be accurate and careful more so than speed at this critical time with just having a general sense and idea because after you have all these discussions and you go through all these red and green and all of these things to be able to read it through cleaned up would be very helpful. Thank you.

Chair Banz: Thank you. Is there any other matter of business that a delegate thinks ought to be taken up by the committee before we adjourn? I think it would be in order just as a matter of policy for the chair to entertain a motion that the record that is being prepared by the staff serve as the official report to the assembly and we will take a second on that and then for the record I believe it would be appropriate if we do a roll call of the states so you have an opportunity to weigh in on the activity that you have participated in the last two days. So, the chair will entertain a motion. The delegate from Missouri you are recognized.

Missouri Delegate: Thank you, Mr. Chairman. I move that we adopt the work of the committee.

Chair Banz: Is there a second?

Unknown Delegate: Second.

Chair Banz: The delegate from Minnesota. The clerk will call the roll. The question before you is should we adopt as our official record that which will be distributed at about four-thirty. Call the roll.

Clerk: Arizona.
Unknown Delegate: [inaudible]
Clerk: Georgia.
[inaudible]*
*(Committee Secretary confirmed)

Chair Banz: With the vote of 13 in favor and zero in opposition the committee adopts the final report [sound gavel] that will be the order.

Chair Banz: I think it is appropriate that we before we leave that we give a standing ovation to this staff. I can't tell you I know you have observed them in action I know we will probably have an opportunity to do it again later [applause] but they have been if there was a ever a team that had their A game every time they stepped on the floor it was this group and we appreciate the work that they have done on our behalf and with that seeing no further business before the committee we will declare our call complete [sound gavel] meeting adjourned.

Adjourned: 1:14 p.m.

Respectfully submitted,



Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Chief Clerk's Office, Room 203. Audio archives are available at <http://www.azleg.gov>)

FINAL COMMITTEE REPORTS
Including Style Committee revisions

CONVENTION PLANNING COMMITTEE FINAL REPORT

Planning Subcommittee on Time, Place, and Logistics Final Report

Chair- Sen. Dan Innis NH

Pursuant to Article V, “The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, **or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments**, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

Upon receipt of the balanced budget application of the resolution of the 34th state, the States request that Congress shall set a time and place for the Convention to convene as soon as practicable, but no later than 180 days after receipt of the application.

The Arizona Balanced Budget Amendment Planning Convention recommends that the place of the Convention be held at an accessible location capable of accommodating at least 500 delegates in addition to support, meeting rooms, technology support, and staff. To facilitate the expeditious undertaking of this Convention, it is recommended that Congress delegate this responsibility to the Several States.

The Arizona Balanced Budget Amendment Planning Convention recommends each state be responsible for travel, housing, and staffing of their respective delegations. Attending states should be responsible for the shared overhead expenses of the Balanced Budget Amendment Convention.

Motion:

That the Arizona Balanced Budget Amendment Planning Convention call upon the States to gather in convention before December 31, 2018 at a location to be determined to assess the status of the progress of the States toward calling an Article V Convention of the States to propose a Balanced Budget Amendment, and to determine such steps the States may affirmatively take to assist in reaching the two thirds threshold required by Article V mandating Congress to call such a convention.

Sub-Committee on Delegates and Correspondence Final Report

Chair- Rep. Anthony Kern AZ

Recommendation 1:

In anticipation of the call for a convention for proposing amendments, states are strongly encouraged to enact delegate selection legislation at the earliest opportunity.

It is recommended that such legislation establish a process for the appointment of delegates and alternates to a future convention, provide instruction regarding responsibilities, limitations, if any, and appropriation considerations to such delegates and provide standards for monitoring and communicating with said delegates.

*Examples will be included in the organizational appendix.

Recommendation 2:

The Phoenix Correspondence Commission (PCC) is hereby created. The PCC will consist of commissioners appointed by the states to carry out the following functions to organize a convention for proposing amendments:

1. Creating a single point of contact to act as a liaison with Congress.
2. Track all applications for a convention for proposing amendments.
3. Create a process to suggest to Congress a time and place for a convention for proposing amendments.
4. Provide a process for legal representation, if necessary.
5. Perform tasks as needed to organize the convention.

Recommendation 3:

Each state is strongly encouraged to appoint a commissioner to the PCC to communicate on all matters associated with a convention for proposing amendments with any or all of the following:

1. State Legislators
2. United States Citizens
3. Convention Organizers
4. State Congressional Delegations
5. Congress

Recommendation 4:

The members of the PCC will be initially comprised of one member appointed from each delegation present at this Arizona Balanced Budget Amendment Planning Convention, until such time as each commissioner's state formally appoints a commissioner to the PCC or declines to do the same.

Recommendations for Protecting the Integrity of an Article V Convention

The purpose of an Article V Convention is for the States to propose amendments to the United States Constitution. Co-equal, sovereign Several States alone have the duty and the responsibility to conduct the Convention in an ethical and transparent manner and to protect the credibility and integrity of the Convention. To fulfill this obligation, only duly authorized and credentialed individuals should be engaged in the Convention process. It is recognized that many individuals and organizations have championed or opposed this cause up to this point. However, once the Convention delegates have gathered, the duty lies exclusively with the States alone.

There will be a tendency for outside groups, special interests, and individuals to attempt to influence the process and participants of the Convention. To help prevent this from happening, we recommend the following:

1. Non-delegates should not be permitted on the Chamber Floor, Members' Lounge, etc., and should only be permitted in public areas.
2. Any interaction of Convention leadership and staff with non-delegate individuals or organizations that pertains to Convention business or process should be strictly prohibited, with the exception of the press.
3. Convention communications should only include official activities.
4. States should consider extending their ethics restrictions (i.e. lobbying, food, gifts, etc.) to delegates serving within a convention, in addition to any ethics standards imposed by Convention rules.

