

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: We have not yet, but we propose to do so to the general recommendations provisions out on the floor of this Convention.

DELEGATE J. CLARK (presiding): Delegate Sollins.

DELEGATE SOLLINS: Delegate Morgan, what salary are you recommending? Is it the present salary? Or is it less or more?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: It is more; that is the figure that we have talked about. We have not decided on any particular figure, but they vary from 35 to 50 thousand dollars.

DELEGATE J. CLARK (presiding): Delegate Sollins.

DELEGATE SOLLINS: The Committee has not reached a decision yet?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: No, they have not reached a decision yet.

DELEGATE J. CLARK (presiding): Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman, the only reason I raise this question is because of the comment that was raised in the debate over the past three days.

I refer to section 4.19 relating to the reorganization of the executive branch; and that part of the section which relates to the authority and power of the governor to make changes in the organization of the executive branch and in the assignment of functions among its units which he considers necessary for efficient administration.

The question I have is: do you construe this as giving the governor the power to increase the power of a particular branch of the government that has been established by law?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: You mean by giving it powers that do not exist in the executive branch?

DELEGATE J. CLARK (presiding): Delegate Gleason.

DELEGATE GLEASON: No, they might exist but they may exist in another department. Say when the General Assembly establishes the power of something and the governor decides he would rather have that power in another department.

Would this give him the power to do that?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: Just to give you an example, if you have Department A that has power X and Department B that has power Y, you can consolidate those departments in one department and have functions X-Y, and in that sense, I suppose you increase the functions of X or Y, whichever is the consolidatee.

DELEGATE J. CLARK (presiding): Delegate Gleason.

DELEGATE GLEASON: Then I will have to ask you: if you could pinpoint with a little specificity, lines 34 and 35, what is the meaning of that phrase "Where these changes require the force of law"? Just what did the Committee have in mind as coming within the embrace of that provision?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: Well, I would think in most cases they would require or have the force of law because the General Assembly has directed that certain functions be performed by department head A and now the executive order of the government comes along saying these functions shall be consolidated into department B.

And in that sense, they have before us a law because they change the law which the General Assembly has enacted.

The governor could take an administrative unit in a department, Department A for example, that simply was set up administratively without a law for administrative convenience. The governor could transfer this unit or consolidate with another unit without having to go through this executive order submission through the General Assembly. That would have the force of law because it never was in the law anyway.

DELEGATE J. CLARK (presiding): Delegate Gleason, proceed.

DELEGATE GLEASON: I am glad to hear your last remark; if the General As-