

DELEGATE CARSON: Mr. Chairman, I and other sponsors desire to offer at this time the amendment marked "U".

THE PRESIDENT: Delegate Carson, the Chair does not think the amendment is an amendment of style pertaining to the style amendments proposed by the Committee on Style. It will afford you the opportunity to present the amendment at the proper time.

DELEGATE CARSON: Mr. Chairman, I do not desire to debate with the Chair. It was intended solely as one of style, and at the presentation by Chairman Penniman he indicated to me on a direct question that the word "notwithstanding" on line 47 meant "without", and I think therefore that it is an amendment of style, though I will not appeal the ruling of the Chair.

THE PRESIDENT: The basis for the Chair's ruling was that your amendment omits the words "the General Assembly shall have the power", and while it might be debatable, I think this perhaps goes a little further than pure style. It does not affect your right to offer the amendment, and I will afford you the right to offer it at the proper time.

Are there any other amendments to section 3.23? Delegate Gallagher.

DELEGATE GALLAGHER: Mr. President, I have no further amendments, and I do not think there are further style amendments to 3.23. If there are not, I should like to revert to 3.09, Amendment N, as in nobody, Mr. President.

THE PRESIDENT: Delegate Gallagher, this may be style or it may not. I do not know that it is. I would be inclined to rule that it is not style and notwithstanding the adoption, if it is adopted, of the amendment of the Committee to permit you the opportunity of offering the amendment at a later time.

Delegate Gallagher.

DELEGATE GALLAGHER: Mr. President, that being the case, I should like to move to 3.10 and offer Amendment "O".

THE PRESIDENT: This is also a little troublesome. I take it the purpose of the amendment, though, is merely to make the language conform to what was the intent previously stated.

DELEGATE GALLAGHER: Yes, Mr. President.

THE PRESIDENT: On that basis, the Chair will allow the amendment.

Will the pages please distribute Amendment "O"—"O" for oboe. This will be Amendment 6. The Clerk will read the amendment.

READING CLERK: Amendment No. 6, to Committee Recommendation LB-1, LB-2, LB-3 as amended to Report S&D-16, by Delegate Gallagher:

On page 4, section 3.10, Vacancies, strike out all of lines 15 through 18, inclusive, and insert in lieu thereof the following words:

"A person chosen to fill a vacancy, when succeeding a party member, shall be a member of the same political party as his predecessor. The person chosen shall serve only until".

THE PRESIDENT: The amendment is submitted by Delegate Gallagher. Is there a second? Delegate Bennett seconds.

The Chair recognizes Delegate Gallagher.

DELEGATE GALLAGHER: The purpose of this particular amendment is to clarify the original intention of the committee. I think the interrogation by Delegate Sollins to Chairman Penniman indicated there was some vagueness about the language as it stood in the revised draft here. We do not want to delimit the General Assembly in its prescribing by law to an appointment process, if it desired to go another route. Consequently, we have used the words "A person chosen to fill a vacancy" rather than "An appointee".

The next object which we sought was to determine that when one was a member of a political party and he was to be succeeded that the man succeeding him was a member of the same party. If you had a person who was declined, you would not necessarily want to require that the person filling the vacancy should also be designated declined as well.

THE PRESIDENT: Are there any questions of the Committee Chairman? Delegate Burdette.

DELEGATE BURDETTE: I think perhaps I should point out, or ask the Chairman of the Committee to comment, that this is certainly designed to allow the General Assembly to prescribe ways wherein a vacancy could be filled. In the event the General Assembly should decide upon a special election, it would seem undoubtedly correct that the whole remainder of the term should be filled.

Question: Does this preclude it, or has this been considered by the Committee? I