

DELEGATE B. MILLER: Chairman Morgan, can you tell me after striking the words "prescribed by law" who is going to allocate the duties and functions described in the 20 principal departments?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: That is not in the next two sections, the first one being the temporary section. In the first two years following the adoption of the constitution, the General Assembly does the allocation. In the next year following the adoption of the constitution, if the General Assembly has not done it, the governor does it by executive order and then in 4.19 the General Assembly and the governor have the coextensive power to organize and reorganize.

DELEGATE J. CLARK (presiding): Are there any further questions on Amendment No. 18?

*(There was no response.)*

If there is no further discussion, are you ready for the question?

*(Call for the question.)*

Will you ring the quorum bell?

The question arises on the adoption of Amendment No. 18 to Committee Recommendation EB-1.

A vote Aye is a vote in favor of Amendment No. 18. A vote No is a vote against.

The delegates will cast their votes.

Has every delegate voted. Does anyone desire to change his vote?

*(There was no response.)*

The Clerk will take the roll.

There being 88 votes in the affirmative and 2 in the negative, the motion carries. The amendment is adopted.

Delegate Morgan, does the Chair understand you have other amendments of this character?

DELEGATE MORGAN: I have a further technical amendment to section 4.18. It is entitled BF.

*(President Eney resumed the Chair.)*

THE CHAIRMAN: Pages will distribute amendment BF. This will be Amendment No. 19.

Delegate Storm.

DELEGATE STORM: Mr. Chairman, if it is in order while we are waiting for that to be done, I have an amendment which I wish not to offer after I ask a question and have it answered. It can be gotten rid of while we are waiting.

THE CHAIRMAN: Chairman Morgan, do you yield to the question?

Delegate Storm.

DELEGATE STORM: Yes. On page 7 under temporary provisions in section 4.19, it says at the end of that section "such executive order shall have the force of law without subject to disapproval by the General Assembly". I just want to make it very clear that the General Assembly can in later years change those executive orders which have the force of law and amend them. Is that correct?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: That is correct, the General Assembly could change the organization setup in one of these executive orders the next day if they chose to and if they were in session.

THE CHAIRMAN: Delegate Storm.

DELEGATE STORM: Thank you, and just make sure that the Court of Appeals and that attorney general get a copy, please.

THE CHAIRMAN: The Clerk will read the amendment.

READING CLERK: Amendment No. 19 to Committee Recommendation EB-1 by Delegate Morgan: On page 6 Section 4.18, Organization of the Executive Branch, in line 39 immediately preceding the word "number" add the word "maximum"; and in the same line strike out the word "changed" and insert in lieu thereof the word "increased"; and in line 40 after the word "by" add the letter "a".

THE CHAIRMAN: Delegate Morgan, in line 40, there are two words "by", the first word, and the fourth word, which is the word to which you refer in line 10 of the amendment. I assume it is after the first word "by."

DELEGATE MORGAN: After the first word "by", Mr. Chairman, that is correct.

THE CHAIRMAN: Please note that on your amendment.

Is the amendment seconded?

*(Whereupon, the motion was duly seconded.)*