

1 process compliance that exists when such a law happens.

2 Of course, an indeterminate sentence law is some-
3 thing of a departure from standard legislation, because
4 traditionally the legislature says that a pick-pocketing
5 shall be an offense and the minimum penalty would be six
6 months and the maximum two years. When they say that being
7 a defective delinquent will subject you to an indeterminate
8 sentence, this is quite a departure from traditional legis-
9 lating and, for that reason, we had great hesitancy in not
10 leaving the constitutional authority to do it in the books,
11 but it seems quite unnecessary.

12 THE CHAIRMAN: Any further question or comment?

13 Mr. Sayre?

14 MR. SAYRE: I stand to be corrected, so it's
15 really seeking information. Under the rule making power
16 section of the judiciary article, would it not be under-
17 stood that the Court by rule would have the power on in-
18 determinate sentencing to suspend, or whatever, if not
19 provided by law through the General Assembly?

20 MRS. BOTHE: Of course, I don't know that this
21 would have any effect on our discussion, but I don't