

sideration given to the matters that were going through at a terrific pace and in gigantic volume. Speaker Marvin Mandel of the House had introduced, and there was passed by the General Assembly, a constitutional amendment for submission to the people that has become known as the Mandel Plan.

This simply means that one house of the legislature may consider and pass, and the other house may consider but may not pass, legislation relating to appropriations. In other words, all work does not stop, everything is not stymied.

We adopted the Mandel Plan, which had been approved by the people overwhelmingly and is written in the constitution. We have included that likewise in the budget plan which we have presented.

Now, you will find another section dealing with the right of the General Assembly to require any person in any branch of the state government, other than the governor, to appear and testify. This has always been in the constitution. It is a requirement which jumps the barrier between the separate departments of government.

It simply means what it says, that the staff of each branch shall be required to testify and present all of the facts that are necessary.

However, the legislature could not require the governor as an individual to testify. There would be no problem with respect to that situation that I can see.

Now, we come across something else that most of you here will remember, the recent tax bill, and I will not give you all the four or five different names it has because I do not know who is claiming authorship or who is disclaiming it, but the gigantic tax bill that went through the last session of the General Assembly was declared unconstitutional with respect to one aspect on highly technical grounds.

That was because it included more than one item and was in violation of the provision of the Constitution which limited each supplementary appropriation bill to some single work, object or purpose, and obviously when the legislature was providing for a supplementary appropriation, it was an impossible task to write individual separate bills covering each particular single work, object, or purpose.

This is something that has gone out a long time ago, but there it was in the Constitution, and the Court of Appeals in the

decision that was handed down, said it was in violation of the constitutional requirements.

It required then a special session of the General Assembly to cure it. We are curing it in this way. Any other appropriation is embodied in a separate bill, which is called a supplementary appropriations bill, the purpose or purposes of which shall be clearly defined therein.

Now, what we are saying is that the purposes shall be defined in the bill, but there is no longer a requirement that it be a single object or single work or a single purpose.

This is archaic, and anachronistic, and there is no reason for having this in the constitution. You cannot pass a supplementary appropriation bill until the budget is out of the way. When the budget is passed, the legislature can proceed to act smoothly with respect to its work.

Now, some of you may notice that if the legislature passes a supplementary appropriation bill that the governor has the right on a line basis to veto that particular appropriation.

You may be looking for it in this article. It is not here, because it is in the section already approved by this Convention dealing with the executive department which Delegate Morgan presented so well here in the recent past.

It is there in the sections which originally were numbered 4.14 and 4.15, I think, in the Commission draft. The executive's line veto on supplementary appropriations is of course retained.

There are two kinds of budgets that we have. One deals with appropriations and the other with capital expenditures. We discussed capital expenditures yesterday, where the state appropriates its full faith and credit, but if the General Assembly properly, legally and in timely fashion seeks any form of a capital improvement not called for by the governor's capital budget, they have a right by supplementary capital budget appropriation to provide for such an expenditure. This is the difference. Up until what was adopted here, you would have a separate tax provision, usually a real estate tax, to call for the payment of the principal and interest yearly as they become due on these bond issues.

Since we are now departing from that kind of a measure of providing for payment, we now say that if the supplemen-