

pending further action by the Committee on the Executive Branch.

Delegate Morgan, are you in position to report on that matter now?

DELEGATE MORGAN: Mr. Chairman, we delivered an amendment to be reproduced sometime ago. I do not know whether it is ready or not.

THE CHAIRMAN: Will you get the chief page for me, please?

The amendment is on its way and it should be here in a moment. We will just pause for a few minutes.

Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: We might dispose of a couple of other small committee amendments.

THE CHAIRMAN: Very well.

DELEGATE MORGAN: Amendment AZ, which is an amendment to section 4.18.

THE CHAIRMAN: AZ?

DELEGATE MORGAN: Yes.

THE CHAIRMAN: The pages will distribute Amendment AZ. Please mark this Amendment No. 18. The Clerk will read the amendment.

READING CLERK: Amendment No. 18 to Committee Recommendation EB-1 by Delegate Morgan: On page 6 section 4.18 Organization of the Executive Branch in line 29 strike out the word "Organization" and insert in lieu thereof the word "Structure"; and in line 35 strike out the words "prescribed and"; and in line 36 strike out the words "by law".

THE CHAIRMAN: The amendment is moved by Delegate Morgan. Is it seconded?

DELEGATE BENNETT: I second it.

THE CHAIRMAN: The amendment having been seconded the Chair recognizes Delegate Morgan to speak to the amendment.

Delegate Morgan.

DELEGATE MORGAN: Section 4.18, Structure of the Executive Branch. All functions, powers and duties of the executive and administrative offices, agencies, and instrumentalities of the executive branch of state government shall be pre-

scribed and allocated by law among and within not more than twenty principal departments so as to group them according to major purposes.

Then it is followed by the second sentence: The effect of this amendment is to have section 4.18 simply describe what is to be done. All of the functions of the executive branch are to be allocated within not more than twenty principal departments. The following two sections say how it will be done. The temporary being first says that during the first two years the General Assembly has exclusive jurisdiction to make this allocation and if it does not make the allocation within the first two years then the government is given authority during the following year to make an allocation by an executive order.

Section 4.19 makes it clear that it is the General Assembly alone that determines the programs to be undertaken by the State of Maryland and that that is not a function of the governor, but the governor is given a reorganization authority co-extensive with that of the General Assembly. The governor exercising his authority by submitting the reorganization plan to the General Assembly within the first ten days of the session and having it lie before the General Assembly for fifty days and then if it is not disapproved by either house of the General Assembly it becomes effective and has the force and effect of law.

THE CHAIRMAN: Is there any discussion or any questions of the Committee Chairman?

Delegate Hardwicke.

DELEGATE HARDWICKE: Chairman Morgan, do you expect to make further amendments to section 4.19?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: No, we have no amendments to section 4.19.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Delegate Morgan, do you agree with Delegate Adkins' interpretation of 4.19 which was, as I recall that the governor may make changes in the organization of the executive branch only with regard to the establishment or abolition of principal departments?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: No. I think he has complete reorganization power with