

The Clerk will ring the quorum bell.

The question arises — Delegate Carson.

DELEGATE CARSON: Mr. Chairman, I would just like to point out in opposition to the amendment that the present Constitution, section 9 of Article V has a similar and lengthy section with regard to assistant state's attorneys. I see no more reason to put this in the Constitution than I do with regard to assistant state's attorneys, and I fear that by putting it in here we will have to go back and add it there, and we can do that ad infinitum and come out with hundreds of thousands of words.

I am going to vote against it because I know the General Assembly will not do otherwise than Delegate Chabot desires to do.

THE CHAIRMAN: Delegate Dorsey.

DELEGATE DORSEY: The language is almost identical in Article V in the present Constitution, giving the attorney general such deputies and assistants which the legislature may prescribe.

THE CHAIRMAN: Delegate Carson.

DELEGATE CARSON: Yes, but the Constitution also gives the General Assembly the right to appoint state's attorneys. I do not want to go back and add all that in there.

THE CHAIRMAN: Is there any further comment?

Delegate Dorsey.

DELEGATE DORSEY: As I understand it, sections 1 through 6 only refer to the attorneys general.

THE CHAIRMAN: It includes only the state's attorneys.

DELEGATE DORSEY: The article does, but section 1 in Article V does not refer to the state's attorneys.

The subhead on state's attorneys is under Article V. The language in the old Constitution is "shall appoint such deputies and assistants as the legislature may prescribe," which is the identical language of this amendment.

THE CHAIRMAN: Delegate Carson.

DELEGATE CARSON: Judge Dorsey, there is no question that the language proposed is, if not the same, at least substantially the same. But sections 7 through 12 of Article V of the present Constitution relate to state's attorneys and they are longer

than the sections with regard to the attorney general and section 9 thereof, which would take me five minutes to read defines specifically how state's attorneys may be provided for by the legislature.

DELEGATE DORSEY: They are separate offices and separated in the article as to offices.

THE CHAIRMAN: Delegate Dorsey, may the Chair try to save us time and say that the point being made by Delegate Carson is that in Committee Recommendation EB-1, which has already been acted upon, there is a provision for state's attorneys without a provision as to the appointment of deputies, notwithstanding the fact that the existing Constitution contains elaborate provision for the appointments of assistant state attorneys.

Is that your point?

DELEGATE CARSON: It think it is.

DELEGATE DORSEY: That section has been acted on, and we are acting on this, which applies to attorneys general.

Judge Henderson says he feels this language is essential. I agree with him, and I think the amendment should be adopted.

THE CHAIRMAN: Is there any further discussion?

Delegate Storm.

DELEGATE STORM: I would just like to say to Delegate Carson that 99 times out of 100 I think he is right, and this time I just hope he will have faith and go along, and we will not consider all those long things about the state's attorneys. Let us get this one through right now.

THE CHAIRMAN: Are you ready for the question?

*(Call for the question.)*

The questions arises on the adoption of Amendment No. 10 as amended to Committee Recommendation EB-2.

A vote Aye is a vote in favor of Amendment No. 10 as amended. A vote No is a vote against.

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.

Delegate James Clark.