

actly what the number of it is, but it provides for all state bodies and agencies, also for all counties and county commissioners. I suggest Delegate Case and Delegate Boyce's position is correct. I do not think anybody disagrees with what Judge Sherbow has in mind. Let's get on with the realistic things we know we are talking about without getting involved in language.

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: May I ask Delegate Kiefer a question?

DELEGATE KIEFER: Yes.

DELEGATE HENDERSON: Is it not true that despite the provisions you read about open hearings, that all administrative boards in the State retire to consider their decisions, and they only announce their decisions in public? They debate them in private. Is that not the accepted practice?

THE CHAIRMAN: Delegate Kiefer.

DELEGATE KIEFER: The statute provides for that.

THE CHAIRMAN: Are you ready for the question? The Clerk will ring the quorum bell. Delegate Gill.

DELEGATE GILL: May I ask Judge Sherbow a question?

THE CHAIRMAN: Delegate Sherbow, do you yield to a question?

DELEGATE SHERBOW: Yes, indeed.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: I understand the recommendation is for 20 departments. I wondered why you limit this to one department.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: I am not limiting it to anything. I simply have before us one matter dealing with the Board of Public Works by another name.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: I know of the statutory law regarding meetings of different boards and that was why I wondered why you were limiting this to the one, since it applies to this plus all of the other 19 that perform.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: This matter is not before us at this time. The other de-

partments will be determined by the statutes. All that we have said in that is that the governor or the legislature by vote may reorganize them but not into more than 20 departments. Those matters of detail are not before us. This is before us in the form of an amendment dealing with a department by another name called the department, which has in essence, all of the powers or some of them of the Board of Public Works.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: I understand that, but since Mr. Morgan did not accept it as part of his amendment and you were making a separate amendment, I wondered why you could not be more inclusive.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Very simply because then it would be properly out of order because we do not have the other 20 departments. We do not know that they will ever be organized into 20 departments. We do not know what they will be. This is a matter which when the time comes I believe the General Assembly will appropriately act on them.

THE CHAIRMAN: Are you ready for the question? The question arises on the adoption of the amendment to Amendment No. 10. The amendment is to insert the words, "in public," after the word, "meetings," in the last sentence of the amendment. As amended the sentence would read, "The Board shall act by majority vote, shall hold its meetings in public or otherwise act in such manner and have such powers as the General Assembly may prescribe."

The vote is on the amendment to the amendment. A vote Aye is a vote in favor of the amendment to the amendment; a vote No is a vote against. Cast your votes.

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

*(There was no response.)*

The Clerk will record the vote.

There being 61 votes in the affirmative and 55 in the negative, the amendment to the amendment is adopted.

DELEGATE JOHNSON: Mr. Chairman.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Mr. Chairman, I have a question for clarification for Delegate Morgan, if he will yield.