

DELEGATE WHEATLEY: Mr. Chairman, the thing that disturbs me with the proposed amendment is that we apparently are now creating a board that may be given no function by the General Assembly; is that true?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: That is possible, but I think hardly likely.

DELEGATE WHEATLEY: I suggest that the General Assembly may well have been reluctant if given the option to give this power to a board which it could, I assume, reserve for itself if it were not compelled to do so and exercise all of these functions.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I call Delegate Wheatley's attention to the fact that for all practical purposes all of the powers of the existing Board of Public Works are purely statutory. They could be taken away from it by the General Assembly next January.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Of course the existing board is of a different composition. It has a member of the treasury elected by the General Assembly, so I think the comparison could not necessarily be accurate as to a newly constituted board.

My next question would be what effect would there be if such a proposal were not included in the constitution at all?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: That was what we originally proposed.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: That answers my question, Mr. Chairman.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Will the gentleman yield for a question?

THE CHAIRMAN: You may proceed, Delegate Sherbow.

DELEGATE SHERBOW: Delegate Morgan, I do not know where they have put it because there have been so many amendments. I would like to offer an amendment, and I wonder if you would accept it, that the meeting of the Board of Public Works shall be public?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I would not have any objection to such an amendment. That is one of the purposes of the Board of Public Works, or the board of review.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: I would like to have inserted and amend the amendments so that the word, "public meetings," is put in the appropriate place. I am sorry I cannot follow the many that have taken place.

THE CHAIRMAN: The Chair calls the attention of Delegate Sherbow and Delegate Sickles to the fact that that would probably prevent the action that was indicated by Delegate Sickles that might be desirable in an emergency and would be inconsistent with the language which has been added already. The language now is that it may act by majority vote and shall hold its meetings or otherwise act. As the Chair understood Delegate Sickles, he wanted the legislature to be able to authorize the board to act in an emergency situation, without having a formal, open meeting. Is that correct, Delegate Sickles?

DELEGATE SICKLES: That is correct. That is a correct statement of my position.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: I still offer the amendment. I think it is more important that the meetings be in public than that that kind of emergency which has not happened so far as I know in over a hundred years be provided for. I would like to offer that as an amendment.

THE CHAIRMAN: Delegate Morgan, do you accept the suggested change?

DELEGATE MORGAN: I would have no objection to such an amendment, Mr. Chairman.

THE CHAIRMAN: Will you please indicate the change you are accepting then, because the Chair is lost. I do not know just where you are going to put it. Delegate Adkins.

DELEGATE ADKINS: I should like to respectfully disagree with my distinguished Chairman. I do not think that amendment is proper in this document. The content of the constitution, no provision herein provided gives the General Assembly the right to provide the regulations under which the Board shall operate. It seems to me there