

instead of Recommendation. I discussed this with the Chairman; it distresses me somewhat that as I understand your interpretation, if the Committee Recommendation as to not including is adopted it would not then be open to amendment when the Recommendation is before us. Is that correct?

THE PRESIDENT: If the Committee Recommendation that something not be included in the constitution is approved by the Committee of the Whole, it would not be in order for the Committee of the Whole at a later sitting to consider an amendment to the executive article which would be contrary to that action.

DELEGATE WHEATLEY: To follow this further, if the Committee Recommendation is not accepted, and is amended, as it had been, then the question would arise later upon the Recommendation as to the language for inclusion of that question; is that correct?

THE PRESIDENT: That is correct.

DELEGATE WHEATLEY: So that in effect we are giving one consideration to the Majority Report, and we are requiring the minority to raise that question twice and be successful in their efforts; is that correct?

THE PRESIDENT: This could be stated to have that effect. This would mean that what you are saying, as the Chair understands it, is that if the present vote has the effect of approving a recommendation that something not be in the constitution, that is an end of the matter; but if the vote is the other way, it is not an end of the matter; that is correct.

DELEGATE WHEATLEY: A further on this same question, would the same procedure be involved for each of the questions that have been presented by the Committee Report?

THE PRESIDENT: I did not catch what you said.

DELEGATE WHEATLEY: Would the same procedure be followed as to the other recommendations on the treasurer, comptroller, et cetera, in the Committee Report?

THE PRESIDENT: That is correct.

DELEGATE WHEATLEY: Thank you, Mr. Chairman.

THE PRESIDENT: Delegate Sherbow.

DELEGATE SHERBOW: Is the motion to set the Calendar debatable?

THE PRESIDENT: I think so.

DELEGATE SHERBOW: Mr. Chairman, members of the Committee, I know of no matter before the Committee of the Whole that is at this moment as divisive as this one. I know of no matter that is as important. I do not think that we ought to act on a matter of such grave importance while there is this state of confusion; and therefore I favor allowing this aspect of the matter, namely, the Board of Public Works, to go over and be made a special order of business for tomorrow or whatever time at which it will come up. I agree with the Chairman.

THE PRESIDENT: Is there any further discussion? Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. President, I have asked any number of people during the hour and a half break this question, and no one seemed to know the exact answer, and I am sure that you can help us all.

When we voted to amend by 68 to 66, at that juncture, we then had the word "not" stricken from the Majority Report. Is that agreed?

THE PRESIDENT: That is correct.

DELEGATE RYBCZYNSKI: Now, my question is, what was the second vote on it?

THE PRESIDENT: The second vote was on the adoption of the Committee Recommendation as amended. The first vote was on the motion to amend the Committee Recommendation. Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. President, is it not true that as we have been working on the blue sheets, section by section, first of all, we voted to amend. As soon as we amended, or did not amend, we moved on to the next amendment, or the next minority report, and then finally, after all the amendments were in, you then asked for a vote on the total recommendation. I believe this happened.

THE PRESIDENT: This is correct.

DELEGATE RYBCZYNSKI: Very frankly, I think a lot of us were confused because the very next section talks about eliminating the comptroller's office, eliminating the treasurer's office, the attorney general's office; and I honestly believe that very possibly a lot of people were voting, thinking that they were to approve or disapprove the entire EB-1 rather than just that first sentence and I sort of gathered this was confirmed by my discussions with the various people through dinner time.