

1 be a principal department. If it is, it can be included  
2 as a Board within one of the principal departments.

3 THE CHAIRMAN: Delegate Raley.

4 DELEGATE RALEY: Under 4.18 where it says  
5 "All duties shall be under a principal department", I can't  
6 conceive that it would be considered as part of a prin-  
7 cipal department. Further, it seems to me, and I want  
8 your thinking on this, that unless this Board was mentioned  
9 in the Constitution that it probably would be illegal  
10 anyhow because under 4.01 it says if all executive  
11 powers vested in the government shall do the laws.

12 If you don't put something in here and let the  
13 assembly do it, it can't be done.

14 THE CHAIRMAN: Delegate Morgan.

15 DELEGATE MORGAN: I -- just the way the General  
16 Assembly enacts a law and says it can't be carried out  
17 by the Secretary of this or the head of this Department  
18 or that department, I suppose that is, in a sense, inter-  
19 fering with the executive authority, but it has never  
20 been held to do so.

21 I submit that if you took the Board of Public