

DELEGATE STORM: It is an interpretation along the lines advanced by Mr. Raley and others, that the later sections will make it impossible because of the governor having the right to reorganize and its having to be a principal department in order to have any chance of being constituted. I ask you to please consider this very carefully and examine the sections yet to come and see what powers are being given to the governor and what restrictions are being placed on the legislature.

I think you will then come to the same conclusion that Mr. Raley and others have come to. The legislature I believe will not be able to so provide. I believe that answers my Chairman's question and I would like to go with just one more thought.

THE CHAIRMAN: If the Chair may interrupt you so the record will be clear, you refer to sections later to come; could you identify those for us specifically, please?

DELEGATE STORM: Section 4.18 especially, and sections 4.20, 4.21, and 4.22.

THE CHAIRMAN: You are referring to sections of Committee Recommendation EB-1, I take it?

DELEGATE STORM: Yes, on blue paper. If you will examine these sections very closely you will see that we are restricting the legislature and empowering the governor with more power than anyone else I know of in the United States has.

We already have a strong executive and by this we will give him an absolute unbridled executive authority—a through street without even a single red light being shown.

THE CHAIRMAN: Your time has expired.

THE CHAIRMAN: Does any delegate desire to speak in favor of Committee Recommendation EB-1?

Delegate Morgan?

DELEGATE MORGAN: I would like to read the first section of section 4.20: "The head of each principal department of the executive branch, including the chief legal officer and the chief fiscal officer, shall be a single executive unless otherwise provided by law."

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment against Committee Recommendation EB-1?

Delegate Schneider?

DELEGATE SCHNEIDER: May I make a parliamentary inquiry?

THE CHAIRMAN: State the inquiry.

DELEGATE SCHNEIDER: Is this not a rather unusual type of vote, because if we vote yes, then it will read that the Committee of the Whole recommends that the Board of Public Works be revised; then I guess we would have to send it back to the Committee on the Executive Branch where it would consider the section on the Board of Public Works and would write a section which would come out to the floor and then be debated again and voted upon.

It would seem to me that a better way to approach it would be to consider amendments to the Committee Recommendation which would put specific language in the sections and thereby save time.

THE CHAIRMAN: It would not be necessary for the whole matter to go back to the Committee if the result follows that you have indicated, namely that the amendment is adopted and then the first paragraph of the Report as amended is also adopted; an amendment to provide for a Board of Public Works could be submitted with Committee Recommendation EB-1, when that is before the Committee of the Whole for consideration.

That follows immediately after this Report.

Delegate Schneider.

DELEGATE SCHNEIDER: If the amendment is defeated and the Committee Recommendation EB-1 or Committee Report No. 1, which says it shall not be provided for in the constitution, is passed would that preclude a minority from offering an amendment to establish a Board of Public Works?

THE CHAIRMAN: It would not.

DELEGATE SCHNEIDER: Thank you.

THE CHAIRMAN: Does any delegate want to speak in favor of the motion in opposition to the Committee Report? Delegate Sybert.

DELEGATE SYBERT: I rise in favor of the motion to strike the word "not" from the Committee Recommendation so that the Board of Public Works will be provided for.

Preliminarily, I would like to clear up one point which has been raised by question, and that is whether all the functions on the Board of Public Works are purely