

DELEGATE HENDERSON: I was just going to say what Mr. Gallagher said. The "prescribe" requires that the legislature write a code in the first instance, and they can regulate the second and provide for a regulation in any manner that they please.

I think that is exactly right, and it should stay the way it is.

THE PRESIDENT: Is there any further discussion?

DELEGATE SOLLINS: I would like to move the previous question.

THE PRESIDENT: The question arises on the motion to move the previous question.

All those in favor signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

The question arises on the adoption of Amendment No. 2 to Committee Recommendations LB-2, LB-3 and GP-10 as amended by Style Committee Report S&E 14, as modified. It is the amendment as you have it printed except in line 3, add a semicolon, and add the word "for" in line 50.

A vote Aye is a vote in favor of the amendment; A vote No is a vote against.

Cast your votes.

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

The Clerk will record the vote.

There being 87 votes in the affirmative, and 9 in the negative, the motion is carried, and the amendment is adopted.

Amendment No. 3, on which you have acted, has now been distributed by the pages. It is Amendment "D" for "dog". Please correct your copy so that in line 2 the word "they" is stricken, and insert the word "that", and beginning in line 3 before the word "now" insert the word "are".

Delegate Sollins.

DELEGATE SOLLINS: I have an amendment, lettered "A".

THE PRESIDENT: Did you give your amendment to Mr. Benson, Delegate Sollins?

DELEGATE SOLLINS: I have had a printed copy for some time, and I assumed it was available for distribution.

THE PRESIDENT: Will you send your copy to the Chair? Will the page get the copy from Delegate Sollins, please?

While we are waiting to find the amendment, Delegate Penniman, may I have your attention for a moment?

One of the delegates has passed to the Chair a note suggesting the possibility that the caption of section 9.08 be modified to show that it covers two relatively distinct things. I rather suspect this was considered by your committee. Can you tell me whether that was so?

DELEGATE PENNIMAN: Mr. President, there are a number of these which are not fully descriptive, but it is in general our policy to hold them rather brief, so it seems to me that a conflict of interest is sufficient for this.

THE PRESIDENT: Very well.

This will be Amendment No. 4. The Clerk will read the amendment.

READING CLERK: Amendment No. 4 to Committee Recommendations LB-2, LB-3, GP-10, as amended by Style Committee Report S&D-14, by Delegate Sollins: On page 3, section 9.10, Impeachment, in line 17 after the period add this new sentence:

"If the House is not in session, the presiding officer, upon the written request of three-fifths of all the members of the House, shall convene the House for consideration of impeachment only."

THE PRESIDENT: The amendment is submitted by Delegate Sollins.

Is there a second?

Delegate Bamberger seconds the amendment.

The Chair recognizes Delegate Sollins to speak to the amendment.

DELEGATE SOLLINS: I think it very safe to characterize this amendment as one of the less significant ones that this Convention is going to hear about.

However, I think it is a necessary one when we were discussing S&D-16, LB-2 and LB-3 and GP-13, that it is not possible for the House of Delegates to get into session if they wanted to consider an impeachment proceeding and in order to meet this gap, this amendment is suggested to be added to the impeachment section.

This will provide that the House of Delegates by itself, with three-fifths of the members acquiescing can call itself into session for consideration of impeachment. This would not require the governor to do it. It would not require the concurrence of both houses.