

respect to the executive branch including the establishment or abolition of principal departments.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Consequently, you believe that section 4.19 would give the governor the power to take functions from one bureau or agency and put them in another bureau or agency.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: That is correct. That is the purpose of it.

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: May I simply say that if I gave that impression to Delegate Hardwicke, I certainly did not intend to do so. It is quite clear to me that he has the power to establish principal departments and to reassign the functions of the State within the principal departments. What I attempted to say was that he had no authority to create new functions. He could reassign functions already established by some other legislative process.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: I would like to address a question to Delegate Adkins.

THE CHAIRMAN: Does Delegate Adkins yield to a question?

DELEGATE ADKINS: Yes.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Is there anything in section 4.19 which would cause changes to be construed to prohibit the governor from creating new functions?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: Is there anything in section 4.19 which prevents him from creating new functions?

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Yes. To clarify my question, Mr. Chairman, frankly I have no objection whatsoever to the governor's creating new functions but I think it is very important and I think it should be clarified.

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: It is quite clear to me there is nothing which enables the governor to create new functions or create

new programs not otherwise authorized by law. He might make changes including the establishment or abolition of principal departments including the assignment or function of its various units. I do not see anything which enables the governor to create new functions. That is my interpretation and I think that is the committee's interpretation.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: I would like to ask Chairman Morgan a question.

THE CHAIRMAN: Does Delegate Morgan yield?

DELEGATE MORGAN: I certainly do.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: Line 41 says, "members of each house of the General Assembly", and when you were explaining it you said either house. Was that a slip of the tongue or had you changed it?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. Gill, in my blue copy on line 44 of page 7, it says "concurred in by a majority of all the members of either house", unless there is disapproval.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: Thank you.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Will Delegate Morgan yield to a question?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I yield.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: In section 4.18. This is not the limit of my interest but I just wanted to make clear for the record, if the number of principal departments is changed, such law has to be enacted by a three-fifths vote of the members of each house. I would assume even though such law were passed by three-fifths, it would still be susceptible to referendum; is that still the intention of the Committee?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I do not think the committee ever considered this.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Well, as long as there was no intention on the part of the