

State Government - Maryland

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PLAN FOR THE **20073661**
REORGANIZATION OF THE ADMINIS-
TRATIVE DEPARTMENTS OF THE
STATE GOVERNMENT
OF MARYLAND
AND FOR THE
REDUCTION OF THE NUMBER OF
ELECTIONS IN MARYLAND
BY THE
REORGANIZATION COMMISSION OF
MARYLAND.

ADOPTED SEPTEMBER 14, 1921.

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THE PLAN FOR THE REORGANIZATION OF THE ADMINISTRATIVE DEPARTMENTS OF THE STATE GOVERNMENT OF MARYLAND.

By

HON. N. CHARLES BURKE,
Chairman of the Reorganization Commission.

The Government of this State, that of nearly every other State in the Union, has in recent years greatly increased the number and importance of its activities. The people have demanded this, and the State, in response to this demand, has undertaken and carried to completion a series of great constructive public works, and has established a number of public agencies, whose fine administration has been such as to place Maryland among the progressive and best governed states in the country.

Every Marylander may feel a just pride in the things which have been done. They are known to every intelligent citizen. Some of them are referred to in the committee's report. These things have been done largely by the executive department of the government through the instrumentalities provided by law from time to time for doing the work.

The administrative organization is one of the principal agencies by which work of the State is done. That organization in this State, as in every other, has grown out of the wants and needs of the people, and has developed and expanded whenever the State has embarked upon a new work. The policy of the State has been that whenever a new work was to be done to provide a new instrumentality for doing it.

The number and magnitude of the things done have involved the expenditure of large sums of money. There has been no charge of dishonesty in any of the departments of the government. Nor has it been claimed that the administrative organization of the State has not been fairly efficient and economical. It has not been contended that any of the important works undertaken by the State were not required, or that there has been any wilful waste, corruption or extravagance in their execution or administration.

It was thought that the time had arrived to take into consideration the question whether our administrative organization—which had served us well and efficiently—might not be improved and rendered more efficient and economical.

Early in his administration Governor Albert C. Ritchie took this question under consideration. From his experience as Governor, and from the reports and recommendations submitted to him by competent authority, he became convinced that the instrumentalities by which the State had heretofore conducted its business might be simplified and improved.

Accordingly, he appointed a commission of more than one hundred representative men and women, selected from every section of the State, to make a study of the administrative departments of the government, with a view of suggesting such changes in the existing organization as would promote efficiency and economy in the State government.

This commission, at its first meeting on the 23rd of June, 1921, authorized its chairman to appoint an executive committee to study and recommend to the whole commission such plan or plans as in said committee's judgment would promote co-ordination, efficiency and economy in the organization and administration of the State Government. It further directed its chairman to appoint a committee to study and recommend to the whole commission the best practicable plan for reducing, as far as possible, the number of elections in the State and thereby effect a substantial saving to the taxpayers.

An executive committee was appointed, and at its first meeting, on July 14, 1921, it recorded its approval of such reorganization of the State Government as would produce greater efficiency and economy in its administration, and authorized its chairman to appoint a sub-committee to prepare such plan of reorganization, and report the same to the executive committee.

The sub-committee was composed of the following members:

N. Charles Burke, Chairman,
William Milnes Maloy,
Charles P. Coady,
E. Brooke Lee,
W. Lee Rawles,
Thomas H. Robinson,
W. Mason Shehan,
Emory L. Coblentz.

Immediately upon its appointment the committee entered upon its work. It made a diligent study of the history and structure of the existing administrative agencies of the State, as well as those reorganizations

which had recently been put into effect in other states. In the judgment of the committee, none of those plans was suitable to the needs of this State, or would meet the approval of its people. The adoption of any one of them would result in an increase in the expenses of administration. It saw no good reason for applying to the executive business of this State the controlling principle of all these recent reorganizations, viz: *the centralization of great power in the hands of the Governor*. This would have involved the withdrawal from the people of their ancient right, secured by successive constitutions, of electing certain constitutional officers, and of controlling through the action of the Senate the appointment of important State officials. It was convinced that a radical proposal of this kind would not find favor with the people. Nor did it think any such change was necessary.

After full consideration and examination of the whole subject, the committee determined to formulate its own plan of State reorganization, guided in its work by the light of the experience of our own people, and mindful of the character, the history, the accustomed rights, the political ideals and needs of the people of Maryland.

