

DELEGATE STORM: Could we get to a more efficient way of voting by simply adopting all of the unadopted parts of the committee recommendation, so that we would get — yes, the committee recommendation, what we have been voting on.

THE CHAIRMAN: I think we can get rid of it very quickly if we will take a vote right now, Delegate Storm.

Delegate Storm.

DELEGATE STORM: What I am trying to do is eliminate this multiple voting. Can we bow to the Committee and say, everything you want we will adopt, so we can get rid of that, and then eventually get to an effective vote? Could we do this?

THE CHAIRMAN: The Chair will submit the question immediately, if you will permit me, and we will dispose of this recommendation. The only other one is Recommendation No. 5. I think that would have to be submitted separately.

The question arises on the approval of Committee Recommendation No. 2. This is a recommendation as submitted by the Committee, and is not amended. In the recommendation now before you the Committee recommends that the office of comptroller not be provided for in the constitution. A vote Aye is a vote in favor of the recommendation, in other words, a vote against having the comptroller in the Constitution. A vote No is a vote against the recommendation.

Cast your votes.

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

*(There was no response.)*

The Clerk will record the vote.

There being 70 votes in the affirmative and 70 in the negative, the motion is rejected. The recommendation is neither approved nor disapproved.

The next item on the calendar is the consideration of Recommendation No. 5 of the Committee. The Chair recognizes Delegate Morgan, Chairman of the Committee — for what purpose does Delegate Rush rise?

DELEGATE RUSH: A parliamentary inquiry, Mr. Chairman.

THE CHAIRMAN: State your inquiry.

DELEGATE RUSH: On the vote by which we lost the amendment of Delegate Sybert, was the vote then 71 to 69?

THE CHAIRMAN: Sixty-nine to seventy-one.

DELEGATE RUSH: Do we not have three people missing today?

THE CHAIRMAN: We have some absences, that is true.

DELEGATE RUSH: Three from 142 is how many — 139, right?

THE CHAIRMAN: Yes.

DELEGATE RUSH: And 140 voted.

DELEGATE BOYCE: I think I can answer that. Mr. Dabrowski came after the first vote. There were three missing and after the last two Mr. Cleveland and Mr. Boyles were absent.

DELEGATE RUSH: All right.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, Recommendation No. 5 of the Executive Branch Committee, in Committee Report EB-1 is, so far as I am aware, a recommendation as to which there was no controversy whatever in the Committee. It recommends the following offices not be provided for in the constitution: The secretary of state, coroners, elisors, notaries public, surveyors, and the state librarian.

As a matter of fact, the secretary of state had the distinction of being the only state officer who recommended to our Committee that his office not be provided for in the constitution.

These officers which I just mentioned do not significantly interfere with the governor's executive powers, since the office holders exercise only ministerial functions. However, to the extent that these officers are given constitutional functions their status is too inflexible and such inflexibility interferes with efficient administration of the state.

For example, the Commissioner of the Land Office was originally provided for in the prior Constitution and was given certain functions. In 1966 it was necessary to amend the constitution in order to transfer the duties of the office to another state agency.

It is therefore recommended that these officers be removed from the constitution so as to increase the flexibility of the state's administrative structure. This will give the General Assembly and the governor, through his reorganization power, the ability to reorganize the administrative