These recommendations are humbly and respectfully submitted for the consideration of future conventions.

CONVENTION RESOLUTION 1

**Adopted rules of procedure for a future convention to propose a balanced
budget amendment to the Constitution of the United States**

CONVENTION RESOLUTION 1

Resolution creating rules of procedure for a future convention to propose a balanced budget amendment to the Constitution of the United States convened pursuant to Article V of the Constitution.

PREAMBLE

Pursuant to Article V of the United States Constitution, we the delegates of the several sovereign States, grateful to Almighty God, do assemble in this Convention of the States, called by Congress, for the sole purpose of proposing an amendment to the Constitution.

ARTICLE 1 – Subject of the Convention

1.1 Convention Limited Authority

This Convention is convened under the authority reserved to the state legislatures of the several States by Article V of the Constitution of the United States.

The only participants at this Convention are the several States represented by delegations duly selected in such manner as their respective legislatures have determined.

The Convention derives its authority from the applications adopted by at least two-thirds of the legislatures of the several States, and its authority is thereby limited to the subject of proposing an amendment to the Constitution of the United States regarding balancing the federal budget as specified in applications from at least two-thirds of the States. This Convention and these delegates have no authority to propose an amendment or amendments on any other subject.

1.2 Temporary Rules

For the purposes of organizing the Convention, all Articles herein shall be adopted by a majority of the States voting, one vote per State, to serve as temporary rules for the Convention save for any Article which requires more than a simple majority shall require, by division, an equal majority of votes by the Convention. The Temporary Rules shall remain in effect until the Rules Committee submits amendments to these rules which are subsequently approved by the Convention in the same manner as the Temporary Rules were approved.

1.3 Initial Quorum

The initial quorum for the Convention shall be a majority of the several States whose delegate or delegates are physically present at the time of the initial roll call of the Convention.

1.4 Prohibition on Amending or Suspending

Article 1 shall not be amended or suspended by the Convention.

ARTICLE 2 - Officers of the Convention

2.1 List and Duties of Officers

2.1.1 Temporary President

A temporary President shall be an individual selected by the State delegation from the host State to preside and not necessarily a member of the delegation.

Upon the initial assemblage of the Convention, the temporary President shall call the roll of the States, at which time the States shall present their credentials to the temporary President and name all delegates present.

2.1.2 Permanent Officers

The officers of the Convention shall be a President, a Vice President, a Secretary, a Sergeant-at-Arms, and a Parliamentarian. The President and Vice President shall be a member of a State delegation and elected by a simple majority vote of the States voting subject to Article 2.2. The Sergeant-at-Arms, the Parliamentarian and the Secretary shall be appointed by the President with the consent of the Convention, and shall not be a member of a delegation of a State. No more than one elected officer shall be from the same State.

2.1.2.1 Duties of the President

2.1.2.1.1 Calling the Convention to Order

The President or presiding officer shall take the chair each day at the hour to which the Convention shall convene and shall call the Convention to order and, except in the absence of a quorum as prescribed by these rules, shall proceed to business in the manner prescribed by these rules.

2.1.2.1.2 Duty to Preserve Order and Decorum

The President or presiding officer shall preserve order and decorum, and during debate, shall confine delegations and individual delegates to the question under discussion and shall have general control of the Convention chamber, unless otherwise ordered by the Convention, and in cases of disturbance or disorderly conduct on the floor or in the public areas outside the bar of the Convention, shall have the power to order the same cleared of any parties involved in such a disturbance or disorderly conduct.

2.1.2.1.3 Authority to Enforce Rules

The President or presiding officer may rule out of order, or discipline, any state or delegate for violating provisions of the rules of the Convention. Disciplinary action shall not inhibit the right of a state to cast a vote in the Convention or any committee of the Convention.

2.1.2.1.4 Points of Order

All questions of order shall be decided by the President or presiding officer, subject to appeal to the Convention. On every appeal, the President or presiding officer shall have the right to assign the reason for the decision. In case of such appeal, no State shall speak more than once. All questions and points of order shall be noted by the Secretary with the decision thereof.

2.1.2.1.5 Committee Membership

The President shall be an ex-officio member of all committees of the Convention but shall not be a voting member of any save for the Credentials Committee.

2.1.2.2 Duties of the Vice President

2.1.2.2.1 Absence of the President

In the event of the temporary absence or inability to preside by the President, the Vice-President shall preside over the Convention in the same manner as the President.

2.1.2.2.2 Convention Manager

The Vice President shall serve as the manager of the Convention with the duties to provide necessary facilities, staff, audio visual equipment, and document reproduction at the direction of the Convention and the committees. The Vice President may create a committee to advise the Vice President on these matters.

2.1.2.3 Duties of the Secretary

2.1.2.3.1 General Duties of the Secretary

The Secretary shall be custodian of the records of the Convention and shall perform the customary duties of clerks or secretaries of deliberative assemblies and such other duties as shall be ordered by the Convention.

2.1.2.3.2 Journal Record of Proceedings

The Secretary shall keep a journal of the proceedings of the Convention and shall publish an electronic copy from the proceedings of the previous day. The attested "Journal of Proceedings" provided for in 2.1.2.3.6 below shall be the official legal record of the Convention.

2.1.2.3.3 Verbatim Record of Proceedings

The Secretary shall cause to be produced a verbatim record of the daily floor sessions of the Convention and shall likewise cause verbatim records to be produced of each committee meeting convened in the course of the Convention. The verbatim records required herein shall be published in electronic form and be made available to the public via the Convention's website and any other means as soon as they are reasonably available.

2.1.2.3.4 Numbering of Proposals

The Secretary shall give to every proposal when introduced a number, and the numbers shall be in sequential order.

2.1.2.3.5 Preparation of Calendar, Reports, and Amendments

The Secretary shall prepare and provide to each delegate each day a calendar of the business of the Convention, as provided by these rules, and shall arrange and publish all committee reports and all amendments offered to pending amendments.

