

THE CHAIRMAN: Delegate Weidmeyer.

DELEGATE WEIDEMEYER: I would like to point out in regard to the wording of it, that it seems rather odd, because a special session can be called by the governor. However, if the governor has vetoed the bills and does not consider them of merit certainly he would not reconvene the special session, and then the only recourse that the members of the General Assembly would have is the leadership of the two houses and if the leadership of the two houses took it upon themselves not to convene a special session, the leadership of the two houses then could defeat the will of the majority of the General Assembly and thereby defeat the bill. It would seem to me that our old procedure ought to be in effect whereby the bill could be reconsidered on a special session called by the governor or by the leadership and the governor, or returned to the General Assembly at the next sitting.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: There is one other reason why we adopted this special session device. We wanted to do away with the pocket veto in the fourth year of the General Assembly.

In other words, we wanted to have the legislature have the power to call itself back into session and override the vetoed bills.

Now, they have not any such authority at the present time, and the governor just puts a bill in his pocket and that is the end of it. The General Assembly has no authority to do anything about it.

THE CHAIRMAN: Delegate Weidmeyer.

DELEGATE WEIDEMEYER: They could, could they not, at the next general session?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Delegate Weidmeyer, the constitution says at the next general session, provided it is not a new General Assembly.

THE CHAIRMAN: Delegate Weidmeyer.

DELEGATE WEIDEMEYER: It would seem to me that in order to be fair to all people of the State and all the members of the General Assembly that we should not confine it to the special session alone,

which is left to the whim of governor who has vetoed the bill, or to the leadership of the legislature.

THE CHAIRMAN: Delegate Weidmeyer, I have sent for a copy of LB-1. My recollection is that there is a provision there also for convening a special session by three-fifths of the members; is that correct?

DELEGATE GALLAGHER: In section 3.12 as approved by the Committee of the Whole the governor may convene a special session of the General Assembly at any time, and must convene the special session upon written request of three-fifths of all members of each house.

Assumedly, you have self-convening with three-fifths of the members; you would have three-fifths necessary to override. They fit in very nicely in that respect.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Will Delegate Gallagher yield for a question, please?

THE CHAIRMAN: Delegate Gallagher, do you yield to a question?

DELEGATE GALLAGHER: Yes, sir.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Delegate Gallagher, is it not true that it would be costly for special sessions, even though the legislators are on an annual salary. Might not this be one of the reasons why members of the General Assembly do not want to call special sessions or have one called and prefer to wait until the next regular session?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Yes. It is always costly to set up the mechanics of a special session of the General Assembly, and I would think that you would not want to bring the General Assembly together unless it was pretty well understood that you had the votes to override the governor's veto. I think that that would certainly be up to the leaders of both houses though, to determine that they were exercising their power to convene a special session, and certainly it would be up to the senators and delegates themselves if they were self-convening so to speak.

I think it is a matter of judgment as to which of the two you would use.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Is it not true that even when they are called in special