

READING CLERK: Amendment No. 34 to Committee Recommendation JB-1, by Delegates J. Clark, and J. Raley: On page 5 section 5.16, Trial Courts Nominating Commission, line 2 strike out the word "five" and insert in lieu thereof the word "six"; and on page 5 lines 22 and 23, strike out the following " , and one judge"; and on page 6 section 5.19, Judicial Member of Nominating Commissions lines 6 through 8 strike out all of the last sentence in the section.

THE CHAIRMAN: Is there a second to the proposed amendment?

*(Whereupon, the amendment was duly seconded.)*

THE CHAIRMAN: The amendment having been seconded, the Chair recognizes Delegate J. Clark to speak to the amendment.

DELEGATE J. CLARK: First of all, I would move that we strike out the third part of the amendment, lines 9 through 12. This will be taken care of by another member later.

THE CHAIRMAN: Is there any objection?

In the absence of objection, lines 9 to 12 inclusive of Amendment No. 34 are stricken.

Delegate Clark.

DELEGATE J. CLARK: Mr. Chairman and ladies and gentlemen: The issue contained here in this amendment was settled last night with a very one-sided vote when we decided to take the judges from the commission on the appellate court, or at least the judges from the commission for trial court in our State. I think all the arguments we used last night are cogent here. Certainly this is a more sensitive area, and if it was true in the case of the appellate courts, it is certainly more true with the trial courts.

THE CHAIRMAN: Delegate Ritter.

DELEGATE RITTER: Would it be possible for us to get copies of the amendments so we will know what we are talking about?

THE CHAIRMAN: Chief Page, do any delegates not have copies of Amendment No. 34? Please indicate.

Delegate Mudd.

DELEGATE MUDD: Mr. Chairman, with reference to Amendment No. 34 as amended, I agree with the observation made by the proponent, our distinguished

vice president, that the debate on this matter would probably be in the same area as with reference to deleting the judges as members of the appellate court nominating commission; and he is correct here that striking the judge as a member of that commission was supported by this Convention by the vote of 106 delegates.

Accordingly, in line with your suggestions, Mr. Chairman, prior to the convening of the Committee of the Whole, it is my personal disposition to acquiesce in this amendment, subject to this alert to the proponents that it does leave the nominating commission with an even number, and there may be some impracticality in the organization of the commission with an even number of votes; but other than that, I have no opposition to the amendment.

THE CHAIRMAN: Is there any further discussion?

Delegate Linton, do you desire to speak in favor or opposition?

DELEGATE LINTON: I wanted to call the attention of the proponents of the amendment to the fact that in line 7 the last word should be deleted also, the "and."

THE CHAIRMAN: Line what?

DELEGATE LINTON: In line 7 of the proposed amendment, the word "and" should be deleted at the end of that sentence.

THE CHAIRMAN: I am not sure that the Chair follows you.

DELEGATE LINTON: At the end of the sentence, the word "and," at the very end of line 7, is deleted.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 34 to Committee Recommendation JB-1.

A vote Aye is a vote in favor of Amendment No. 34. A vote No is a vote against.

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.