2.1.2.3.6 Preservation of Records

As soon as possible after the final adjournment of the Convention, the Secretary shall prepare a "Journal of Proceedings" of the Convention, which shall be attested to by the President and the Vice President. The Secretary shall cause the journal to be both physically and electronically published in full. The Secretary shall cause the audio and video records of the Convention to be compiled and preserved and shall file the journal and all audio and video records with the Archivist of the United States for keeping in the manner provided by law for the records, books, video and audio records, documents, and other papers of the Convention. Likewise, the same records shall be filed with the Library of Congress, and with the several States in a manner directed by the Convention. The Secretary shall additionally send copies of all such records to the Speaker of the United States House of Representatives, the President of the United States Senate, the Clerk of the United States House of Representatives and the Secretary of the United States Senate.

2.1.2.3.7 Necessary Deputies and Staff

The Secretary may secure necessary staff and assign deputies to fulfill such duties as may arise in the course of the Convention.

2.1.2.3.8 Vote Tally

Whenever an issue is considered for a vote of the States, the Secretary (or Clerk) shall call the roll, note how each State voted (Aye, Nay, Divided, or Pass), tally the votes, and present the results to the President.

2.1.2.4 Duties of the Parliamentarian

2.1.2.4.1 Qualifications

The Chief Parliamentarian and any Assistant Parliamentarians shall be a current or former member of the Mason's Manual Commission. The Chief Parliamentarian shall have previously served as the Chief or Head Parliamentarian of a state legislative body. A Parliamentarian shall not be a delegate. Each committee shall be assigned an Assistant Parliamentarian upon request to the Chief Parliamentarian, who will make such assignment.

2.1.2.4.2 Duties

Upon request, the Parliamentarian shall advise the presiding officer of the Convention or a committee regarding questions of parliamentary procedure or the rules of the Convention.

2.1.2.5 Duties of the Sergeant-at-Arms

2.1.2.5.1 Convention

Subject to the direction of the President or presiding officer, the Sergeant-at-Arms shall enforce the rules of the Convention. The Sergeant-at-Arms shall be charged with enforcing the rules as to admission on the Convention floor, only delegates and designated staff are permitted to be on the Convention floor without leave of the body.

2.1.2.5.2 Committees

Subject to the direction of the committee Chair, the Sergeant-at-Arms shall enforce the rules to admission of the committee.

2.1.2.5.3 Deputies

The Sergeant-at-Arms, under the direction of the Secretary may arrange for deputies to fulfill the duties of the Sergeant-at-Arms.

2.1.3 Vacancy of an Officer

In the event of a vacancy of the President, the Vice President shall temporarily rise to President and conduct an election for a new permanent President. After the election of the President, the temporary President shall return to the position of Vice President unless elected President, and the President shall preside. In the event of a vacancy of any other Office, the Office shall be filled in the same manner as prescribed in Article 2.2 with the highest-ranking officer presiding over the election.

2.2 Election of the Officers

The election of the President and Vice President shall be conducted by the temporary President. Nominations shall be made from the floor. Voting shall be by roll call vote by the States with one vote per State. Voting shall continue with successive rounds, with the individual receiving the fewest votes removed from consideration, until an individual receives a simple majority of the States attending and voting. After the election of the officers, the temporary President shall retire and the President shall preside.

ARTICLE 3 – Quorums and Voting

3.1 Quorum

Subject to Article 1.3, a quorum for all committee or voting sessions of the Convention shall be a majority of the States present and for all committee meetings shall be a majority of the members present. At least one delegate from a State who is physically present at a quorum call during a committee or voting session of the Convention shall result in the presence of that State for the purposes of establishing or determining the presence of a quorum.

3.2 Voting

3.2.1 Voting by States

All voting at the Convention or in a committee shall be by State with each State having one vote, without apportionment or division. Each State shall determine the internal voting and quorum rules for casting the vote of its delegation.

3.2.2 Majority Vote

A majority vote of the quorum shall prevail on all issues before the Convention and in all committees, save for any vote to create a rule which requires a majority greater than a simple majority, which shall then require an equal majority to prevail.

3.2.3 Proposing an Amendment for Ratification

An affirmative vote of a majority of States attending and voting shall be necessary to propose an amendment for ratification by the several States.

ARTICLE 4 – Committees

4.1 Rules Committee

After the initial session of the Convention, the Rules Committee shall organize.

4.1.1 Purpose of the Committee

The committee shall review the rules of the Convention and make recommendations to the Convention regarding the addition of committees, the duties of the Officers, and procedures.

4.1.2 Seating and Participation

One delegate has the right to occupy the seat of the State and speak and vote on behalf of the State and the balance of the delegation may be seated in the same location, space provided, and the State may substitute the delegate in the seat of the State at its discretion.

4.1.3 Chair

The committee shall elect a Chair in the same voting manner the Officers are elected. The Chair shall preside over the committee but not vote save for the case of a tie.

4.1.4 Vice Chair

The committee shall elect a Vice Chair in the same voting manner the Officers are elected. The Vice Chair shall preside over the committee in the absence of the Chair and in that role not vote save for the case of a tie. The State from which the Vice Chair is a delegate may appoint another representative to the committee when the Vice Chair is serving as Chair.

4.1.5 Sub-Committees

The committee may divide into sub-committees with fewer members than the committee and shall elect a Chair and Vice Chair in the same manner as the committee. The Chair of the committee shall choose to either be a voting member of a sub-committee or be a non-voting ex-officio member of all sub-committees with the Chair's State selecting another delegate to be a voting member of a sub-committee.

4.2 Amendment Committee

After the initial session of the Convention, the Amendment Committee shall organize.

