

*(Call for the question.)*

The Clerk will ring the quorum bell.

Delegate Marion.

DELEGATE MARION: Since we do not have the amendment before us, and although the Chair made it clear—

THE CHAIRMAN: The Chair will restate it again.

On the adoption of the amendment to section 8, it will be Amendment No. 17. You do not now have a printed copy. If you will follow me with your blue copy of the recommendation, I will give you the amendment.

On page 3, section 8, Pluralities, lines 32 and 33 strike the following: “, or in the case of primary elections, become the nominee for”.

A vote Aye is a vote in favor of the amendment, a vote in favor of the deletion of that phrase. A vote No is a vote against the amendment, a vote in favor of leaving the recommendation as it is printed.

Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 67 votes in the affirmative and 56 in the negative, the motion is adopted and the amendment is carried.

Are there any further amendments to section 8?

The Chair hears none.

Delegate White, do you still desire to offer your Amendment O?

I take it you do not, in view of the action on previous amendments, is that correct?

DELEGATE WHITE: I yield to Delegate Gullett.

THE CHAIRMAN: Delegate Gullett.

DELEGATE GULLETT: I have a question of Delegate Koss which might clarify this on section 9.

THE CHAIRMAN: Very well, Delegate Koss.

DELEGATE GULLETT: In the second line where it says “except with respect to

non-resident property owners in municipal elections”, we, as you now know, have removed that from section 2 where it was previously. If we are to believe that the majority statement is true in your commentary where it says that this is an extension of the vote rather than a restriction on the right of the vote, then it would appear to me that this would be no longer necessary.

Do you agree that this phrase would no longer be necessary?

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Delegate Gullett, I might agree, but I think that this is a question of legal interpretation, and certainly the Committee was not in a position to make that. We differentiated between the restriction of the right to vote and the extension of the right to vote.

THE CHAIRMAN: Delegate Gullett.

DELEGATE GULLETT: You do say, though, that this was an extension of the right to vote. I recall Delegate Clagett made what I thought was a very excellent presentation on this yesterday during the debate on section 2 where I think he agreed with this that it was an extension of the right to vote, and that you were acting within a class, not discriminating within a class. Therefore it seemed to me that it would be appropriate. I wonder if we might get some opinion from somebody on the floor as to whether this actually could or could not be taken out of section 9.

THE CHAIRMAN: Delegate Gullett, will you bear with the Chair just a moment?

DELEGATE GULLETT: Yes, sir.

THE CHAIRMAN: Section 2 was amended by Amendment No. 8 so that section 2 now reads: “Qualifications for voters in municipal elections may be established by law by municipal corporations subject to such procedures and standards as the General Assembly may provide by public general law. No municipal corporation may establish a voting age requirement different from the voting age for state elections, nor a residency requirement of more than one year.”

The Chair takes it, therefore, that under section 2 it would be possible for a municipality to authorize voting by non-resident property owners.

The Parliamentarian calls my attention to the fact that I read the amendment as