

Amendment No. 1 to Committee Recommendation SF-5. A vote Aye is a vote in favor of Amendment No. 1. A vote No is a vote against.

Cast your vote.

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

*(There was no response.)*

The Clerk will record the vote.

There being 98 votes in the affirmative and none in the negative, the motion is carried and the amendment is adopted.

Are there any other amendments to section 6.05?

Mr. Clerk, do you have any other amendments to that section?

Delegate Willoner, do you desire to offer your amendment "D"?

DELEGATE WILLONER: No, I do not. I have a substitute amendment that I would like to offer.

THE CHAIRMAN: Do you have the letter?

DELEGATE WILLONER: I have not received it.

THE CHAIRMAN: I understand from the Chief Page that it has just gone over to the print shop. We will come back to it.

Are there any other amendments to section 6.05?

DELEGATE RALEY: Mr. Chairman, may I direct a parliamentary inquiry to you?

THE CHAIRMAN: State the inquiry.

DELEGATE RALEY: There is a section in here on education which mandates the money in the budget which Judge Sherbow has already explained. There is, of course, another side of the coin, and I think that what is in here has a great impact on what will be in the general provisions concerning education.

Now, I, for one, do not think, from what I understand is in the general provisions, that this State could accept both of these articles. So my question to you is that if this Convention should accept the majority committee's report on general provisions in education, then I think that this makes an entirely different picture on this section here; and I would like to ask you, sir, if we would be able to have the opportunity to submit an amendment, in the event that

the general provisions majority report is accepted?

THE CHAIRMAN: I would assume that by that time the Committee of the Whole would have reported with respect to this article. That being the case, the Committee of the Whole would have no further jurisdiction over this article.

The Convention, of course, would be considering it on second reading, and it would be possible to offer the amendment at that time, so that the Convention could consider the matter.

DELEGATE RALEY: Thank you, sir.

THE CHAIRMAN: I did not mean to indicate by that answer that the Chair agrees, for that matter, with your premise. I did not think that there was any inconsistency between the recommendations of the Committee on General Provisions as to education and this section. I may be wrong about that, but let me take this opportunity so that there will be no misunderstanding, since I was not here during the part of the presentation by Delegate Sherbow this morning to restate it.

It is the Chair's understanding of the effect of section 6.05, both as to the support to public school systems and as to the judicial and legislative branches, that the only mandated items, that is, the items which the governor cannot change in his budget are those previously required by law. This does not mean, as the Chair understands the section, that the governor has no power to revise the judicial budget, nor does it mean that the governor has no power to revise the budget for the state school system. It means that he has no power to revise those to the extent that the legislature by law has provided that certain payments shall be made.

Delegate Raley.

DELEGATE RALEY: Mr. Chairman, of course this is not the time to debate it, but I would respectfully say somewhat contrary to what you said that I believe it goes a good deal further so far as mandating by law educational money.

THE CHAIRMAN: You mean this section, or the General Provisions Recommendation?

DELEGATE RALEY: This section 6.05.

The point I am making is that if all of those items in the General Provisions Recommendation are accepted, plus this, I think that the State will have some serious