4.2.1 Purpose of the Committee

The committee shall prepare proposed amendment language which shall be transmitted to the Convention for its consideration and debate. Any amendment language to be presented to the Convention by a State for its consideration by the Convention must originate in the committee. After this committee transmits its report (recommended amendment language) to the Convention, the committee shall not meet unless directed by the Convention. The Convention may amend the report of the committee.

4.2.2 Seating and Participation

One delegate has the right to occupy the seat of the State and speak and vote on behalf of the State and the balance of the delegation may be seated in the same location, space provided, and the State may substitute the delegate in the seat of the State at its discretion.

4.2.3 Chair

The committee shall elect a Chair in the same voting manner the Officers are elected. The Chair shall preside over the committee but not vote save for the case of a tie.

4.2.4 Vice Chair

The committee shall elect a Vice Chair in the same voting manner the Officers are elected. The Vice Chair shall preside over the committee in the absence of the Chair and in that role not vote save for the case of a tie. The State from which the Vice Chair is a delegate may appoint another representative to the committee when the Vice Chair is serving as Chair.

4.2.5 Sub-Committees

The committee may divide into sub-committees with fewer members than the committee and shall elect a Chair and Vice Chair in the same manner as the committee. The Chair of the committee shall choose to either be a voting member of a sub-committee or be a non-voting ex-officio member of all sub-committees with the Chair's State selecting another delegate to be a voting member of a sub-committee.

4.2.6 Specific Issues Before the Committee

4.2.6.1 State Participation

After organizing, the first order of business shall be providing each State attending the Convention equal opportunity and time to present to the committee its opinion, findings, and recommendations regarding the language and content of the amendment subject, including specific amendment language. All presentations are subject to Article 1.

4.2.6.2 Expert Testimony

Expert testimony before the committee by those not a participant of the Convention shall be limited to the subject of the Convention and shall be by invitation. The Chair shall determine the experts and may create a sub-committee to recommend such. The committee, by a majority vote, may include additional experts.

4.3 Credentials Committee

4.3.1 Purpose of the Committee

The committee shall verify the credentials of the delegations after the Opening Session and settle disputes regarding credentials. The decision of the committee may be appealed to the Convention.

4.3.2 Composition

The committee shall be comprised of the elected officers of the Convention and the Chairs of the Rules and Amendment Committees. Each may appoint a substitute to attend a committee meeting. The committee shall select a member to serve as Chair.

4.3.3 State Resolutions

The primary source of verification of the credentials of a delegation shall be the resolution passed by the legislature of the State determining how the delegation should be chosen.

4.3.4 Recall Authority of the States

The committee shall recognize and respect the authority of a State to recall and reappoint members of its delegation pursuant to the resolution approved by their legislature when it appointed its delegation.

4.4 Additional Committees

Additional committees may be created by a majority vote of the Convention provided the committee's function does not create a new rule for the Convention and if so, approval shall be first received from the committee on Rules. If the committee is comprised of delegates, no committee shall have more than one delegate from the same State.

4.5 Committee Debate

The method of participation in committee debate shall be the same method as used in general session.

ARTICLE 5 – Sessions of the Convention

5.1. Composition

The Convention shall be composed of the States from which the legislature has sent a delegation. Recognition by the presiding officer shall be the name of the State and may additionally recognize the individual by name.

5.2 Rules and Procedures

Sessions of the Convention shall be governed by the rules of the Convention and when silent, the rules of parliamentary practice as stated in Mason's Manual of Legislative Procedure, current edition at the time of the Convention.

5.3 Seating and Participation

One delegate has the right to occupy the seat of the State and speak and vote on behalf of the State and the balance of the delegation may be seated in the same location, space provided, and the State may substitute the delegate in the seat of the State at its discretion.

5.4 Sessions

5.4.1 Time of Meeting and Procedure

The Convention shall meet at 9:00 a.m. unless otherwise ordered by the Convention.

5.4.2 Reading of the Journal

Immediately after the President or presiding officer shall have taken the chair and the States in their seats, the journal of the preceding day shall be read by the Secretary unless dispensed with by the consent of the Convention.

5.4.3 Order of Business

At meetings of the Convention, the order of business shall be as follows:

1. Call Convention to Order
2. Prayer by an individual approved by the President.
3. Pledge
4. Roll Call.
5. Reading of the Journal.
6. Presentation of petitions, memorials, and remonstrances.
7. Reports of committees.
8. Introduction and first reading of proposals.
9. Reference of proposals.
10. Motions and resolutions.
11. Orders of the day.
12. Committee notices.

5.4.4 Prohibitions on the actions of the Convention

5.4.4.1 Amending Convention Rules

The Convention shall not amend the rules of the Convention until after the Rules Committee has submitted its initial recommendation to the Convention.

5.4.4.2 Proposing and Amending Amendment Language

The Convention will not directly propose for debate specific amendment language until after the Amendment Committee has submitted its initial recommendation to the Convention.

5.4.5 Voting Process

5.4.5.1 Name of the State

Voting shall be in the name of the State without disclosure of the delegation's internal results. After the official tally of the vote, any State may rise and present for the record the internal vote tally of its delegation.

5.4.5.2 Votes Cast

Votes shall be cast as Aye, Nay, Divided, or Pass. If a State passes and does not eventually vote, the State shall not be considered as voting. If a State votes "Divided," the State indicates that the State's delegation is divided and is unable to cast an Aye or Nay vote.

5.4.5.3 Request for Leave

Prior to any vote, a State may ask for time to consult with its delegation on the issue. The request is not debatable and shall be granted by the presiding officer with the period of the leave determined by the presiding officer.

5.4.6 Additional Rules of Procedure

5.4.6.1 Every State, rising to speak, shall address the President or presiding officer; and while the State shall be speaking no one shall pass between them.

5.4.6.2 Of two States rising to speak at the same time, the President or presiding officer shall name the one who shall first be heard.

