

THE PRESIDENT: All delegates present now not present at roll call may indicate their presence on supplemental roll call.

The Clerk will record the supplemental roll call.

All in favor of the motion to recess, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

(Whereupon, at 1:07 P.M., the Convention recessed, to reconvene at 2:30 P.M. of the same day.)

PLENARY SESSION

NOVEMBER 29, 1967—2:35 P.M.

**PRESIDENT H. VERNON ENEY,
PRESIDING**

THE PRESIDENT: The Sergeant-at-Arms will clear the aisles and close the doors.

The Convention will please come to order.
Roll call.

(Whereupon, the roll was called.)

THE PRESIDENT: Has every delegate answered roll call?

The Clerk will record the roll call.

There being a quorum present, the Convention is in session. The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move that the Convention resolve itself into a Committee of the Whole for the purpose of resuming consideration of the general order of business.

THE PRESIDENT: Is there a second? All those in favor signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

(Whereupon, at 2:40 P.M. the Convention resolved itself into the Committee of the Whole.)

(The mace was removed by the Sergeant-at-Arms.)

COMMITTEE OF THE WHOLE

NOVEMBER 29, 1967—2:40 P.M.

**PRESIDENT H. VERNON ENEY,
PRESIDING**

THE CHAIRMAN: The Committee of the Whole will please come to order.

The Chair recognizes Delegate Morgan, the Chairman of the Committee on the Executive Branch, to continue presentation of Committee Recommendation EB-1; Delegate Morgan.

DELEGATE MORGAN: I believe before lunch I ended up with the section providing for the presentation of bills to the governor in connection with the governmental veto. Section 4.16.

Section 4.17 is the section that affords the legislature an opportunity to override the governor's veto. If the governor vetoes a bill while the General Assembly is still in session, he is required to return it to the General Assembly forthwith.

If the governor vetoes a bill after the General Assembly has adjourned sine die he is required to return it to any special session of the legislature which may be called to reconsider vetoed bills.

It is to be noted that section 3.12 of the proposed legislative branch article adopted by the Committee provides a technique through which the General Assembly can call itself into session, so the General Assembly could call itself back into session for the purpose of reconsidering vetoed bills if it wanted to. If it thought it was not worth it and could let a bill die with the veto they would not call it back into session.

For example, if the attorney general had ruled a bill unconstitutional, there really is no need for the General Assembly to be calling itself back into session to reconsider those bills since I am sure the General Assembly would feel bound by the attorney general's opinion on the constitutionality of the bill and that is where we leave it to the discretion of the General Assembly as to whether or not to call itself back into session to reconsider vetoed bills.

This section differs from Article II, section 17 of the present Constitution in that it does not require bills vetoed by the governor after adjournment to be returned to the next regular session of the General Assembly.

The legislators who testified before the Committee indicated that this procedure was cumbersome.

Further, since the General Assembly could call itself into special session to override the governor's veto this provision was thought to be unnecessary.

The provision of this session which permits the General Assembly to override a