

particular budget under consideration, but that may not be the Committee's intention.

THE CHAIRMAN: Let me get yours first.

In other words, you would mean the sentence, as amended, that the compensation provided by law for a public officer and included in the budget in the amount provided by law could not be decreased during his term of office?

DELEGATE BAMBERGER: Yes, sir.

THE CHAIRMAN: I believe that there is pending before the Committee of the whole a recommendation of another committee that would accomplish that purpose. Will you bear with me just a moment? I think that is one of the recommendations of the Committee on General Provisions, but I am not absolutely certain.

Delegate Sherbow, do you now desire to be recognized?

DELEGATE SHERBOW: Only for this purpose: we had in mind state officers, people who are provided for in the state budget. We were not thinking in terms of state's attorneys and others, because as per our statement, we said it is the recommendation of the committee that the blanket prohibition of Article III, section 3.5 of the present Constitution be omitted as recommended by the Constitutional Convention Commission. To the extent that a limitation against increases in compensation during the term of office is deemed desirable with respect to any particular office or offices it should be included in the provisions relating thereto.

On behalf of myself I would have no objection to the amendment, but I would most strongly urge that either the Committee on Local Government or the General Provisions Committee or some other group certainly provide that what the Chair has just indicated is a provision that is coming through.

THE CHAIRMAN: There is already a provision in the article on the Judicial Branch, as the Chair recalls it, that provides that compensation of judges shall not be reduced during their term of office; is that not correct, Delegate Mudd?

DELEGATE MUDD: Yes, Mr. Chairman.

THE CHAIRMAN: If the intent is as the Chair indicated it, Delegate Bamberger, would not that intent be better stated to have your language read, instead of saying

"provided for in the state budget", say "provided by law," and then the Committee on Style could take it out of the budget section if it thought best?

It would seem to me not to be directly related to the budget, if I understand your amendment.

DELEGATE BAMBERGER: I must confess, Mr. Chairman, at this point I am confused.

THE CHAIRMAN: Can we wait just a moment and check?

Delegate James.

DELEGATE JAMES: I think this is an unfortunate phrase for this reason, that some officers have salaries provided in the budget alone, and some have their salaries provided in the statute. Why could you not simply use the word "State," or "public officer of the State," and eliminate this confusion between statute and budget?

THE CHAIRMAN: Delegate Bamberger.

DELEGATE BAMBERGER: Delegate James, my only concern about using the word "State" was that, as I understand the Chairman of the Committee, it was their intention, for instance, not to reach state's attorneys by this provision, and they are a state public officer.

THE CHAIRMAN: Delegate Wheatley, can you advise the Chair whether your Committee—I see Delegate Boyer is not here right now—had under consideration a recommendation that compensation of public officers should not be reduced during their term of office?

DELEGATE WHEATLEY: Mr. Chairman, that matter was briefly discussed by the Committee, and on information supplied to the Committee we were led to believe this would be covered elsewhere.

THE CHAIRMAN: Very well. The Chair is apparently in error in the belief that there was a recommendation of the Committee on General Provisions touching upon this matter. I know there is one in the Committee on the Judicial Branch.

I am suggesting merely, Delegate Bamberger, that if your intention was as indicated, that the amendment may not be the happiest way to express it.

Delegate Bamberger.

DELEGATE BAMBERGER: I would be quite pleased to withdraw the amendment if the Committee can come up with