

be the head of the finance department or of any other principal department of the executive branch."

THE CHAIRMAN: The Clerk will now read Amendment No. 8.

READING CLERK: Amendment No. 8 to Committee Recommendation EB-1, by Delegates Morgan, Adkins, Beall, Boileau, Boyce, Buzzell, Dorsey, Finch, Fornos, Harris, James, Mason, Maurer, Powers, Sickles, A. W. Smith, Storm, Sybert and Tawes: On page 6 following section 4.17 insert the following new section:

"Section 4. Qualifications and Election of Comptroller

To be eligible for election as comptroller, a person shall have attained the age of thirty years at the time of his election and shall have been a qualified voter in the State at least five years immediately preceding his election. The comptroller shall be elected for a term of four years by those voters qualified to vote in State elections. He shall be elected in the same election at which a governor is elected. The term of office of the comptroller shall begin at the same time as the term of the governor and shall continue until his successor shall have qualified. In the event of a vacancy in the office of comptroller, the governor, by and with the advice and consent of the Senate, shall appoint another person to fill such vacancy who shall serve until his successor has been elected and duly qualified. The comptroller shall give such bond for the faithful performance of his duties as may be prescribed by law."

THE CHAIRMAN: Amendment No. 7 having been seconded, the Chair recognizes Delegate Morgan to speak to the amendment.

DELEGATE MORGAN: Mr. Chairman, these two amendments provide for an elected comptroller with limited duties. The duties that are assigned to the comptroller are the preaudit functions which he performed at the present time. All of the tax collecting functions of the present comptroller's office, all of the revenue estimating functions of the comptroller's office, all the post-audit functions of the comptroller's office and other functions are not granted to the elected comptroller by this amendment. Under a subsequent amendment which I shall propose as the so-called Board of Public Works amendment, the comptroller will be the third member of the Board of Public Works, in other words, the Board of

Public Works will consist of a governor, an individual in the executive branch appointed by the governor and the comptroller.

I am very hopeful that this amendment will break the log jam which has held up the proceedings in this Convention for a considerable period of time. I urge its adoption and hope that it will have a very substantial vote among the delegates.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: Mr. Chairman, this comes out like a bolt out of the blue. We certainly have not had an opportunity to study the subject matter. We know that there are those here who would like to deprive the people of their rights as far as an elected comptroller is concerned, and I hope the records will record what I have said correctly but if we are going to operate in a manner in which we understand the subject matter, we need more time to study it. I might be the only vote, Mr. President, but I want to know what is going on and for that reason I move that this motion be made a special order of business for tomorrow.

THE CHAIRMAN: The motion is out of order, Delegate Malkus.

DELEGATE MALKUS: I have been out of order ever since I have been in this Convention.

Now, will you tell me for what reason?

THE CHAIRMAN: This is a Committee of the Whole proceeding under a schedule adopted by the Convention. It does not have authority to postpone consideration of the amendment.

DELEGATE MALKUS: Then I will direct this question to you: Should we buy this thing without knowing what we are buying?

I know you are brilliant enough to know what is in the subject matter because you have known for hours what is in this thing but we have not known until the last ten minutes.

THE CHAIRMAN: I suggest to you, Delegate Malkus, that last week you desired to offer an amendment to have it submitted to the Committee of the Whole, and you objected strenuously to anyone seeing the amendment in advance. The procedure we are following is to have the amendments made available to the members at the time it is being considered.

Delegate Malkus.