

words which accomplish what I understand they intend to accomplish. I do not think they do it now, because I think that by both the colloquy this morning and the Committee Memorandum they are adopting the language of the decision of the Court of Appeals.

THE CHAIRMAN: Let me make this suggestion to you, if I may. This is very artificial language, but may carry out the intent so that the Committee on Style can straighten it out.

Could your amendment read, so that in effect the sentence would be, "The compensation of a public officer provided for in the budget as prescribed by law may not be decreased"?

DELEGATE BAMBERGER: I accept the Chair's suggestion. I think that carries out the intent, and I pray for Delegate Penniman and his companions.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: That does not cover the situation where the compensation is fixed in the budget and is not prescribed by law.

THE CHAIRMAN: That is what I understand Delegate Bamberger was not intending to cover. That is why I made the suggestion.

DELEGATE JAMES: You do not intend to cover that?

A department head, for instance, I assume he is a state officer; if his salary is fixed in the budget do you not intend to include him?

THE CHAIRMAN: Let me state it another way, Delegate Bamberger.

The question the Chair put to you was that there are, as you know, many instances where the law provides that the salary of designated officials shall be, or his compensation shall be, as provided in the budget. The question I asked you was whether you intended by this amendment to provide in effect that if the salary of such a public officer were once included in a budget it could not thereafter in a subsequent budget be reduced.

I understood you to say no.

Delegate James' question is, did you really mean no?

DELEGATE BAMBERGER: I either did not mean no, or misunderstood the question.

My intention is that this prohibition against decrease should apply both to offi-

cers whose salary is as provided in the budget and to officers whose salary is established by a statute and is also appropriated by the budget.

THE CHAIRMAN: The Chair's suggestion would not be appropriate. Your amendment is all right in the form in which it is submitted, and I am sorry.

Delegate Bamberger.

DELEGATE BAMBERGER: If the Chair or the Chairman of the Committee has some serious question about that language, I would be delighted to hear it.

THE CHAIRMAN: I think the fact is now clear that you intend by the phrase to prevent reduction in compensation of an officer once it is included in the budget, either because the law fixes the amount of compensation, or because the law says it shall be as prescribed in the budget.

Is there any further discussion of the amendment?

Delegate Sherbow.

DELEGATE SHERBOW: Mr. Chairman, ladies and gentlemen, unless somebody on our Committee objects, I have no objection to this amendment; but I sure hope that the Committee on Local Government or the Committee on General Provisions, or some other Committee finds a way of providing protection for those who hold public office in departments other than those of the State as we are setting it up here.

THE CHAIRMAN: Delegate Weidemyer.

DELEGATE WEIDEMEYER: I am wondering if we used, instead of the words "provided for in the state budget," "public officer entitled to compensation," —

THE CHAIRMAN: Delegate Weidemyer, I think undoubtedly the language will have to be changed by the Committee on Style, but I think the intent is reasonably clear so they could do it.

Delegate Case.

DELEGATE CASE: Mr. Chairman, would Delegate James yield to a question?

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Yes, sir.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Delegate James, the present Constitution, in section 52 of Article III, from which this language was