

Committee that it be exempt from referendum, I suppose the reference to three-fifths would not impair the susceptibility from referendum.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: There was no thought that this would be exempt from referendum. We decided this before the Committee of the Whole considered your referendum provision.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Likewise in 4.19 I am not clear. In line 34 it starts, "Where these changes require the force of law, they shall be set forth in executive orders in statutory form and submitted to the General Assembly". I am not quite clear what "force of law" means. Does this become law in the terms that I understand the law or is this some special kind of law?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Do you mean in line 35, that when the legislature has prescribed a particular organizational structure and the governor wants to change it the change would ordinarily require the force of law because the legislature has already said that it shall be done in this way? Is that what is meant where it says the change requires the force of law.

On the other hand, if you had a department head who organized his department into units A, B, C, D and E, those could be changed without any executive order because they would be established directly and not by legislative enactment.

*(At this point First Vice President James Clark assumed the Chair.)*

DELEGATE J. CLARK (presiding): Delegate Koss.

DELEGATE KOSS: I think I understand the use of this procedure. I suppose the question baldly is: Is something that has the force of law a law that is susceptible to referendum?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: Delegate Koss, I really cannot give you an authoritative answer to that question. I can give you my personal opinion. The answer is no.

DELEGATE J. CLARK (presiding): Delegate Gill.

DELEGATE GILL: I am still confused, the last amendment I have was AZ and it

refers to section 4.18 and they are discussing section 4.19.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Storm.

DELEGATE STORM: I think President Eney mentioned before he left that 18, 19 and 20 would simply cancel because Delegate Maurer did not even present them, so it is AZ.

DELEGATE GILL: I see.

DELEGATE J. CLARK (presiding): Delegate Storm.

DELEGATE STORM: As I understand it, AC, AD and AE have all been cancelled.

DELEGATE J. CLARK (presiding): Delegate Gill, this is AZ and it is Amendment No. 18.

DELEGATE GILL: That is what I said.

I am talking about AZ and I have numbered it Amendment No. 18 by Delegate Morgan. It says, "On page 6, Section 4.18", and the question I asked was about the word "each" but Delegate Case and Delegate Koss are both talking about 4.19. Because I had this amendment AZ, I asked the question.

Now, what are we discussing, 4.18 or 4.19?

DELEGATE J. CLARK (presiding): Section 4.18, as I understand it. Is that right, Delegate Morgan?

DELEGATE MORGAN: We are dealing with an amendment to section 4.18, but I was asked a question relating to 4.19 and that is how we happened to get on 4.19.

DELEGATE J. CLARK (presiding): Delegate Gill.

DELEGATE GILL: When I asked you the question it was about 4.18. In the amendment in line 41, you referred to 4.19 and told me about either house. I asked you which did you mean. Section 4.18 said each house. When you explained it you said "each".

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: Section 4.18 says "each house" but on 4.19 it would be "either house".

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Beatrice Miller.