

Mr. L. A. Hince, Secretary, City Service Commission (cont'd)

"shall have a Director who shall be appointed by the Governor upon the recommendation of the Mayor or governing body of the political subdivisions and who shall have direct responsibility for the organization, administration and operation of such Local Organization for Civil Defense, subject to the direction and control of said Mayor or governing body under general direction and control of said Mayor or governing body under general direction of the Governor."

Section 189 of said statute makes it the duty -

"of every organization for civil defense established pursuant to this subtitle, and the officers thereof, to execute and enforce such orders, rules and regulations as may be made by the Governor under the authority of this subtitle."

The statute is not a public local law and is not, therefore, in conflict with Section 4, Article 11 A, Maryland Constitution (Home Rule Amendment).

The foregoing does not mean that the establishment of the classification of Deputy Director for Civil Defense of Baltimore City, at the request of Mr. Holland, Director of the Local Organization for Civil Defense of Baltimore City, is illegal. This statement applies also to the classification established by the City Service Commission at the request of Mr. Holland for the position of Administrative Assistant-Civil Defense-Relief and Rehabilitation in the Department of Welfare, as indicated in your letter of April 10th. Section 187 of the aforesaid Chapter 563 of the Laws of Maryland, 1949, provides that -

"the executive officers or governing bodies of the political subdivisions of the State are directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the State and of the political subdivisions thereof, to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed to cooperate with, and extend such services and facilities to the Governor or to the Director and to the civil defense organizations throughout the State, upon request."

It is well to bear in mind that Section 181 of said statute directs the Governor of the State-

"to create a civil defense agency under the Adjutant General and, upon the recommendation of the Adjutant General, to appoint a director of civil defense who shall be the administrator thereof. The director shall hold office during the pleasure of the Governor and shall receive such salary as is provided in the budget."