

Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, and ladies and gentlemen of the Committee of the Whole: This report, Committee Recommendation GP-12 is for the most part self-explanatory. Its purpose is to provide an omnibus theme in which the new provisions of the Constitution when ratified will take effect. A specific provision is made for transitory provisions which would in effect spell out special dates for each of the articles, therefore, unless there is further questioning on it, I feel that the time spent would be wasted in going into further explanation. I am sure all of you have a copy of the recommendation which again states that unless specifically provided otherwise, the effective date of the new constitution would be July 1, 1968, and that the Constitution of 1867 would then at that time cease to be effective. I might add although the date is somewhat arbitrary, it was felt July 1 would be the most practical considering the State's new fiscal year would begin at that time. With that I would be open to questions.

THE CHAIRMAN: Are there any questions of the Chairman of the Committee?

Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman, I would like to inquire as to whether this date of July 1st, 1968, has been approved by the liaison committee from the General Assembly.

DELEGATE WHEATLEY: I heard from some of the critics on the sidelines and from a memo that this was the data agreed upon. Unless I hear to the contrary, I will assume that it be satisfactory.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: I think it would be important to have concurrence on this date.

THE CHAIRMAN: The Chair might amplify that a little bit, Delegate Gleason.

Great care is being taken by the persons drafting the transitional provisions to be submitted to the Convention to allow sufficient time for the General Assembly to act in any area where it is necessary. This particular recommendation does not, of course, mean that the entire constitution and all its provisions will be effective on July 1, 1968.

In addition to that, there have been discussions between the leaders of the General Assembly and the officers of the Conven-

tion as a result of which the General Assembly will probably provide for a joint committee consisting of representatives of the Senate, representatives of the House of Delegates, and representatives of the Convention, to continue on an indefinite basis, assisted by an adequate staff to work out a program for the Legislature. All of this is being considered very carefully in connection with the preparation of the schedule of the transition provisions.

Delegate Grant.

DELEGATE GRANT: Mr. Chairman, I have two or three questions about this.

First of all, are the words "except as otherwise specifically provided in the Schedule of Transitional Proceedings" intended as a modifier to the phrase "this Constitution shall become effective", or is it intended for the modifier to the phrase "that the Constitution of 1867 shall cease to be effective"?

THE CHAIRMAN: Add "or both".

DELEGATE GRANT: "Or both."

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: The language would apply to July 1, 1968, and the 1867 Constitution unless otherwise provided would not be included. The Constitution of 1867 would be superseded as of this date unless—we had talked today of the amendment suggested by Delegate Scanlan—it was rejected. I would again defer to someone who served on the ad hoc committee who worked on the specific things if there be another intent involved.

THE CHAIRMAN: The Chair can answer that because the language was suggested by the ad hoc committee. It was intended that the constitution shall become effective and the Constitution of 1867 shall be superseded simultaneously and the July 1, 1968, date applies to both.

Delegate Grant.

DELEGATE GRANT: I was not concerned about the July 1, 1968, date. I understand that. The question is about "as otherwise specifically provided".

THE CHAIRMAN: The "except" clause would apply to both because one would become effective and the other would cease to be effective. The exception would apply to both.

Delegate Grant.

DELEGATE GRANT: The problem arises on the amendment that was made to