

submitted to the Governor" seemed inapplicable. This reading is supported by § 7-212(d) of this subtitle, which provides for an annual report "for information only".

Since, under § 7-212 of this subtitle, a Board may transfer money without a budget amendment, but only a percentage of the appropriation, and a Board is not precluded from submitting a proposed amended schedule, subsections (c) through (g) do not contain an exception. See, however, § 7-212(e) of this subtitle.

In subsection (b)(1) of this section, the specific references to an "officer" are added. Although former Art. 15A, § 27 referred only to a proposed amended schedule "prepared by any department, board, commission, division, institution or agency of the State", the absence of a reference to an "officer" did not seem to be intentional.

Also in subsection (b)(1) of this section, the limitation "of the Executive Branch of the State government" is substituted for the former broad reference "of the State". This substitution reflects that § 7-208 of this subtitle provides specific means for amendment of the schedule for an appropriation to the Legislative Branch. Although the law is silent on amendment of a schedule for the Judicial Branch, the exclusion of that Branch -- through the substituted language -- is consistent with Opinions of the Attorney General that have construed provisions involving responsibilities of a secretary to extend only to the Executive Branch, notwithstanding broad language such as the former reference to "any department ... of the State". See, e.g., 61 Op. Att'y Gen. 241 (1976). This exclusion also is consistent with current budgetary practice. But, compare pages 182 and 183 of the Journal of Proceedings for the Senate of 1947.

Subsection (b)(2) of this section is revised to require the Secretary to send the proposed amended schedule and recommendation to the Governor, to reflect practice. In light of this revision, the first sentence of former Art. 15A, § 8(e), which enabled an officer or unit to submit "in writing to the Governor an amended schedule ... of the appropriations made to it by him" is deleted. This deletion also avoids the confusion of the former reference to "appropriations made ... by him", which seemed to be a limitation on the scope of the former sentence. However, this seeming limitation probably was an error in Ch. 64, Acts of 1939, which, in codifying provisions that had been included in numerous budgets, substituted the words "by him" for