

Clerk of the several Courts ... shall be allowed the fees, which appertain to their several offices, as the same now are, or may hereafter be regulated by Law." Accordingly, this office has previously said that "The Maryland Constitution makes it clear that the fees, charges and compensation of court clerks are subject to the control of the Legislature." 60 Opinions of the Attorney General 63 (1975). Quite clearly, the General Assembly can itself fix court costs and fees by statute, as it has done with the District Court, Courts and Judicial Proceedings Article, Sec. 7-301. However, it can also delegate this authority, as it has done for the appellate and circuit courts, by authorizing the State Court Administrator to establish the costs and fees, subject to the approval of the Board of Public Works. Secs. 7-102 and 7-202.

Senate Bill 58 provides that the State Court Administrator is to propose, rather than determine, court costs and fees for the appellate and circuit courts, and that these costs and fees are subject to approval, modification or veto by two legislative committees, rather than the approval of the Board of Public Works. Senate Bill 58 also authorizes the Chief Judge of the District Court to propose changes in court costs and fees, subject, again to the approval, modification or veto by two legislative committees. As to the provisions for legislative approval or veto, we conclude that these are constitutionally permissible. However, we do not approve the provision for modification of the costs and fees by the legislative committees.

In an Opinion issued in 1978, it was concluded that the Legislature could require that power which it had delegated be exercised subject to a veto by the General Assembly or one of its committees. 63 Opinions of the Attorney General 125. In summarizing this Opinion, we have said:

The power of the General Assembly consists of several species of legislative power, only one of which is the power to make laws. Another species of legislative power is the power of oversight authority over powers properly delegated to the Executive, including rule-making power. In exercising this oversight authority, we concluded that the General Assembly may enact legislation making the exercise of rule-making authority subject to approval by one of the Houses of committees of the General Assembly. As such approval would not constitute the making of a law, it need not be given by both Houses or be subject to veto by the Governor. However, as it would be a species of legislative power, i.e. the oversight power, its exercise would not violate the separation of powers provision by infringing on the power of the Executive or Judiciary. Letter from Attorney General Sachs to Governor Hughes concerning Senate Bill 1036 and Senate Bill 1037, dated May 2, 1979.