It found about eighty separate and independent agencies established from time to time, through which the executive department was doing its work. It found there existed no effective and adequate power of executive supervision and control over this multiplicity of independent and unrelated agencies engaged in the administration of the executive functions of the State.

The aim of the committee was the formulation of some plan that would promote more efficiency and economy in the conduct of the business of the State. The committee has no doubt that the plan proposed, if enacted into law and capably administered, will result in much greater efficiency and economy in the State Government. It provides, in a simple, common-sense, practical way, an effective administrative supervision and control over all the executive functions and agencies of the State. It further provides safeguards and effective control over the collection and disbursements of the finances and revenues of the State. The advantages which may be expected to result from the creation of a Governor's Advisory Council—to be composed of the heads of the principal departments—can hardly be overestimated. This Council will put the Governor in close touch with all the conduct of all the business of executive departments, will enable him to exercise an effective supervision over it, and will give

him the advice and experience of competent officials in the performance of his duty.

The Committee on the Reduction of Elections was composed of the following able and distinguished lawyers:

Carville D. Benson, Chairman,
Joshua W. Miles,
F. Neal Parke,
Sylvan Hayes Lauchheimer,
Henry D. Harlan.

Some of these men have had long and varied experience in public affairs.

The recommendations of this committee, if put into effect, will result in a direct annual saving of about three hundred and fifty thousand dollars. The indirect saving will be very great. There is no good reason why we should have so many elections. They cost the public and the individual candidates a great deal of time and money, and have become a decided public evil.

The report of the Sub-committee on Reorganization was approved by the Executive Committee and by the whole commission on September 14th, 1921, and on the same day the whole commission adopted the report of the Committee on Elections. The recommendations of this committee, as well as the plan of reorganization, were approved by the Democratic State Convention on September 20th, 1921.

In the preparation of the plan of reorganization, the committee had the valuable advice and assistance of Governor Ritchie, and upon the conclusion of its labors it requested him to prepare its report, which he consented to do. This report embodies the committee's Plan for Reorganization of the Administrative Departments of the State Government of Maryland, and contains a clear exposition of the reasons which governed the committee in its conclusions upon the various questions dealt with, and also of the principles upon which the plan is based. Nothing need be added to what he has so well said. His explanations are clear, accurate and complete. There cannot well be any misunderstanding or misconception of what is proposed or why it is proposed.

It is the judgment of the committee that if this plan, and also the recommendations of the Committee on Elections are put into effect, there will be a direct annual saving of approximately one-half million dollars to the taxpayers, and we will have in Maryland a much simpler, more economical, and more efficient administrative organization.

PART I

THE NEED FOR A REORGANIZATION OF THE STATE GOVERNMENT OF MARYLAND

It is not necessary to preface the reorganization we are going to propose for the government of Maryland with any apology for the government machinery now existing. That has developed along perfectly natural lines, and has nothing to fear from comparison with other States.

The fact that private enterprises operate well and economically, does not deter them from trying to operate better and more economically. We constantly see corporations whose management represents the last word in efficiency. Yet in a short time we see them produce something still more efficient.

If business management does not stand still, but always advances, there is all the more reason why State management should not stand still either. For while the mounting cost of private business falls chiefly upon the owners and the consumers, the mounting cost of public business falls on everyone. It is to the interest of the few that private business should strive always for more efficiency and more economy. It is to the interest of all that the State Government should do that.

In working for this end, and in considering the problems involved, it is helpful to remember that business and Government are not the same, because government has a side, which business has not, where it is subjected to cross currents of popular forces, such as elections, changing administrations, public policies, state traditions and usages which the people want preserved.

Business often feels the reaction from these things, and prospers or suffers accordingly; but it does not have to contend with them directly,—in its own house. It does not have to reckon with these forces in building the structure of its own organization. Government does.

Equally true is it that a plan of government suitable for one State may not be at all suitable for another State. The object of Government is to meet the needs of the people. Government, in the words of the Maryland Declaration of Rights, is "instituted solely for the good of the whole." What that good is, is not the same everywhere.

Our entire theory of independent States rests on the recognition of this. What this commission is interested in promoting, is "the good of the whole" in Maryland.

It is essential not to forget these facts. They are basic. It is because they are basic that an administrative plan which fits exactly the needs of private business may not be suited to running the government;—that a plan that works admirably in some other State, may not work admirably in this State; that a plan which looks flawless on paper may not stand up against the realities of practise and experience.

