

provide for disapproval by a majority of all the members of either house of the General Assembly. In the legislative article we do not provide for constitutional majority, but a majority of those present and voting or a majority of a quorum.

Would you accept an amendment to that effect if the legislative article were to stand and we were to have there a majority of those present and voting?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: I just cannot remember offhand why the Committee chose to make it a constitutional majority of both houses. I think that is the actual practice in the General Assembly at the present time, but it may not be in the new legislative article.

I think we just put it in following the practice of the General Assembly at the present time.

DELEGATE J. CLARK (presiding): Delegate Clagett.

DELEGATE CLAGETT: Delegate Morgan, with reference to section 4.19, page 21, line 12, and while you are hunting for it, this question should be asked by Delegate Chabot instead of myself: do you mean by the last word on line 12, each house of the General Assembly? You do not mean that it can be done by one of the two houses; you mean by both, do you not?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: By one of the two houses; by either house of the General Assembly.

DELEGATE J. CLARK (presiding): Are there any further questions?

DELEGATE MORGAN: In other words, this is kind of a bill in reverse; a bill has to be passed by both houses of the General Assembly, and if it is not passed by one, it never becomes law. This would turn the thing around and create the effect that if one house disapproves, it does not become law.

That is the theory of it.

DELEGATE J. CLARK (presiding): Are there any further questions? If not, the procedure prescribed here is that we will take each section, 4.01 through 4.17. They are open to amendments as we take them seriatim.

The Chairman suggests that it would be better at this time to have the minority report. Is Delegate Boyce ready?

DELEGATE DELLA: Mr. Chairman.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: Mr. Chairman, I have a question on section 4.24, on the filling of the vacancy of a job that must be with the advice and consent of the Senate.

The governor can make his appointment, and then submit some other person in his place.

Now, the name of the person that is submitted in his place, who gets the job if it is advised and consented to by the Senate, is it the substitute or the one who fills the job?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I —

DELEGATE DELLA: That is page 9, Delegate Morgan, beginning around page 23.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I knew the answer to that question once. I must say it puzzles me as much as it evidently does you. I have forgotten what the answer is. I will get it for you though, and let you know shortly.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: I have another question with that. Does the party whose name has been substituted, who has been appointed, lose his position if the substituted name is advised and consented to and if the person whose name is submitted to the Senate is rejected by the Senate? Does the person who is now filling the vacancy carry on as the appointee?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: I will have to find out the answer to that question.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Boyce. For what reason does he rise?

DELEGATE BOYCE: I think I might be able to help Delegate Morgan out on this.