5.4.6.3 A motion made and seconded, shall be repeated; and if written, as it shall be when any member shall so require, shall be read aloud by the Secretary or transmitted to each delegate's pre-designated electronic device before it shall be debated. No motion, other than a procedural motion, shall be in order unless germane to both the subject matter specified in the State applications on which Congress called the Convention and to the subject matter specified in the Convention call.

5.4.6.4 A motion may be withdrawn at any time before the vote upon it shall have commenced.

5.4.6.5 When a debate shall arise upon a question, no motion, other than to amend the question, to commit it, or to postpone the debate, shall be received.

5.4.6.6 A question that consists of one or more propositions shall, at the request of any State, be divided and put separately as to each proposition.

5.4.6.7 A motion to reconsider a matter that has been determined by a majority may be made, with leave unanimously given, on the same day on which the vote passed; but otherwise not without one day's previous notice; in which last case, if the Convention agree to the reconsideration, the Convention or, by the Convention's leave, the President or presiding officer shall assign a future day for the purpose.

5.4.6.8 A delegate may be called to order by another delegate, as well as by the President or presiding officer, and may be allowed to explain his or her conduct or any expressions supposed to be reprehensible.

5.4.6.9 All questions of order shall be decided by the President or presiding officer, subject to appeal to the Convention, but without debate.

5.4.6.10 Upon a question to recess for the day, which may be made at any time, if it be seconded, the question shall be put without debate.

5.4.6.11 No delegate shall be absent from the Convention, so as to interrupt the representation of his or her State, without leave.

ARTICLE 6 – General and Miscellaneous Provisions

6.1 Costs of the Convention

The costs related to the Convention shall be divided equally among the States attending the Convention and the costs related to the travel, maintenance and provisioning of each State's delegation and staff shall be borne entirely by the State.

6.2 Open Meetings

Every official session of the Convention including committee and sub-committee meetings shall be held in full view of the public. Every official session of the Convention, including committee and subcommittee meetings, shall be streamed live via a website provided by the Convention and shall be recorded and archived under the direction of the Secretary.

6.3 Adjournment

The Convention shall adjourn promptly after completion of the business contained within the call of the Convention.

DELEGATE SIGNATURES

BBA Planning Convention Signature Page Description

Wet Signatures:

Sen. Sylvia Allen (AZ), Sen. Nancy Barto (AZ), Rep. Brenda Barton (AZ) - ALT, Sen. Sonny Borrelli (AZ) – ALT, Rep. Travis Grantham (AZ) – ALT, Rep. Anthony Kern (AZ), Speaker JD Mesnard (AZ), Sen. Steve Montenegro (AZ) – ALT, Rep. Kevin Payne (AZ) – ALT, Rep. Don Shooter (AZ), Sen. Steve Smith (AZ), Rep. Bob Thorpe (AZ) – ALT, Rep. Kelly Townsend (AZ), Rep. Timothy Barr (GA), Mr. David Guldenschuh (GA), Sen. Kelly Anthon (ID), Rep. Sage Dixon (ID), Sen. Marv Hagedorn (ID), Rep. Jason Monks (ID), Rep. Mike Moyle (ID), Rep. Christy Perry (ID), Rep. John Vander Woude (ID), Sen. Steve Vick (ID), Sen. Eric Bassler (IN), Mr. Neal Schuerer (IA), Mr. Tom Llewellyn (MI), Rep. Cal Bahr (MN), Sen. Roger Chamberlain (MN), Rep. Jerry Hertaus (MN), Sen. Mary Kiffmeyer (MN), Rep. Cindy Pugh (MN), Mr. Carl Bearden (MO), Sen. Dan Innis (NH), Rep. Bill Ohm (NH), Sen. John Reagan (NH), Rep. Jordan Ulery (NH), Rep. Kenneth Weyler (NH), Former Rep. Gary Banz (OK), Sen. Micheal Bergstrom (OK), Sen. Julie Daniels (OK), Rep. Mark Lepak (OK), Rep. Alan Clemmons (SC), Sen. Rex Rice (SC), Sen. Jim Stalzer (SD), Former Rep. Hal Wick (SD), Sen. Mike Bell (TN), Rep. Sheila Butt (TN), Sen. Bill Ketron (TN), Sen. Frank Niceley (TN), Rep. Dennis Powers (TN), Rep. Kay Christofferson (UT), Rep. Kim Coleman (UT), Rep. Ken Ivory (UT), Sen. Kevin Van Tassell (UT), Rep. Dan Laursen (WY), Sen. Ray Peterson (WY), Sen. Jeff Wasserburger (WY)

Electronic Signatures:

Sen. Arthur Orr (AL), Sen. Chuck Hufstetler (GA), Rep. Eric Redman (ID), Sen. Travis Holdman (IN), Rep. Jim Lucas (IN), Rep. Ben Smaltz (IN), Sen. Jerry Behn (IA), Mr. David Miller (IA) - ALT, Rep. Blake Carpenter (KS), Sen. Tom Buford (KY), Rep. John Bennett (OK), Mr. Marc Nuttle (OK), Rep. Mike Stevens (SD), Sen. Mark Green (TN), Rep. Jay Reedy (TN), Sen. Stuart Adams (UT), Sen. Robert Karnes (WV)

No Signature, Present for Convention:

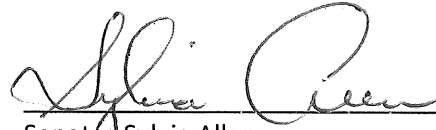
Sen. Gary Daniels (NH), Sen. Nathan Dahm (OK)

No Signature, Not Present for Convention:

Sen. Warren Petersen (AZ) – ALT, Sen. Bill Cowsert (GA), Sen. Todd Lakey (ID), Sen. Bob Giuda (NH), Rep. Lewis Moore (OK) – ALT, Sen. Gregg Buxton (UT) – ALT, Sen. Lincoln Fillmore (UT) – ALT, Rep. Eric Barlow (WY), Sen. Larry Hicks (WY)

