

partments that has a merit system employee at the head of it designated a principal department, but I would doubt if that would be done.

DELEGATE J. CLARK (presiding): Delegate Ritter.

DELEGATE RITTER: I am not worried about the department head. I am worried about the employees under him in the merit system.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: The employees under him, they would not be disturbed, I am sure.

DELEGATE J. CLARK (presiding): Delegate Ritter.

DELEGATE RITTER: In no department?

DELEGATE MORGAN: I would not think in any department.

DELEGATE J. CLARK (presiding): Are there any further questions?

Delegate Della, are you on your feet, sir?

DELEGATE DELLA: At least I think I am.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: Delegate Morgan, concerning section 4.19, on reorganization of the executive branch, it is my understanding that the General Assembly shall prescribe the functions, powers and duties of the departments of the executive branch. Is that correct?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: This recognizes the plenary power of the General Assembly to do that.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: Will this be all of the departments, other than what we have now? What will happen to the departments that are now in existence?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: The General Assembly could prescribe their powers and duties too, if it wished to.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: You have mentioned though, in your proposal that the General Assembly shall by law prescribe the functions. In other words, it is the obligation of the General Assembly to set up the entire executive branch of government, if this constitution is adopted.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: That was not the intention, no, sir.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: Doesn't section 4.19 say that? Is that the intention of your Committee?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: It is possible it could be read that way, but it certainly was not the intention of the Committee. In other words, it was the intention of the Committee that this shall be used in a sense that this is one of the functions which the General Assembly has and always has had and always will have, I hope.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: If the General Assembly has those powers why did you put it in the executive branch? Why didn't you let it remain in the legislative branch of government?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: Because there were some members of the Committee who wanted to make sure it was the General Assembly that was going to decide what programs the State should undertake, and not the governor, and this was put in just to contrast the functions, powers and duties of the General Assembly with the much more limited power of the governor.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: Has there been any doubt in your mind that the legislature does not have that power to create departments, and grant powers and duties to the various departments?

DELEGATE J. CLARK (presiding): Delegate Morgan.