

THE CHAIRMAN: The last sentence of the amendment beginning on line 18 was heretofore stricken. It is not part of the amendment.

DELEGATE BOROM: Thank you.

THE CHAIRMAN: A vote Aye is a vote in favor of the amendment as modified. A vote No is a vote against the amendment. In other words, a vote Aye would substitute for section 5.14 what the Chair just read. A vote No would leave the Committee's recommendation in force.

Will the Clerk please sound the quorum bell.

A vote Aye, a vote in favor of the amendment as modified, a vote No is a vote against. Cast your votes.

THE CHAIRMAN: Has every delegate voted?

*(There was no response.)*

Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 42 votes in affirmative and 95 in the negative, the motion fails. The amendment is rejected.

Are there any further amendments to section 5.14? Is there any further minority amendment, Mr. Clerk?

READING CLERK: No, not to section 5.14.

THE CHAIRMAN: Delegate Adkins?

DELEGATE ADKINS: I have an amendment for 5.14 if the Chair please.

THE CHAIRMAN: There are six or seven amendments which have been printed. The Chair wants a moment to see if there are any overlaps or conflicting amendments.

Delegate Mitchell, do you still desire to submit your amendment?

DELEGATE MITCHELL: I understand there are some similar amendments to mine, Mr. President.

THE CHAIRMAN: Four of the amendments apparently pertain to the same general subject matter. There are a few amendments that are at least simpler in form.

Taking these apparently in the way they were printed, the Chair calls up amendment

CS. Please distribute amendment CS. This will be Amendment No. 24. Amendment No. 24.

The Clerk will read the amendment.

READING CLERK: Amendment No. 24 to Committee Recommendation JB-1 by Delegate Adkins: On page 4 section 5.14 Nomination and Appointment line 40 strike out the word "two" and insert in lieu thereof the word "three".

THE CHAIRMAN: Is the amendment seconded?

DELEGATE CASE: Second.

THE CHAIRMAN: The amendment having been seconded by Delegate Case the Chair recognizes Delegate Adkins to speak to the amendment.

DELEGATE ADKINS: Mr. Chairman, the effect of this amendment is quite simple. The Committee's recommendation is that the list which is submitted by the commission to the governor should consist of not less than two nor more than five names. The effect of the amendment which I am proposing is to say that the commission shall submit not less than three nor more than five.

I would suggest only in support of the amendment that the check on the arbitrary action of the commission is the appointing power of the governor from among the names which are submitted to him. If there is to be any check, he must at least be given some reasonable choice from which to make his appointment.

It is my suggestion that two is too small an area from which the governor may be permitted to make that selection.

I am aware that in certain areas of the State, it will be difficult to find three, and less difficult to find two men whom the commission considers qualified for the job. It does not seem to me, however, that this argument should prevail, because it is not true in many areas of the State, and I do not think in this instance at least the tail should wag the dog.

I suggest that three is a more appropriate number and therefore I urge its adoption.

THE CHAIRMAN: Does any delegate desire to speak in opposition? Delegate Chabot?

DELEGATE CHABOT: Mr. Chairman, I wonder if it would be in order at this