

Committee of the Whole is not binding upon the Convention, and that the whole matter could be again considered on second reading by the Convention.

I call to your attention, however, that we are dealing with a Committee Report, not a Committee Recommendation. It therefore does not go to the Committee on Style. It goes directly to the Convention, and the action of the Convention with respect to the report of the Committee of the Whole on Committee Report EB-1 would probably occur within a matter of minutes, or an hour after the Committee of the Whole rises. It will not be on some future day.

Do you understand that, Delegate Wheatley?

DELEGATE WHEATLEY: Mr. Chairman.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, I have a further question, then, with respect to that answer. Would it not be true, and again I think Delegate Schneider has raised this question, along with several others, days ago, that the recommendation itself, while not containing the negative prohibition, would be silent as to the comptroller if the Committee Recommendation were adopted? However, would it not then be possible on second and third reading as it now stands for an amendment to be offered to introduce this concept into the recommendation itself?

THE CHAIRMAN: The Chair believes not.

Are you talking about procedure again of the Committee of the Whole, or of the Convention?

DELEGATE WHEATLEY: The Convention.

THE CHAIRMAN: You would at that time have had an action of the Convention with respect to this Recommendation. The Chair would doubt that if the Convention has approved the prohibition that the Convention, on a subsequent consideration of another matter, could consider that.

Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, I would respectfully request that the Chair keep this matter under advisement.

THE CHAIRMAN: The Chair will be delighted to do that.

DELEGATE WHEATLEY: I see grave problems if this result is adopted as to our whole structure.

THE CHAIRMAN: The Chair will keep it under consideration and will announce its decision with respect to it before it submits the report of the Committee of the Whole to the Convention for action, so you will be advised.

Are you now ready for the question?

Delegate Dorsey.

DELEGATE DORSEY: A parliamentary inquiry. Even my good friend who sits next to me, former President of the Maryland Senate, seems confused.

As I understand the question, a vote Aye is to strike the word "not" from the majority report, and the language would read that a comptroller shall be provided for in the Constitution; a vote Aye would be in favor to strike the word "not", and in favor of the Sybert amendment. A vote No would be against it, is that correct?

THE CHAIRMAN: That is correct.

The question now arises on the adoption of Amendment No. 2. The Clerk will ring the quorum bell.

There will be two votes: First a vote on the amendment, and then a vote on the recommendation, either as amended or as not amended. A vote Aye is a vote in favor of the amendment, in favor of striking the word "not." A vote No is a vote against.

For what purpose does the delegate rise?

*(There was no response.)*

THE CHAIRMAN: Are you ready to cast your votes? A vote Aye is a vote in favor of the amendment; a vote No is a vote against. Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

The Clerk will record the vote.

There being 69 votes in the affirmative and 70 in the negative, the motion is lost. The amendment is rejected.

DELEGATE J. CLARK: Seventy-one.

THE CHAIRMAN: I am sorry — 69 in the affirmative, 71 in the negative. The amendment is rejected.

The question — for what purpose does Delegate Storm rise?

DELEGATE STORM: A parliamentary inquiry, Mr. Chairman.

THE CHAIRMAN: State the inquiry.