WET SIGNATURES


Senator Arthur Orr
Alabama



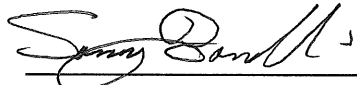
Senator Sylvia Allen
Arizona




Senator Nancy Barto
Arizona




Representative Brenda Barton
Arizona



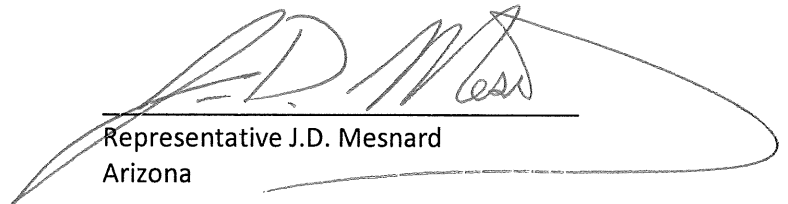
Senator Sonny Borrelli
Arizona



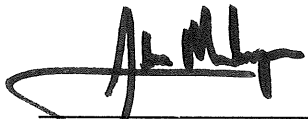
Representative Travis Grantham
Arizona




Representative Anthony Kern
Arizona



Representative J.D. Mesnard
Arizona

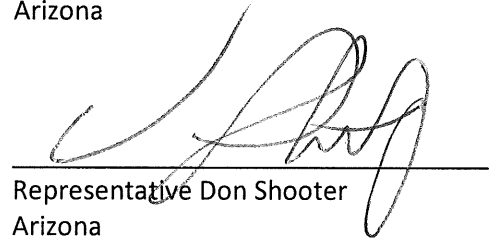


Senator Steve Montenegro
Arizona



Representative Kevin Payne
Arizona

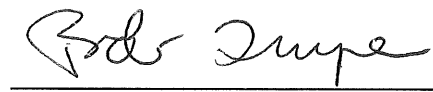
Senator Warren Petersen
Arizona



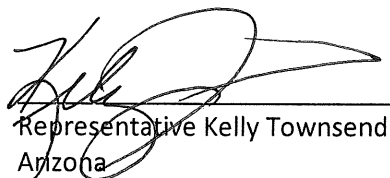
Representative Don Shooter
Arizona



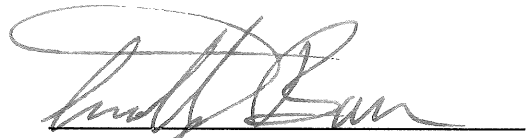
Senator Steve Smith
Arizona



Representative Bob Thorpe
Arizona

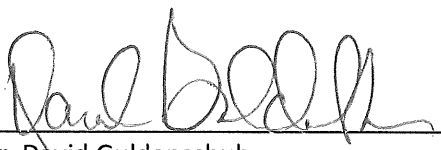


Representative Kelly Townsend
Arizona



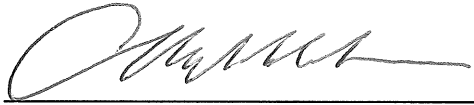
Representative Timothy Barr
Georgia

Senator Bill Cowsert
Georgia



Mr. David Guldenschuh
Georgia


Senator Chuck Hufstetler
Georgia



Senator Kelly Anthon
Idaho




Representative Sage Dixon
Idaho

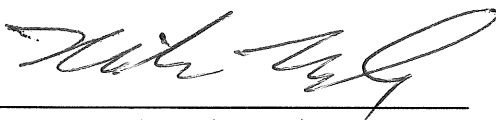


Senator Marv Hagedorn
Idaho

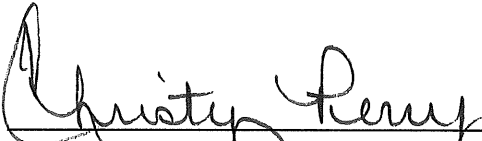
Senator Todd Lakey
Idaho



Representative Jason Monks
Idaho

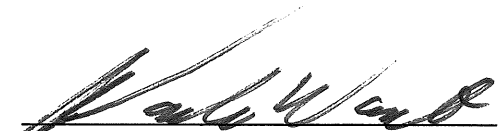


Representative Mike Moyle
Idaho




Representative Christy Perry
Idaho

Representative Eric Redman
Idaho



Representative John Vander Woude
Idaho



Senator Steve Vick
Idaho



Senator Eric Bassler
Indiana

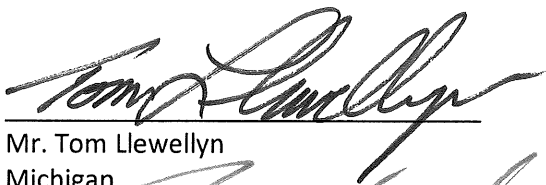
Senator Travis Holdman
Indiana

Representative Jim Lucas
Indiana

Representative Ben Smaltz
Indiana

Mr. David Miller
Iowa

Representative Blake Carpenter
Kansas




Mr. Tom Llewellyn
Michigan



Senator Roger Chamberlain
Minnesota




Senator Mary Kiffmeyer
Minnesota



Mr. Carl Bearden
Missouri