For reasons such as these, we are not taking the administrative government of any other State as a model for Maryland. We have examined the forms of government in other States, particularly in those three which have furnished the basis for recent State reorganizations, Illinois, Idaho and Nebraska. We find them all substantially alike. It is as if the slate were swept clean, and the same yard-stick applied to all three. It is as if the same hand, moving from one State to the other, scrapped traditions, usages and the practises of years, and substituted for them one substantially uniform, cut-and-dried scheme of government.

We have not considered the plan submitted by Messrs. Griffenhagen and Associates appropriate for this State. An organization such as they maintain was required for investigative purposes and to assemble the facts, and also to afford accurate knowledge of what has been done in other States; so that their work was both necessary and helpful. Indeed, no other State has attempted a task of this kind without such assistance. When it came, however, to the Griffenhagen plan itself, we found that it did not take sufficient account of the experience, conditions and usages of this State. This was not at all unnatural, and would almost inevitably be the case with any plan drafted by outside experts. Moreover, the plan did not appear to embody specific assurances of economy.

We want in Maryland a government, if we can get it, cheaper and better than the one we have, but we want to preserve all that is good,—and there is much that is good,—in our present institutions. The only changes we want are changes which will bring with them greater efficiency and greater economy, and which will square with those State usages and practises which experience has justified, and which, therefore, ought to endure. In a word, we want for Maryland a Maryland form of government.

At the outset we should remember that Maryland has advanced very rapidly in administrative efficiency. Going back only little more than a decade, we find the State, having done pioneer work in laying solid foundations for the care of the tubercular, the feeble-minded and the insane, and having established a system of free school books, entering upon a period marked by the passage of numerous great progressive measures. These included:

State Roads System,
Workmens' Compensation Law,
Public Service Commission,
State Tax Commission,
Corrupt Practices Act,
Primary Election Law,
Full Crew Law,
Labor Laws,
Ten Hour Law for Women,
Health and Sanitary Legislation.

Then, in 1916, came the new Educational Law, which remodelled the public school system of the State, giving it an organization which is admittedly second to none in the Country; the merging into one Conservation Commission of the several agencies which theretofore had been conducting the State's oyster, fish and game activities; the merging into the State Board of Labor and Statistics the several agencies which had theretofore conducted the State's work relating to hours and conditions of labor, child labor, industrial statistics and information, boiler inspection and mine inspection; the merging of all the agricultural agencies of the State into the State Board of Agriculture, and the unification of that Board with the Maryland Agricultural College; the control of the penal institutions by the State Board of Prison Control; and, finally, the discontinuance of special counsel and the consolidation of the State's legal work in the State Law Department.

In the same year came the Budget System; and here again Maryland took the lead among the States of the Country in adopting this instrument for financial system and economy.

Thus, within an extremely brief period, Maryland not only caught up with other States which had been ahead of her governmentally, but herself assumed a position second to none of them.

Finally, after the really notable War Session of the General Assembly of 1917,—notable because the legislation passed at that session furnished the models for legis-

lation in other States,—there were added to the field of administration the single Police Commissioner for Baltimore City, the Central Purchasing Bureau, which we are advised is now functioning satisfactorily and with economy; the Merit System and the University of Maryland.

This is a record of rapid, constructive progress and of steady advance in political ideals in which the people of the State may take just pride.

Wherein, now, can our present governmental structure be improved? What does it need? The answer is readily supplied by those who have studied it.

As has been shown, during the past ten or fifteen years, new conditions have arisen in this State, new needs have developed. As each new condition arose, the State administration has stepped forward with the means to meet it. As each new need developed, the State has supplied the need. This resulted in a period of accomplishment, but inevitably these new accomplishments were not co-ordinated. Achievement was the important thing. Not until the lapse of some years was co-ordination possible, and the time ripe to undertake the work of fitting each new activity into its appropriate place in the general order.

There is nothing peculiar to Maryland about this. The same thing has occurred in every State. But Maryland was among the first to see where lack of co-ordination was leading.

It was leading, first of all, to a top-heavy government, a government of too many boards and commissions, each regarding itself too much as independent of the others, too much as if it were the chief activity in which the State was engaged. Nominally, the Governor was over them all. Held responsible for them he was, but he was not given adequate means to fulfil that responsibility; for the boards were fast becoming so many that supervision over them all was a physical impossibility.

