

were not passed in the flexible session? Would they continue on to the next session, or how far would they go?

Likewise, while you are answering that question, here is a companion question: what would happen to those passed in November, and perhaps vetoed, when a new session begins then in the second week of January?

DELEGATE BARD: It is a good question. First let me answer that by saying what happens now. You do adjourn sine die. We said this. After you adjourn, you still have some problems. You cleared the problem of a close; you don't have an ephemeral close under the flexible schedule. But right now, what happens to bills is that you may be only one day from passage but if the session ends, the bills die. I give you this illustration concerning the community college bill on which I appeared this very year before the legislature. We needed two additional votes in order for state aid to be claimed on another basis. Had we had one more day, we would have won, I think, but we lost. What happened? As a result of the close of the session, the bill was dead. We had to lose out and increase our tuition at the college I happen to represent and at colleges all over the State, which is going to react very unfavorably as far as children, young men and women from modest income families are concerned.

As things are now, damage is done, and what happens to the bills?

You have sine die adjournment—and so in that respect I happen to be one who thinks bills ought to carry over one more year. But that is something else and it can be done either way.

THE CHAIRMAN: Delegate Bennett?

DELEGATE BENNETT: Delegate Bard, would you care to comment on the possibilities of what would happen if there were a conflict between the governor on the one hand and the legislature on the other hand, the legislature holding themselves in session in order to block some action by the governor and thus stymieing all action by the state? Does this not tip the balance in favor of the legislature in our effort to secure equality over the various branches of government?

DELEGATE BARD: In answer to that question, I would say we are very anxious to move the balance, not tip it, but to equate the balance in favor of the legislature. Without this, the balance cannot be so equated.

Let me say this: under the Majority Report the legislature can still sit just by having another special session called by the majority of the members, yet another one called by three-fifths or by the two presiding officers. You could still do the very thing you say. The point about ours is that you would not be doing it circuitously. You would be, with respectability, continuing a session under the constitutional privilege. Under the Majority Report you would be doing it circuitously by just adding 30 more days, 30 more days, 30 more days. I do not see where one does anything differently here.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: Delegate Bard, I would like to continue the line of questioning that Delegate Gilchrist had opened up.

Are you aware—I assume you are—that the federal government contains no length of term that limits the session for the federal Congress? Are you aware that this has caused the Congress to sit as a regular matter 365 days a year?

DELEGATE BARD: Shall I answer that?

I am aware, Delegate Chabot, of two things: first, there are 17 states that have this plan and they have not sat 365 days. But more important than that, I am aware of the fact why Congress has sat many days, not necessarily 365, if you do the arithmetic; I don't think it is quite fair to say they sit 365 days a year because if you calculate it, you will note that they have sat longer because they dealt with problems which our state has not had the time to deal with.

I personally believe it is within these halls that we should be dealing with problems of human relations, with problems of urban strife, with problems of rural difficulties, and these are the problems we have been unable to deal with because we do not have the time.

I would take some of the time away from Congressmen and not have them sit 365 days and have us sit more time and have them sit less.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: May I add a bit of information to that, Delegate Bard?

THE CHAIRMAN: Is this a question? If it is not, defer your comment until the debate.