

in this whole field, to tell us what has become of the provision in the present Constitution relating to the requirement that you cannot increase salaries during the term of office.

This is, so far as judges are concerned who are elected to judges' long-time terms of 15 years, simply to find another way of increasing salaries.

This is done by supplementary salary payments from the political subdivision. This is being cut out by what we have decided here in the judicial branch revision.

Even worse, you come to a public servant who is in office whose term runs for four years and he has been elected for the next four years.

Does that mean that he must always have the original salary that he went in with? How do you change it? The attorney general ruled it could be done. If he takes office on January 1, it can be done as of December 1.

We found that this was a provision of the Constitution simply and completely unworkable, because when you are dealing with public officials who are not named salary-wise in the constitution, you just cannot put in a restraint in these times of inflation, for times yet to come when we have no idea or knowledge of what conditions will exist. It is a kind of unworkable restraint.

Now, what happens while the legislature is pondering over this gigantic budget bill? The law provides that no appropriations can be taken up while this gigantic item is before the General Assembly. The law provides nothing else can be passed, and do you want to know one of the reasons for the great log jam in the legislature? This is, in part, one of the major reasons, because everything backs up behind it.

The present Constitution provides that the legislature must pass the budget within 3 days before the expiration of its regular session. If it does not the governor calls a special session of the General Assembly and they have to get it out of the way.

Well, they do, but in the course of doing it, the log jam is terrific, in the backing up of the bills behind it.

The Eney Commission draft proposed something totally different. We did not adopt that recommendation. The Eney Commission drafted a provision, the effect of which was that when the budget was submitted, and they were going on the theory that there would be a 70-day session of the

General Assembly, the governor would submit the budget, the legislature would consider it, but if at the end of 50 days it had not been approved, then ipso facto by the act of the calendar reaching those 50 days, it became budget as he had originally introduced it without any amendments.

We labored over this long and hard. We had all of the members of the Legislative Liaison Committee and the leaders of the legislature come talk with us about it. We could see that the end which they sought was a good one, but the means we did not think were going to work out, because just by an examination of the program, you could see that a strong governor could get one house to play with the budget bill, and I do not mean play in any venal sense, to go over the budget bill while the other house was ready to pass it. But if the two did not, when that 51st day came, that original budget would be in effect.

In addition to that, it really gave such power to the governor, and deprived the entire legislature of so much of what ought to be its power, that we looked for and sought another way of carrying out what had been the Maryland program for 50 years. In doing so, we adopted a provision which we recommend, which is this: if the budget is not approved by ten days before the end of the session, then the governor declares the legislature to have an extension. The greatest thing that happens immediately is no other bill, no other legislation of any kind can be considered. The legislature has just got to get the budget bill out. It stays in session until it does. It must act. It just simply cannot sit still for one very important and salutary reason. No other piece of legislation of any kind can pass either branch of the General Assembly.

And everybody who is knowledgeable in the practical workings of the General Assembly feels that this is a much more workable plan. It is like what we have with the modifications that I have just described.

Now, the legislature used to mark time with respect to all our appropriation bills, because under the original provisions of the constitution, they could not even consider what we call money or appropriation bills while the budget was going through the General Assembly. And so you would wait until five or four days before the end of the session, and then whatever additional appropriation bills had to be considered, would be before the General Assembly.

And in those last five or six days, you know there was not the same careful con-