

If part of this constitution says the Constitution of 1867 goes out, it obviously means to apply to everything in 10.01.

DELEGATE JAMES (presiding): Is there any further comment?

Delegate Needle.

DELEGATE NEEDLE: I would like to address a comment to Delegate Penniman.

DELEGATE JAMES (presiding): Do you want to address a question to Delegate Penniman?

DELEGATE NEEDLE: A question, yes.

If Delegate Clagett's amendment to Delegate Grant's amendment is adopted, would that mean that any law could otherwise provide that the effective date of this constitution be suspended, or would you not otherwise have to say "or as otherwise provided in this constitution"?

DELEGATE PENNIMAN: I think the answer to that is yes.

DELEGATE NEEDLE: Delegate Clagett's amendment is not acceptable, is that correct?

DELEGATE PENNIMAN: I do not find it acceptable any more than I find the other one, and it for still further reasons.

DELEGATE JAMES (presiding): Delegate Needle.

DELEGATE NEEDLE: If an amendment is adopted, Delegate Clagett's amendment is not acceptable on the basis of style, is that correct?

DELEGATE PENNIMAN: That is correct.

DELEGATE JAMES (presiding): Are there any further comments?

The amendment offered by Delegate Grant is modified by the language which was suggested by Delegate Clagett, which means the insertion on line 6 of section 10.04 of the word "or".

The Clerk will ring the quorum bell.

Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. Chairman, this is a bad amendment. It really fouls up and makes a mess of 10.04 as well as 10.01. It suggests that there are exceptions in the constitution which preserve the Constitution of 1867. There are none. The only places we will preserve the Constitution of 1867 are by new language which

embodies the concept in specific constitutional language for this constitution. It is unnecessary. It is not a clarifying change, but is a confusing change; and I urge the Convention to vote against it.

DELEGATE JAMES (presiding): Is there any further comment?

Delegate Needle.

DELEGATE NEEDLE: I do not mean to speak for the merits of the proposed change, but would ask Delegate Clagett if he would accept the minor amendment to his amendment to say "specifically provided in this constitution or".

DELEGATE JAMES (presiding): I do not think we can accept an amendment to the amendment.

DELEGATE CLAGETT: I would have no objection to amending the amendment so that it provided this to clarify it, if it will meet with the accord of Chairman Penniman, but I think his objection goes in another direction. Certainly there would be no objection to inserting after the word "provided" and before the word "in" the words "in this constitution or in the schedule of transitional provisions attached to this constitution," the additional words being "in this constitution or".

DELEGATE JAMES (presiding): Delegate Penniman.

DELEGATE PENNIMAN: Adding these words will not change anything.

DELEGATE JAMES (presiding): The Chair rules the amendment to the amendment is out of order.

Delegate Neilson.

DELEGATE NEILSON: Mr. Chairman, ladies and gentlemen of the Convention: why don't we stop this and get on with the business? This particular section was not even touched by Style and Drafting. It simply says the same thing we decided it should say in the Committee of the Whole. I suggest we get it to a vote. I object to the amendment.

DELEGATE JAMES (presiding): You move the previous question?

DELEGATE NEILSON: Yes, sir, I do.

DELEGATE JAMES (presiding): All in favor, say Aye; opposed, No.

The Ayes seem to have it. The Ayes have it.