

elected attorney general and not to an appointed attorney general.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: That is not to say that the governor would probably feel himself bound by the eligibility requirements for an elected attorney general and I think a governor probably would feel bound by the eligibility requirement, but there is no requirement that a man who has been appointed attorney general and had been a member of the bar for five years and had been a citizen of the State for five years —

THE CHAIRMAN: To state it again clearly for the Committee on Style, the Committee Chairman has stated that this section does not impose any qualifications whatsoever for a person appointed to fill a vacancy in the office of attorney general.

Delegate Marion, do you have a further question?

DELEGATE MARION: I am wondering whether you would be disposed, if that is the intention of the Committee in this language, to accept an amendment which would require that the appointment be of a person who would be otherwise qualified for election?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I cannot speak for the Committee without taking their opinion here on the floor, but I would say personally I would have no objection to such an amendment.

THE CHAIRMAN: Are there any further questions?

DELEGATE MARION: Yes, I have one further question.

Delegate Byrnes I think was getting into this area but, as I recall, when we adopted the language relating to the duties of the comptroller, we adopted that section including a sentence which stated very explicitly that the comptroller would not be the head of any principal department in the executive branch. And as I further understand the language of section 4.20, the governor is entitled to appoint the heads of all principal departments. Even though this recommendation does not use the same language the section dealing with the comptroller did, to wit, "he shall not be the head of any principal department in the executive branch." Section 4.20 would make that very clear, and it is implicit that the attorney general would not be the head of

any principal department of the executive branch.

Is that correct?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: That is correct.

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: Mr. Chairman, the question that I had was asked by Delegate Marion, because I had wanted to make certain that the eligibility requirement was of citizenship of five years also.

THE CHAIRMAN: Delegate Dukes.

DELEGATE DUKES: I think I know what a resident is and I am vaguely familiar with domicile, but I do not know what constitutes a citizen of the State of Maryland.

I have been reflecting that I may still be a citizen of North Carolina, never having renounced it.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I think you are probably a citizen of the State of Maryland if you have been elected to this body.

THE CHAIRMAN: Delegate Dukes.

DELEGATE DUKES: That is why I am worrying about it. Does it mean a resident or does it mean something different?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Well, I am just not prepared to go into a detailed discussion as to what constitutes a citizen of the State of Maryland and of the United States.

THE CHAIRMAN: Delegate Dukes.

DELEGATE DUKES: Do you know whether the Committee's intention would be substantially the same as a resident? I wonder if you mean something different.

THE CHAIRMAN: I will read to you the first section of Article XIV of the Constitution of the United States. "All persons born and naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside."

DELEGATE DUKES: Thank you.

THE CHAIRMAN: Are there any further questions?

Delegate Bothe.

DELEGATE BOTHE: I note that the recommendation continues the present con-