It was seen that this, unless remedied, would carry numerous consequences in its wake. There was already beginning a duplication of work and effort. Activities which should have been grouped or merged were scattered, and this in time would impair their effectiveness. Lack of system and team-work would ultimately spell inefficiency and waste. Boards were performing functions which experience was proving could be done by single officials.

It was the realization of things such as these, and the determination to avoid these consequences, which, in 1916,—over a year before the reorganization in Illinois,

the first State in the country to undertake administrative consolidation,—led Maryland to put into effect the very extensive departmental mergers which have been referred to, and to adopt the Budget System, and, later, the Merit System and the State Purchasing Department.

The natural, logical thing now,—the sequence to what has gone before,—is to pause and view in its entirety our governmental machinery, and to re-cast the structure, co-ordinating the several agencies, preserving every strong feature and cutting out every weak one, so that we may have a practical, working- well-balanced whole, capable of operating better than the present one, and at less cost.

PART II

QUESTIONS FUNDAMENTAL TO ANY REORGANIZATION PLAN

There are certain practical and fundamental questions which must be settled before any plan for the reorganization of the State government can be drawn, because the shape the plan is to take depends upon them. We will now proceed to a discussion of these, and give our views with regard to each of them, endeavoring in every case to reach a conclusion which is not only sound in theory but which in practice will work well in Maryland.

A

CENTRALIZATION OF POWER IN THE GOVERNOR'S HANDS.

Recent reorganizations in other States reflect what is referred to as a greater centralization of power in the hands of the Governor. It is said that the responsibility being his, he must be given the fullest power to meet it. In carrying out this idea, other States have been substituting for Boards single Commissioners, appointed by the Governor, retaining Boards only in an advisory capacity or where their work is quasi-judicial; vesting in the Governor the appointment of the executive head of every state department, even where a board is retained; doing away with all overlapping terms, that is, terms which extend beyond the Governor's, so that the terms of all state officers will expire when the Governor's term expires; giving no representation to the minority party; and discontinuing the necessity of securing the Senate's approval to certain of the Governor's appointments.

We will express our views upon each of these propositions. With regard to the idea underlying all of them, however, so far as Maryland is concerned, we see no need for centralizing any further power in the hands of the Governor. In Maryland, the Governor's power is already very extensive. He is, of course, the executive head of the State Government. He makes nearly all the important appointments, and can exert a considerable influence over those now made by boards or commissions. Through the Budget, he controls all appropriations, except for the Judiciary, the Legislature and the public schools. He has the power of veto. He exercises a direct and decisive influence over the state's financial policies and practises through the Board of Public Works.

The Governor has no need for further power. Indeed, the expression,—so frequently used as one of the strong

features of the cut-and-dried reorganization plan which has started the round of the States,—“centralize power in the hands of the Governor,” really involves the use of loose language; for, in large measure, the things done in other States thus to centralize power in the Governor, do not centralize any new power in him at all, but simply remove the checks and balances which now exist, and which, certainly for the most part, ought to be retained, upon the exercise by the Governor of the powers he already has.

What the Governor of Maryland lacks, under the existing form of government, is not power. It is facilities for keeping informed and advised as to exactly how the departments are functioning, just what they are doing and how their work is progressing. Supply that need, and the present powers of the Governor will prove entirely sufficient.

These general views will be reflected in the specific recommendations of this report.

B

BOARDS AND COMMISSIONS VS. SINGLE OFFICIALS.

The recent tendency in other States is towards the substitution of single officials for boards and commissions,—the latter, when retained, being advisory only. The theory is that this centers responsibility.

In our view, the question cannot be properly decided by any hard and fast rule. Each case must be determined in accordance with its own facts. It depends entirely upon the nature of the work which the particular board is called upon to do, and whether that work can be more efficiently and effectively performed by a single official or by a board.

We will give the reasons for our recommendations upon this questions when we come to discuss the particular instances in which it arises. There are, however, certain general principles which we think are sound, and which, in the absence of exceptional circumstances, have guided us.

1. *The Amount of Work.* We do not think the fact that the amount of work is sufficient to occupy the time of more than one man, is any justification for the existence of a board. If the work itself can be better done by a single official, then a single official should be placed in charge of it, and he should be given the aid of deputies.

2. *Administrative Work.* Where the work is essentially administrative or executive in its nature, we think it should ordinarily be performed by a single official.

In line with this, the administrative changes we are recommending are one Parole Commissioner, one Conservation Commissioner and one Commissioner of Labor and Statistics, in place of the existing Boards.

