

In recent times, contrary to what the intention is in separation of powers, we almost have three policy-making branches of government including the judicial. I am sure that on equal terms we certainly could not include the judicial branch and allow them to have the right to call a convention.

I think that taking this direct responsibility away from the General Assembly indicates a sad distrust in the General Assembly, the elective representatives of the people, who probably are more responsive to the people's wishes than perhaps the executive department whose function is to enforce the laws that are made by the legislative branch.

I would respectfully suggest for these and many other reasons that Amendment B be rejected and allow to the elected representatives of the people the right to call a constitutional convention.

THE CHAIRMAN: Is there any further discussion? Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. Chairman, in support of the amendment, let me say that the whole purpose of these series of amendments is to make it easy for this State to have a constitutional convention. I think all of us are aware that beginning about 1916 the old Constitution was getting a little bit creaky, as it were, and yet it took us fifty years to get a constitutional convention.

We feel that not only should this thing be in the hands of the General Assembly, we submit that it ought to be in the hands of the governor and also the people. If you vote for this amendment, you are going to create one manner in which it will be easy to get a constitutional convention. We will ask for the power to the governor.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 1 to Committee Recommendation GP-8.

A vote Aye is a vote in favor of Amendment No. 1. 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 26 votes in the affirmative and 83 in the negative, the motion is lost. The amendment is rejected.

Delegate Needle, I take it in view of that vote you do not desire to offer your Amendment C.

DELEGATE NEEDLE: Mr. Chairman, I think it would be appropriate to offer Amendment C.

THE CHAIRMAN: Delegate Needle, what did you start to say?

DELEGATE NEEDLE: I think everyone has it before them and I can make a very brief presentation.

THE CHAIRMAN: I wonder if you want to do this because if you left out the words "by law" this would under the rules that the Committee on Style has been following mean the General Assembly could act by resolution. I assume you mean they could act only by law.

DELEGATE NEEDLE: I do not want for the governor to have a veto power over the holding of a constitutional convention. That's my purpose in offering this amendment.

THE CHAIRMAN: Very well.

Delegate Needle.

DELEGATE NEEDLE: I just stated the very reason for offering the amendment. I do not think any further elaboration is really necessary.

I simply foresee the possibility that the governor may not want the calling of a constitutional convention in order to obviate the possible executive reorganization and I do not think he should have that right.

THE CHAIRMAN: Very well. Amendment C will be Amendment No. 2. The Clerk will read the amendment.

READING CLERK: Amendment No. 2 to Committee Recommendation GP-8, by Delegates Needle, Hardwicke and Sollins:

On page 1 in line 5 strike out the words "by law".

THE CHAIRMAN: The amendment having been submitted by Delegates Needle, Hardwicke and Sollins, the Chair recognizes Delegate Needle. Did you have any further comment to make, Delegate Needle?

DELEGATE NEEDLE: No.