

DELEGATE M. SMITH: Perhaps there should be an amendment in 3.03(A), also.

THE CHAIRMAN: Do I take it from that, Delegate Smith, M. H. Smith, that your answer means that you are unwilling to withdraw this as an amendment to section 3.03?

DELEGATE M. SMITH: I will withdraw the amendment.

THE CHAIRMAN: You will. Amendment No. 4 is withdrawn.

Delegate Gallagher.

DELEGATE GALLAGHER: Mr. President, may I suggest that perhaps Mr. Smith needs this amendment before us and another one in 3.03(A) to make them both uniform in point of time.

THE CHAIRMAN: Delegate Smith.

DELEGATE M. SMITH: My advisors say that is proper.

THE CHAIRMAN: Well, then, the Chair is confused. Do you desire to retain the amendment?

Delegate Smith.

DELEGATE M. SMITH: Maybe we are in a situation of not having read this as adequately as we should have, but the intent certainly was to require the redistricting—

THE CHAIRMAN: I wonder if you would take a few minutes, read the section with your amendment and advise the Chair whether you wish to withdraw it or press it.

I think, Delegate Smith, the point that Mr. Gallagher is making is that if you are going to move the time up in 3.03(A) you will have to move the time up for the appointment of the commission also in 3.03.

DELEGATE M. SMITH: Yes.

THE CHAIRMAN: Delegate Smith.

DELEGATE M. SMITH: We would propose, Mr. President, the exact same language in line 28 of Section 3.03(A).

THE CHAIRMAN: But you intend to press the present amendment?

DELEGATE M. SMITH: Yes.

THE CHAIRMAN: Very well.

Delegate Gallagher, Delegate Smith has indicated that he desires to press Amendment No. 4 and that he proposes to have a similar amendment in line 28 of Sec-

tion 3.103(A). Do you desire to comment as to Amendment No. 4?

MR. GALLAGHER: I do, sir.

The effect of the additional year back-up which Amendment No. 4 would provide would seem to me to have you operating upon rather stale figures. While I can subscribe to the point of view that there should be sufficient time for litigation, I think a full year additional time presents problems of using population figures which will be two years old, virtually, by the time the election upon which they are based is held.

I feel that this is too much of a retreat in time prior to the election, and I would urge the defeat of the amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

*(There was no response.)*

THE CHAIRMAN: The Chair hears none. Does any delegate desire to speak in opposition? The Chair hears none.

Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 4.

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?

*(There was no response.)*

The Clerk will record the vote.

There being 27 votes in the affirmative and 70 in the negative, the motion is lost. The amendment is rejected.

Delegate Storm, do you desire to offer your amendment M?

DELEGATE STORM: Unfortunately, I do.

THE CHAIRMAN: The pages will distribute Amendment M. This will be Amendment No. 5.

The Clerk will read the amendment.

READING CLERK: Amendment No. 5 to Committee Recommendation LB-2 by Delegate Storm: On page 2 section 3.03, Redistricting Commission, in line 15 strike out the words "each appoint two persons"