

I endorse the right of the General Assembly to approve or disapprove any reorganization plan presented by the Governor, I am concerned that the draft provision enables the Legislature to *modify* any proposal.

Legislative ability to modify reorganization plans obscures the clear lines of executive responsibility. Moreover, the General Assembly may be unaware of the effect of a modification on other executive functions. Prohibitions of the power to modify does not deny the Legislature the right to propose administrative reorganization or to reject it. It simply prevents revisions which might create a structure deviating in part or entirety from the administration's original objectives.

I fully accept and give credence to the form and philosophy of Section 4.20. If gubernatorial policies are to be implemented, it is essential to assure the cooperation of all principal department heads through direct and unlimited line responsibility.

The provisions of Section 4.21 refer to the multi-headed administrative unit. A series of policy making Boards and Commissions have evolved within the executive branch to direct principal departments.

I seriously question whether these multi-headed units are always in the best interest of efficient administration, although I have found incumbent Boards cooperative.

However, a functional flaw becomes particularly apparent when the composition of a multi-headed unit is based upon staggered terms, allowing a majority to remain in power well beyond the terms of elected executive and legislative officials. This practice might encourage deliberate disregard of administrative controls and compromise executive responsibility. Efficiency of a multi-headed unit is also subject to serious scrutiny inasmuch as all policy determination depends upon consensus and compromise. This, in some cases, could lead to pet project log rolling among the Board members.

Article V generally sets forth measures to create a unified, independent and professional judicial system. It is imperative that major reforms occur within the Maryland judiciary, especially in courts of original jurisdiction. Constitutional safeguards must be devised not only to secure full and equal justice for all, but to guarantee that judicial treatment be swift in time, professional in performance and consistent in quality.

Under the leadership of Judge Emory Niles, a distinguished committee intensively studied and subsequently recommended major reforms for the Maryland judicial system. The Niles Plan, in essence, is incorporated within the provisions of Article V.