In addition to his duties as custodian of the monies of the State of Maryland, he sits on the Board of Public Works, and there performs executive functions, yet he is appointed by the legislative branch, so in that instance there is no separation of powers. There is a mixture.

The Maryland Tax Court is supposed to be a branch in the executive branch, but in fact it performs judicial functions. It decides cases just like any other court, except that they involve tax matters only.

In the present constitution on which we are working right now, Section 540 of the judicial article provides that the chief judge of the court of appeals shall appoint a judge if the governor fails to do so. To me, that is part of the executive function, but yet it will be performed by the judicial branch.

Section 531 of the constitution we are now working on gives the court of appeals and the General Assembly concurrent rule-making power. The court of appeals has the authority to adopt rules and so does the General Assembly. That is either legislative or