

did flag the power that was placed in the Court of Appeals by rule; and this Committee has properly in our opinion amended certain sections so that unless I hear otherwise from the other members of the minority, we will not provide to exclude some of the exclusive rule-making power that is now left in the Court of Appeals under section 5.31.

I will be happy to answer any questions.

THE CHAIRMAN: Are there any questions of the Minority Spokesman? Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Delegate Johnson, can we start voting on these problems, tell us, either by listing the matters now or eventually, just how many administrative appointive duties are being assigned to the chief judge by virtue of this entire article?

DELEGATE JOHNSON: Well, it is a little difficult to characterize each and every one at this particular point, Delegate Rybczynski, because some of the matters have been amended, both in Committee and by the Committee of the Whole to provide that some of these quasi-procedural matters will now be handled by law and others by rule, rather than directly by the chief judge, but I can say that under section 5.29, of course, he would appoint all the other chief judges, even though the section 5.29 prescribes that he may assign judges, or that the assignment of judges in the other courts shall be by rule; nevertheless the chief judge will perform the designation of assigning the other judges.

THE CHAIRMAN: Are there any other questions?

DELEGATE JOHNSON: And of course under the judicial system, as previously enacted, we provide that commissioners shall be appointed as prescribed by rule.

I am sorry I cannot detail more at this time.

THE CHAIRMAN: Are there any other questions of the minority spokesman?

*(There was no response.)*

If not, Delegate Johnson can return to his seat, and we will proceed to consider the sections seriatim.

Delegate Johnson, do you desire to offer your amendment M?

DELEGATE JOHNSON: Yes, Mr. Chairman.

THE CHAIRMAN: The pages will distribute amendment M.

Delegate Penniman.

DELEGATE PENNIMAN: Mr. Chairman, a matter of personal privilege.

THE CHAIRMAN: State the privilege.

DELEGATE PENNIMAN: I would like this body to welcome here two very charming and intelligent students with whom I had the opportunity to drive over from Silver Spring this morning. One is Debbie Koss, daughter of Delegate Koss, and the other is David Miller, son of Delegate Betty Miller.

THE CHAIRMAN: Delighted to have them with us.

Delegate Gallagher, did you desire to be recognized?

*(There was no response.)*

THE CHAIRMAN: The amendment now being distributed will be marked Amendment No. 53. The Clerk will read the amendment.

READING CLERK: Amendment No. 53 to accompany Minority Report JB-1 to Committee Recommendation JB-1, by Delegates Johnson, Harkness, Hickman, Kahl, Murphy, Siewierski, Rush: On page 9 in section 5.29 Administration of Judicial System strike out all of lines 21 through 36, inclusive, and insert in lieu thereof the following: "The chief judge of the Court of Appeals shall be the administrative head of the judicial system. The governor shall designate one intermediate appellate court judge, one superior court judge, and one district court judge as the chief judges of their respective courts to perform such duties in connection with the administration of the judicial system as are assigned them by the chief judge of the Court of Appeals. Each shall serve for the remainder of his service on the Court, or until he resigns the office of chief judge. Administrative judges may be designated by the chief judge of the Court of Appeals as prescribed by rule. The Court of Appeals shall provide by rule for the assignment of any judge to sit temporarily in any court."

THE CHAIRMAN: The amendment having been seconded, the Chair recognizes Delegate Johnson. Under the Debate Schedule, there is ten minutes of controlled debate allocated to Delegate Johnson, and ten minutes to Delegate Mudd, ten minutes of limited but uncontrolled debate. Delegate Johnson.