In other instances, however, although the work is mainly administrative, special circumstances lead us to recommend that the Commissioner or Director be the Chairman of a Board of which the associate members are unpaid. These instances are the Board of Welfare, in charge of the penal institutions, and the Department of Public Works, in charge of highway and general construction.

3. *Quasi-Judicial Duties.* We think that quasi-judicial duties should be performed by a Board. The question arises in connection with the Public Service Commission, the State Industrial Accident Commission and the State Tax Commission. In all three of these cases we recommend a continuance of the boards, because we regard the following considerations as controlling:

(a) The most important work of these boards is quasi-judicial, and in such cases the judgment of a board, after deliberation among the members, is always better than the judgment of one. It is not only more apt to be correct, but there is much less reason to fear an arbitrary or prejudiced decision, and little excuse for criticism on this ground.

(b) The power of these commissions is very great. It might be the subject of abuse or favoritism in the hands of one man, and serious harm result. The risk of this is much reduced when the opinions of one man are checked by the other members.

(c) The responsibility on one man would in many instances be too great. It is conceivable that it might make him hesitate to follow out his judgment. There is not the same danger when the responsibility is shared by others.

(d) A Board is much more impersonal than a single Commissioner. The official actions of a single official are constantly referred to as the acts of the individual, while the actions of a board are referred to by the board's official name. We think this quite an important consideration in quasi-judicial work.

(e) With a commission, there need be no fear of an interruption of the work through sickness or other like causes, as might often be the case with only one Commissioner.

4. *Policy-making Boards.* Where the determination of broad questions of State policy is involved, we think

the task should be entrusted to the judgment of a Board. The most important instances of this character are the State's educational system,—public schools and the State University,—State-aid to charitable institutions and public health work. We recommend that all these continue under the direction of Boards. This will not only assure the benefits of combined judgment on the important questions of policy which these boards must constantly decide, but it should remove such questions from political considerations and influences. Moreover, in the case of these boards, we believe that stronger members can be secured if they are not salaried, but, as at present, give their services as a duty and an honor.

We recommend, also, that the executive heads of three of these Departments,—the State Superintendent of Schools, the President of the University of Maryland and the Secretary of the Department of Charities,—be appointed, as at present, by their respective Boards. We feel that this method of appointment will obtain the best men for these important positions, regardless of politics, and will tend to make their tenures of office secure, notwithstanding changes of administration. For reasons to be explained, we recommend that the executive head of the Department of Health be appointed by the Governor on the nomination of the Board of Health.

We are also recommending that moving picture censorship, state purchasing and racing remain under the direction of Boards, our reasons being explained in discussing each case.

5. *Advisory Boards.* In several instances we are recommending that the official in charge of certain work be aided by an Advisory Board. These Boards are: Maryland Public Library Commission, Advisory Board of Forestry, Advisory Board of Geological and Economic Survey and Advisory Board of Mental Hygiene.

C

UNPAID BOARDS FOR STATE INSTITUTIONS

Recent reorganizations in other States abolish these, and place the institutions under the supervision of a single Director, with provision for some kind of general advisory board or boards; the idea being that this centers responsibility.

We do not favor abolishing the unpaid boards which have so long and so successfully managed the State institutions of Maryland. These boards have played a very conspicuous part in our government. They have always included among their number men of public spirit, who

have given unselfishly and unstintingly of their time and talents to the public service, and who have spread throughout the State the reputations of the institutions with which they were identified, and engendered and increased public interest in them.

These men have not desired to work for compensation. They have simply wanted to fulfil an obligation which they felt they owed their State; and through their labors for and their interest in the State's institutions, they have fulfilled this obligation efficiently and well. This is the highest type of public service. It should not be discontinued. It should be encouraged.

This, however, is no reason why we should not recognize the respect in which this form of institutional management offers room for improvement, namely, the Board is apt to lack a sustained sense of responsibility and control. Actual responsibility rests too much upon the superintendent under the Board, and not enough upon the Board itself. This can, we think, be remedied by providing a supervisory director, whose business it will be to keep in close contact with the work of the Boards, and then let alone what is being well done and correct what is not. This will preserve all the advantages of the unpaid boards, and remedy their one weakness.