Senator Bob Giuda
New Hampshire

Senator Jerry Behn
Iowa



Mr. Neal Schuerer
Iowa


Senator Tom Buford
Kentucky



Representative Cal Bahr
Minnesota

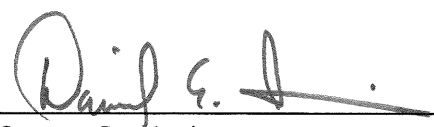


Representative Jerry Herta
Minnesota




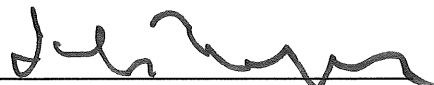
Representative Cindy Pugh
Minnesota

Senator Gary Daniels
New Hampshire



Senator Dan Innis
New Hampshire


Representative Bill Ohm
New Hampshire


Senator John Reagan
New Hampshire


Representative Jordan Ulery
New Hampshire

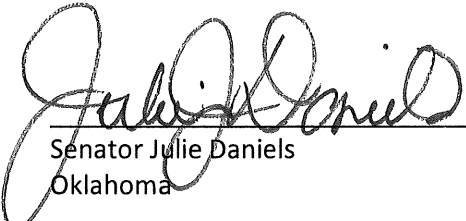

Representative Kenneth Weyler
New Hampshire



Former Representative Gary Banz
Oklahoma

Representative John Bennett
Oklahoma


Senator Micheal Bergstrom
Oklahoma

Senator Nathan Dahm
Oklahoma

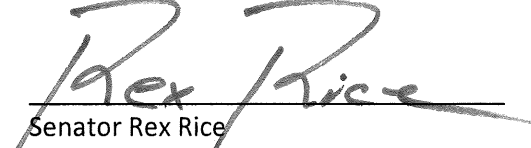

Senator Julie Daniels
Oklahoma

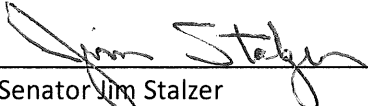

Representative Mark Lepak
Oklahoma

Representative Lewis Moore
Oklahoma

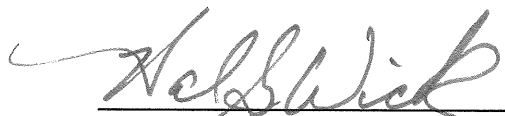
Mr. Marc Nuttle
Oklahoma



Representative Alan Clemmons
South Carolina


Senator Rex Rice
South Carolina



Senator Jim Stalzer
South Dakota

Representative Mike Stevens
South Dakota



Former Representative Hal Wick
South Dakota

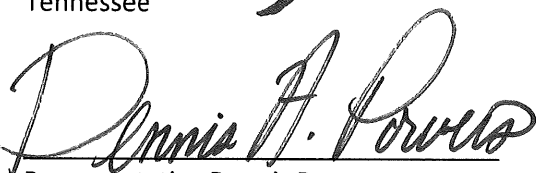

Senator Mike Bell
Tennessee



Representative Sheila Butt
Tennessee

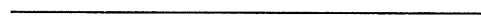

Senator Mark Green
Tennessee

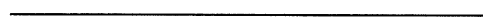

Senator Bill Ketron
Tennessee

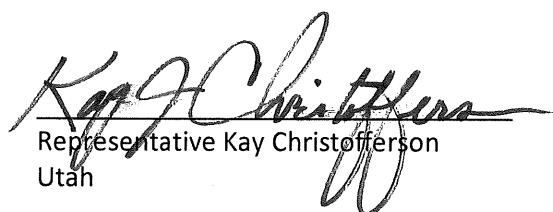

Senator Frank Niceley
Tennessee


Representative Dennis Powers
Tennessee



Representative Jay Reedy
Tennessee

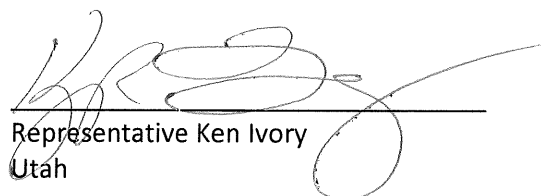

Senator Stuart Adams
Utah

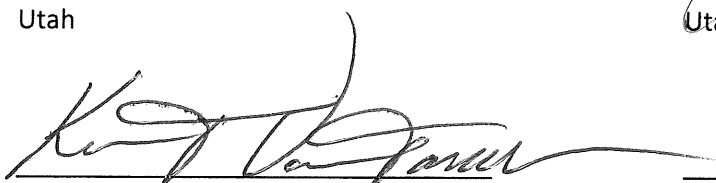

Senator Gregg Buxton
Utah



Representative Kay Christofferson
Utah


Representative Kim Coleman
Utah


Senator Lincoln Fillmore
Utah


Representative Ken Ivory
Utah


