

DELEGATE JAMES (presiding): Before we reach that, I would like to get back to the addition of the language. I would like to have a formal adoption of that proposal.

Pinpoint the section and line for the purpose of getting a formal record vote on it

DELEGATE SOLLINS: Mr. President, I will draw the appropriate amendment and have it submitted.

DELEGATE JAMES (presiding): All right.

Proceed to the next question.

DELEGATE SOLLINS: Now, with regard to section 3.22, again the sentence beginning on line 28: "The General Assembly shall prescribe by law a congressional redistricting plan or the commission plan.", and I question whether the General Assembly can prescribe the commission plan by law. Would not the more appropriate language be "enact into law the commission plan"?

DELEGATE PENNIMAN: The originating committee felt it should be "enact". We think that is better.

Can that be amended without a formal amendment? Where we say "prescribe by law"—

DELEGATE JAMES (presiding): Line 29, page 8, section 3.22. The language "prescribed by law", your suggested change is what?

DELEGATE PENNIMAN: "shall enact a congressional redistricting plan or the commission plan."

DELEGATE JAMES (presiding): Is there any objection to the modification? If there is no objection, the language "prescribed by law" in line 29, section 3.22, shall be changed to "shall enact".

Delegate Marion.

DELEGATE MARION: Mr. President, in somewhat the same vein as in section 3.06, I would address the question both to Delegate Penniman and Chairman Gallagher. Would the same infirmity be found in the use of the word "prescribed" in line 48?

As I understand the discussion of this section, it was clear that the 70-day time included passage by the General Assembly and sufficient time for the governor, which I think is 20 days, to veto it before it would become law without his veto.

And to use the language that "the General Assembly has not prescribed by law"

might just indicate the inaction of the General Assembly instead of just the enactment of the law itself.

DELEGATE GALLAGHER: Delegate Penniman has accurately expressed our intention in the use of the 70 days. Senator James, you remember that. I think his suggestion would be helpful.

DELEGATE JAMES (presiding): The suggestion is that we return it to "has not been enacted"?

DELEGATE PENNIMAN: "has not been enacted."

DELEGATE JAMES (presiding): Section 3.05, line 48, page 2, the word "prescribe" would be changed to "enacted".

DELEGATE PENNIMAN: Then we would have to remove the words "by law" later in the same sentence.

DELEGATE JAMES (presiding): Any objection to this change?

DELEGATE MARION: To make it absolutely clear it should not speak of the General Assembly in the active voice, but should speak of the enactment of the plan in the passive voice, much as the Legislative Branch Committee had reported it.

DELEGATE JAMES (presiding): I do not propose to do anything about it at this moment, but I wonder if Chairman Gallagher might reflect on it and just consider it. Without making any formal change, possibly a formal amendment can be made on this point.

For what purpose does Delegate Beatrice Miller rise?

DELEGATE B. MILLER: A point of inquiry.

Does the redistricting procedure not require a governor's veto? Is it not subject to a governor's veto?

DELEGATE JAMES (presiding): Delegate Gallagher.

DELEGATE GALLAGHER: No. It is subject to the governor's veto.

DELEGATE JAMES (presiding): Chairman Gallagher is having a bite to eat, so be easy on the questions until he has his lunch.

Delegate Marion.

DELEGATE MARION: One other question, if I might, for Delegate Penniman.

On page 3, section 3.07, line 17, we used "registered" instead of "qualified". My