

ment" be broadened to encompass the concept sought to be included in this last sentence of section 10.02 where we deal with the processes of constitutional amendment, and delete this sentence from section 10.03?

THE PRESIDENT: It could be. I do not think it need be. I think again that you are adhering too literally to the technical meaning of the terms, rather than with their popular concept. I do not think the language in the sentence beginning in line 47 in section 10.03 is imperative. I think to have it there would cause less confusion than to not have it there.

Delegate Anderson.

DELEGATE ANDERSON: Mr. Chairman, I move the previous question.

*(Whereupon, the motion was seconded.)*

THE PRESIDENT: All in favor, signify by saying Aye; contrary, No.

The Ayes have it. It is so ordered.

The Clerk will ring the quorum bell.

The question arises on adoption of Amendment No. 12 to Committee Recommendations GP-7, GP-8, GP-9, GP-12, R&P-1 and LB-3 as amended by Style Committee Report S&D-17. A vote Aye is a vote in favor of the amendment. A vote No is a vote against.

Cast your votes.

*(Whereupon, a roll call vote was taken.)*

Has every delegate voted?

Delegate Boileau.

DELEGATE BOILEAU: No.

THE PRESIDENT: Delegate Boileau votes No.

Does any delegate desire to change his vote? The Clerk will record the vote.

There being 14 votes in the affirmative and 83 in the negative, the motion is lost and the amendment rejected.

Delegate Penniman, earlier today the Chair suggested to Dr. Phillips, the staff adviser of your Committee, the possible necessity or desirability of further amendment to section 10.02. Has he discussed it with you or your Committee?

DELEGATE PENNIMAN: No, he has not.

THE PRESIDENT: The Chair would like to put the question then to Delegate

Boyer and also to you, Delegate Penniman. It is more a question of substance, but it may be effected by a style change.

As section 10.02 is now written, it provides for the amendment of the Constitution either by the proposal by the General Assembly or as proposed by the members of the Constitutional Convention. Then, in the sentence beginning in line 4 it provides that any proposed amendment, which would mean one proposed either by the General Assembly or by the Convention, shall be submitted to the voters of the State at a special or general election as determined by the General Assembly or by the Convention, whichever proposed the amendment.

In other words, if the amendment is proposed by the General Assembly, then the General Assembly will decide whether it is to be submitted at a special or general election. If it is proposed by the Convention, then the Convention will make this determination.

In the next sentence, however, this option is not preserved and it is provided that notice of the election shall be given as the General Assembly shall prescribe by law.

I wonder if this was intentional or whether the Committee on General Provisions meant to give the same option to the General Assembly and to the Convention as to notice as it did as to the kind of election to be prescribed.

Delegate Boyer.

DELEGATE BOYER: Mr. President, I view this a little differently than you, evidently.

The General Assembly, of course, shall pass all election laws. Hopefully there will be a new set of election laws out very shortly. In those election laws I am sure that somewhere in there there is going to be required notice of any election, and that is what I interpreted.

THE PRESIDENT: In other words, you were not thinking of a special legislative act to provide notice for this particular election?

DELEGATE BOYER: No, sir. I was thinking of an all-encompassing law, incorporating any election into election laws that may have previously been determined by the General Assembly.

THE PRESIDENT: Delegate Penniman.