

drawn, says, I am quoting: "The salary or compensation of any public officer shall not be decreased during his term of office."

During your experience has that ever been construed to mean that the salary of the president of the University of Maryland, for example, could not be decreased if there were a general budget cut of, say, ten percent across the board?

I have always been under the impression, but I am not clear in my own mind about this, that that particular phrase relates to salaries of public officers which are established in the statutes, but not to salaries where the governor may give an incremental raise from time to time to certain people who are public officers.

I have always been under the impression, and again I could be mistaken, that the budget director has thought that these salaries, where they are not established by law, and where the legislature has not focused attention on them, could be cut along with everything else in the department.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: I think you are probably correct. I think that the term "public officer" has received various interpretations by the attorney general's office, and I think you have to come within that technical definition: you have to take note, you have to meet the judicial test before you come within that provision.

I do not think the president of the University of Maryland would come within that provision, and many people who we may think are public officers may not be.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Mr. Chairman, then I would ask the Chairman of my Committee if he would not, in his wisdom, reconsider his position?

The intention of the State Finance Committee and of the commission itself and certainly of myself in writing this language, was to preserve the status quo, and I am afraid without researching the question I am going to have to go on my impressions as much as on Delegate James'. What Delegate Bamberger's language would do would be to change the present situation.

Now, there is no question, of course, that the intention of the Committee is to confine this particular clause to State, as distinguished from county or local political subdivision officers. There is no question about that.

But what is meant by the words "salary and compensation" bothers me a little, and I would suggest that hopefully the amendment would be withdrawn until perhaps greater research could be done on the problem. I do not think, for example, that if the law is now as I understand it, the governor could in the case of an emergency, for example, desire to make a ten or fifteen percent across-the-board cut. This has been done. It was done in the depression, I am told, and I know it was done in the federal government.

I am not sure that this would permit a complete activation of that policy, and I would think that it would not be desirable to have this limiting amendment in the document.

THE CHAIRMAN: May the Chair suggest that Delegate Bamberger consent to have his amendment laid aside for the moment? I have sent for the Annotated Code, and perhaps Mr. Lewis can take a look at the Code. Would that be satisfactory?

DELEGATE BAMBERGER: Yes.

THE CHAIRMAN: Are there any further amendments to section 6.07?

*(There was no response.)*

The Chair hears none.

Are there any amendments to section 6.08?

*(There was no response.)*

The Chair hears none.

Are there any amendments to section 6.09?

*(There was no response.)*

The Chair hears none.

Are there any amendments to section 6.10?

*(There was no response.)*

The Chair hears none.

Are there any amendments to 6.11?

*(There was no response.)*

The Chair hears none.

Delegate Beatrice Miller.

DELEGATE B. MILLER: I have a question for clarification, please, sir.

THE CHAIRMAN: State the question.

DELEGATE B. MILLER: Is it the intention of the Committee that the budget