

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Boyce.

DELEGATE BOYCE: Mr. Chairman and delegates, I think we basically are nitty-gritty as far as the argument on the Committee is concerned. Delegate Maurer has made this a proposition to clean up what I think was that of Delegates Raley and Pullen earlier, and I know there has been a discussion trying to work it out.

I think this is an excellent solution of the problem, and every time Delegate Morgan has mentioned the need for a principal department of the state and needing a board he mentions the Chesapeake Bay fisheries or something to that extent, but I do not think they are going to be our principal departments, and I think if you want a properly run and managed State we are not going to have boards as heads of departments. I think if we could have a Convention approve this, I think we would solve the biggest problem I worry about in the minority reports.

And if this went through before the amendments in 19 and 4.20 I think we would solve other problems and I think I could get the rest of the minority members to withdraw this report if we went through.

I do not mean this as a threat. Even if the vote is decisive we will not bring it up, but I would like to have a chance while discussing this to get my members of that minority report to go and see if they would not agree to this.

THE CHAIRMAN: Does any other delegate desire to speak against the amendment?

Delegate Beachley.

DELEGATE BEACHLEY: I would like to ask Delegate Maurer a question.

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

DELEGATE MAURER: I yield.

THE CHAIRMAN: Delegate Beachley.

DELEGATE BEACHLEY: Delegate Maurer, I would like to ask a question about what looks like this might be a transfer of language from, I think 4.21, into 4.20. You have said "except in the state public school system and institutions of higher learning." I think that same statement is also in section 4.21.

Is there a particular reason to change it over from 4.21 to 4.20, because I think in your Amendment No. 19, you strike it out of 4.21. Is that correct?

THE CHAIRMAN: Delegate Maurer.

DELEGATE MAURER: Under section 4.21, the phrase which you are referring to I believe, starts in line 22, "acting alone he shall appoint each administrative officer serving under a board or commission, which is the head of a principal department, except the head or chief administrative officer of institutions of higher education", and this deals with the chief administrative officer. There is no need to have that, because there will be no other boards except the ones dealing with education, and those boards will presumably continue to appoint their own officers, chief officers.

THE CHAIRMAN: Delegate Beachley.

DELEGATE BEACHLEY: Then it is advantageous to transfer it to the place where you mentioned.

THE CHAIRMAN: Delegate Maurer.

DELEGATE MAURER: It serves a different purpose, and I would only take out the sentence which you refer to in the event we pass the amendment.

It is not entirely related, but I think it protects the school system the way section 4.21 protects the state superintendent and the president of the university.

THE CHAIRMAN: Delegate Beachley.

DELEGATE BEACHLEY: Thank you, Delegate Maurer.

THE CHAIRMAN: For what purpose does Delegate Scanlan rise?

DELEGATE SCANLAN: A parliamentary inquiry of the Chair.

THE CHAIRMAN: State the inquiry.

DELEGATE SCANLAN: Is not the amendment in its present form divisible? The first section of it clearly presents the question of whether or not there shall be a single executive, plus the flexibility to provide in other cases, and whether or not in that instance the school board and the institutions of higher learning shall be permitted to have boards as their heads. The second part of the amendment clearly poses the issue, apart from the school board and the institutions of higher education, as to whether or not the legislature is to have any flexibility in this matter.