

1 provision, and I think I spoke then and pointed out at that
2 time that 40 states have such a provision providing for
3 the separation of the power.

4 Secondly, I think some people misunderstand
5 this provision. To start with, our court of appeals has
6 repeatedly stated it does not apply to municipal corpor-
7 ations. I read only this morning -- I can't think of the
8 last name, Pressman v. somebody in Baltimore where they
9 said it did not apply, and it was an old case, so it
10 does not apply to municipal governments at all.

11 The third point is that it does not say that the
12 legislature can't combine all three of these powers,
13 actually, in a body -- such as the workmen's compensation
14 commission. There is no question about that.

15 The legislature has the right to put the
16 power wherever they want it, but the thing of it is, and
17 the purpose of this separation of the powers is to
18 prevent the judiciary from assuming powers that are
19 delegated to the executive, to prevent the executive from
20 assuming powers that are delegated to the legislature.

21 In other words, it is purposely set up to