

branch it would not except for those employees dealing with licenses and so on, but this would have to be subject to interpretation.

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: Delegate Maurer cited the provision of the model constitution as a precedent for her proposal. I think it is only fair to point out that her proposal goes considerably beyond even the exhortations found in the model constitution.

Her amendment would reach all employees in the service of the State and that is not only all employees in the executive branch, but it would be all employees in the judicial branch and all employees of the legislative branch. Even the model does not go that far.

As a matter of fact, even in a discussion of the laws on the model, it admits that the concept of the merit system has gained such wide acceptance that need for spelling out the specific details seems no longer necessary. Nevertheless, the model does end up with the exhortatory provision of the type decried by Delegate James.

I join in resisting cluttering up the constitution with clauses which are unenforceable. If they are enforceable, they are even more dangerous.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: I have a question for Delegate Morgan.

THE CHAIRMAN: Just a moment; Delegate Gill.

DELEGATE GILL: I also had a question for Delegate Morgan.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: I wish to speak in opposition.

THE CHAIRMAN: Any delegate desire to speak in favor? If not, Delegate Hanson.

DELEGATE HANSON: I cannot agree with my colleague and friend Delegate Scanlan that this is merely pious exhortation. It seems to me there would be some good flexible utility to permit methods to be prescribed by means other than law such as administrative regulations or something of this nature.

We are getting very mature in our merit principle of employment in public service, and we should be most careful that we not

impose a constitutional restriction upon the expansion and flexibility of the system.

If that clause is removed, then I think it falls under the admonition of Delegate Scanlan, unfortunately, and for that reason should probably be rejected.

THE CHAIRMAN: Delegate Grant, do you desire to pose your question?

DELEGATE GRANT: Yes, sir.

THE CHAIRMAN: Delegate Morgan, do you yield to a question?

DELEGATE MORGAN: I yield.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: In addressing this article specifically to the executive branch would the overall thrust mean that you intended that this would be dealt with in the executive branch in this manner and that you intended to leave employees or appointees of either the judicial or legislative branch to be disposed of by those branches?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, I think the General Assembly could certainly prescribe the civil service system for judicial employees as well as legislative employees if it chose to do so, but it has not chosen to do so so far.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: By specifically specifying legislative, you do not mean to exclude the executive or judicial branch by law?

DELEGATE MORGAN: This amendment—

THE CHAIRMAN: I think he is speaking not of the amendment, but rather of the section as drafted.

His question is since this refers to employees in the executive branch does it negative the power of the General Assembly to provide for removal of employees in other branches, is that your question?

DELEGATE GRANT: Yes.

DELEGATE MORGAN: It does not.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: My question is to Delegate Maurer.

THE CHAIRMAN: Delegate Maurer, do you yield to a question?