

41 and 42 and insert in lieu thereof the following: "to serve for a term beginning at noon on the second Wednesday of December following his election and ending at noon on the second Wednesday of December in the fourth year thereafter."

THE CHAIRMAN: The amendment is moved.

Is it seconded?

*(Whereupon, the amendment was duly seconded.)*

THE CHAIRMAN: The Chair recognizes Delegate Chabot to speak to the amendment.

DELEGATE CHABOT: Mr. Chairman, this is essentially a technical amendment. I consulted with the staff of the Legislative Committee and their initial reaction was that this would provide a technical improvement to the section. As it was presented in LB-1, it would be possible, in fact, it would occur in every election that there would be either a period of two days in which there would be no General Assembly because the old term would have expired and the new term would not have started, or a period of five days during which there would be two General Assemblies, the old terms not having yet expired, the new terms having already started.

In order to avoid both the hiatus and the overlap, I have offered my amendment which will make it clear that the new term starts as soon as the old term expires. This is a situation which exists at the present time under the Constitution. However, it has had no consequence simply because the Constitution has required that the first session of the General Assembly not begin until January and the last term had been over in November.

However, since the scheme presented by LB-1 involves the new General Assembly beginning to take some action as soon as its term has started, I think it is desirable to avoid continuing this situation.

THE CHAIRMAN: Delegate Chabot, I think it might be desirable for you to clarify why there would be the overlap of two days or hiatus of two days.

DELEGATE CHABOT: As I calculate it, the General Assembly elected in 1970 would take office on December 9, 1970. The General Assembly elected in 1974 would take office on December 11 of that year. However, the previous General Assembly's term will have expired at the end of the day, presumably on December 8th. That is

an example of the hiatus of two days. The overlap situation is illustrated by the General Assembly elected in 1978 which would take office on December 13 of that year and would leave office presumably at the end of the day of December 12, 1982. However, the 1982 General Assembly would take office on December 8. Therefore, for December 8, 9, 10, 11 and 12 there would be a period of five days during which we would have two General Assemblies, and conceivably some degree of dispute if there were substantial change in the makeup and control of the two General Assemblies.

THE CHAIRMAN: The Chair recognizes Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Chairman, Ladies and Gentlemen:

I think Delegate Chabot's amendment is an improvement to the Committee Report, and I recommend its adoption; and I would urge the members of the Committee on the Legislative Branch to support it.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 17 to Committee Recommendation LB-1. A vote Aye is a vote in favor of the amendment. A vote No is a vote against.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 125 votes in the affirmative and none in the negative, the motion carries. The amendment is adopted.

Delegate Chabot.

DELEGATE CHABOT: Mr. Chairman, having been on the short end of a 130 to 2 roll call vote, I am very much gratified by this result.

THE CHAIRMAN: Are there any further amendments to section 3.06?

*(There was no response.)*

If not, we move to consideration of section 3.12, Minority Report LB-1F. The Chair recognizes Delegate Bard for the purpose of presenting the Minority Report. Will he come forward, please?