Senator Kevin Van Tassell
Utah



Senator Robert Karnes
West Virginia

Representative Eric Barlow
Wyoming

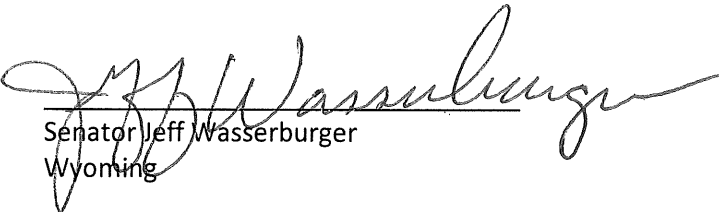
Senator Larry Hicks
Wyoming



Representative Dan Laursen
Wyoming

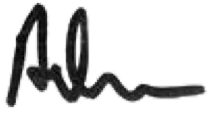


Senator Ray Peterson
Wyoming

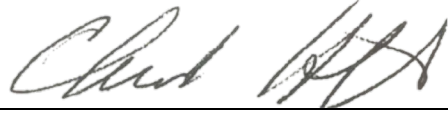


Senator Jeff Wasserburger
Wyoming

ELECTRONIC SIGNATURES



Senator Arthur Orr
Alabama



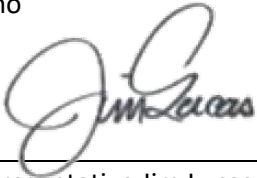
Senator Chuck Hufstetler
Georgia



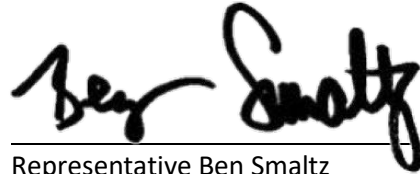
Representative Eric Redman
Idaho



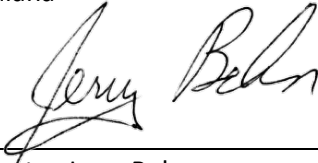
Senator Travis Holdman
Indiana



Representative Jim Lucas
Indiana



Representative Ben Smaltz
Indiana



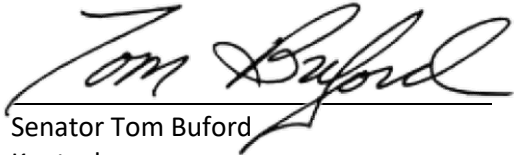
Senator Jerry Behn
Iowa



Mr. David Miller
Iowa



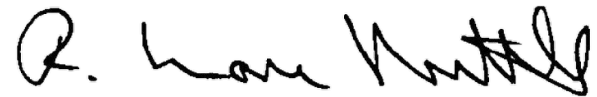
Representative Blake Carpenter
Kansas



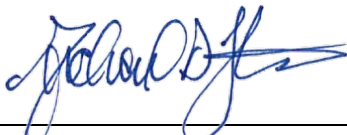
Senator Tom Buford
Kentucky



Representative John Bennett
Oklahoma



Mr. Marc Nuttle
Oklahoma



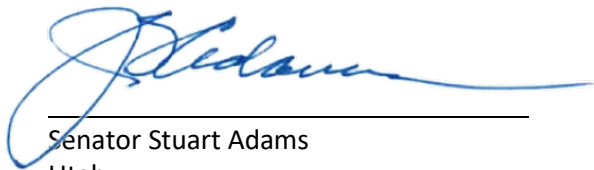
Representative Mike Stevens
South Dakota



Senator Mark Green
Tennessee



Representative Jay Reedy
Tennessee



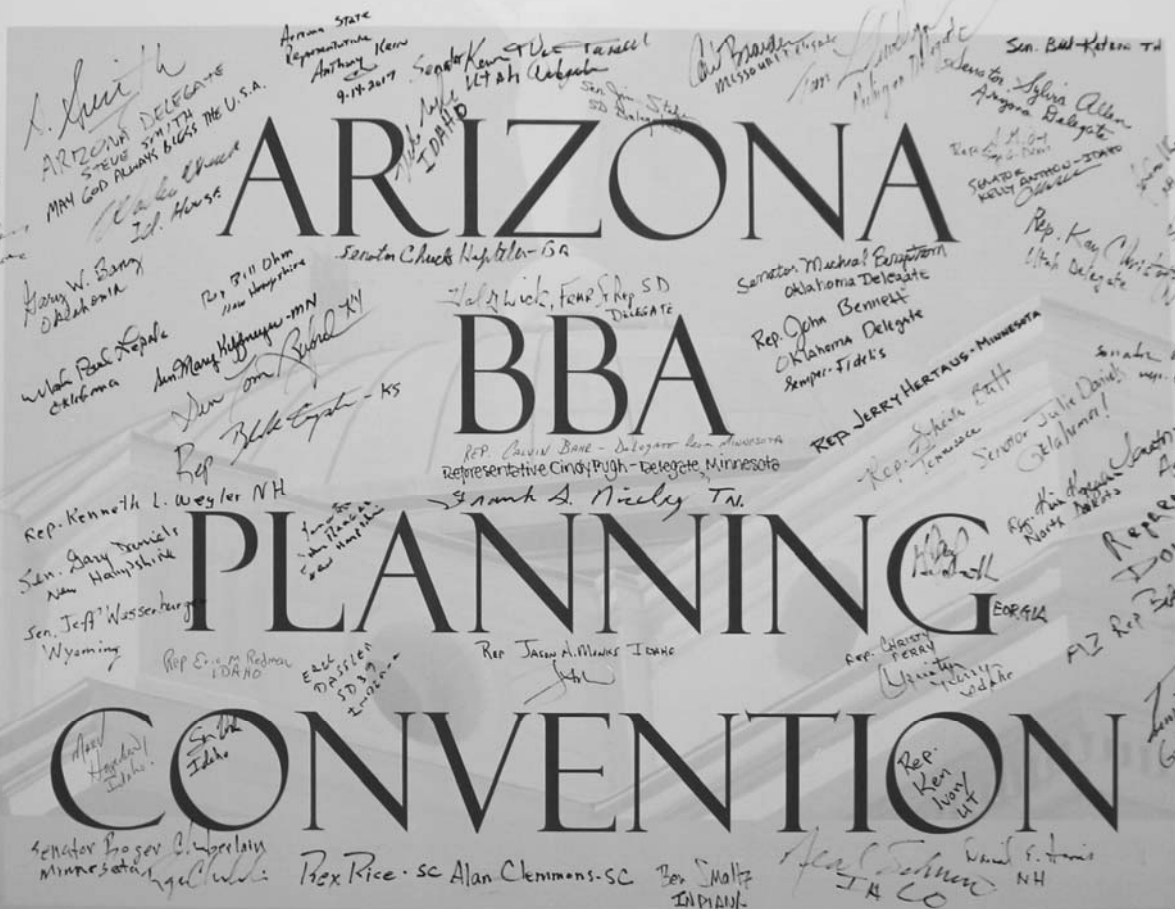
Senator Stuart Adams
Utah



Senator Robert Karnes
West Virginia



**Delegates of the Balanced Budget Amendment Planning Convention
Wednesday, September 13, 2017, Phoenix, Arizona**



September 12, 2017
12:00 PM



Arizona welcomes Delegates from around the country to convene a Balanced Budget Planning Convention to discuss proposed rules for a Single Subject Article V Convention of States.

This historic gathering will be the first time the States have come together with this level of authority in the last 156 years.

US National Debt as of 08/25/2017

\$19,974,037,713,980

Because this is the only way to fix the debt
- Rep. Ken Ivory
- Rep. Tim Wirth

