

DELEGATE DORSEY: Mr. President, when the Executive Branch Committee met this morning, I recommended that we suspend action on the so-called compromise until a vote was taken on the comptroller and treasurer. That has now been done, and I really feel that if the Convention would take a thirty-minute recess and the Executive Branch Committee would reconvene, that we might work out something that is acceptable to everybody in this Convention.

THE CHAIRMAN: The language of Rule 53, referring to delegate proposals and committee recommendations, uses the following language. It says: "Any suggestion, proposition, or draft intended to become a part of any revised constitution is not," as the Chair thought, "limited to language intended to become a part of the revised constitution."

The Chair therefore feels that the amendment would constitute a suggestion or proposition intended to become a part of a revised constitution, even though not in the precise language of the constitution.

The Chair regrettably rules that if the point of order is pressed it will be sustained. I ask that you defer for just a moment.

The Chair would like to consult with Delegate Powers at the rostrum, and Delegate James and Delegate Morgan.

(Whereupon, there was an off-the-record discussion between Chairman Eney and Delegates Powers, James, and Morgan.)

THE CHAIRMAN: The Committee will please come to order.

For the reasons stated by the Chair, the Chair will rule Amendment No. 4 out of order at this time, and accordingly, Amendment No. 5, intended as an amendment to Amendment No. 4, will also be out of order.

At this point the Chair will recognize Delegate Powers for the purpose of moving that the Committee of the Whole rise and request the Convention to make further consideration of Recommendation No. 1 of Committee Report EB-1 a special matter of business at the time of the consideration of Committee Recommendation EB-1.

The reason for this is that at that time precise language would be drafted and submitted to you in connection with a consideration of the article on the Executive Branch.

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. Chairman, I move the Committee rise for the purpose set forth by the Chair.

THE CHAIRMAN: Is there a second to the motion?

(Whereupon, the motion was duly seconded.)

THE CHAIRMAN: Is there any discussion?

All in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

(Whereupon, at 4:40 P.M., the Committee of the Whole rose, and the Convention reconvened.)

(The mace was replaced by the Sergeant-at-Arms.)

PLENARY SESSION

NOVEMBER 28, 1967—4:40 P.M.

PRESIDENT H. VERNON ENEY,
PRESIDING

THE PRESIDENT: The Convention will please come to order.

On behalf of the Committee of the Whole the Chair reports that it has had under consideration Committee Report EB-1; it still has it under consideration, and desires leave to sit again.

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move that the first item in the Committee Report EB-1 be made a special order of business when the Committee Recommendation EB-1 is before the Committee of the Whole.

THE PRESIDENT: Is there a second?

(Whereupon, the motion was duly seconded.)

THE PRESIDENT: The question arises on the motion that Recommendation No. 1 of Committee Report EB-1 be made a special order of business when the Committee of the Whole is considering Committee Recommendation EB-1.

All in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move the Convention resolve itself into