In line with this, we are recommending that the five State hospitals for the insane continue under the management of their respective boards, but subject to the supervision of the Director of Welfare; that the Maryland School for the Deaf and the Maryland Training Schools for Boys and Girls continue under the management of their boards, but subject to the supervision of the State Superintendent of Education; and that the tubercular institutions continue under the management of their boards, subject to the supervision of expenditures by the Department of Charities.

We think that women should be represented on all these Boards.

D

OVERLAPPING TERMS

By overlapping terms are meant those which extend beyond the Governor's term, and into the next administration. They are said to lessen the Governor's responsibility, on the ground that he cannot fairly be held answerable for the acts of officials whom he did not appoint.

We think that this view is sound as a general principle, certainly as applied to administrative work. We are recognizing it in the case of three officials, the State Au-

ditor, the Bank Commissioner and the Insurance Commissioner, by recommending that their terms be made co-terminous with the Governor's, which is not now the case. Their duties are mainly administrative, and we see no reason why their terms should not be the same as the Governor's.

At the same time, we are not willing to say that there should be no exceptions to this general rule. In the case, particularly, of quasi-judicial and policy making boards, over-lapping terms assure continuity of policy, and the activities of the boards are less affected by administrative changes. In some fields of work, at least, such boards are desirable, and we do not feel that the Governor's responsibility is materially lessened by them.

For these reasons, we are recommending no changes in this respect in the Public Service Commission, the State Industrial Accident Commission, the State Tax Commission, the Board of State Aid and Charities (Department of Charities), the State Board of Education, the Regents of the University of Maryland, the Department of Health, the Board of Motion Picture Censors or the Merit Commissioner.

E

MINORITY REPRESENTATION

Reorganization plans in other States show a tendency to discontinue minority representation, on the ground that if the Governor is to be responsible for the acts of his departments, he must have free choice in making his appointments, with no restrictions of a political nature, such as the necessity of recognizing party.

We do not think it necessary to discuss the soundness of this in theory. We are not dealing with theory, but with the practical requirements of a government for the people. We must, therefore, recognize that the great majority of the people belong to the two leading political parties, that any plan of government must be for the government of those belonging to both, that many administrative questions necessarily involve some political considerations (in the broad, not the partisan sense), and that these can often be more soundly decided after hearing what one from the minority thinks.

We think that these considerations more than off-set any possible impairment of the Governor's responsibility, which at most would be inconsiderable. Accordingly, we do not recommend any departure from the principle of minority representation recognized in Maryland.

F

REPRESENTATION OF WOMEN ON BOARDS

We think that the extension of the suffrage to women carries with it a joint responsibility upon women and men for the administration of public affairs. This means that we think women should be appointed on State boards and commissions, particularly in those fields of work where woman's training, interest or experience especially qualifies her. Without attempting to define what all of these are, we think they include the State Board of Education, the Maryland Public Library Commission, the Department of Welfare, the Department of Charities, the Advisory Board of Mental Hygiene, the State Board of Health and the Maryland State Board of Censors. They include also the various institutional boards. Upon all of these we think women should be represented, and share with the men the work of management, counsel and supervision.

G

CONFIRMATION OF EXECUTIVE APPOINTMENTS BY THE SENATE

We think that the right of the Senate to confirm Executive appointments is a salutary check which should continue, except, of course, in the case of offices as to which the Legislature sees fit to relinquish it. We feel that the check is sound in principle, and that whether it should be relinquished in any case is always a question for the legislature itself to determine.

Accordingly, we will have no change to suggest in connection with this subject.

H

CONSOLIDATION OF STATE AGENCIES

State offices and agencies should never be combined under one Department simply for the sake of combining them, nor should so many ever be combined as to make it difficult for the Department head properly to supervise and direct them all, or to make the performance of their work more costly. Subject, however, to these latter conditions, all State offices and agencies whose work is of an allied or related character, should be grouped or merged under one Department. This co-ordinates their several activities, promotes system, economy and efficiency, and creates a well-ordered, well-balanced governmental structure, with all branches of which the Governor is enabled to keep in constant touch and over all branches of which the Governor can exercise competent supervision.

We will now recommend the plan which, in line with the foregoing principles, and in accord with Maryland traditions and experience, seems to us to meet, in a sound, conservative, economical and practical way, the needs of the State Government of Maryland.

PART III

PLAN FOR THE REORGANIZATION OF THE STATE GOVERNMENT OF MARYLAND

1. *Scope of the Plan.* The plan we are recommending is limited to the administrative side of the State Government. We have not considered the Judiciary or the Legislative branches at all. The plan deals, moreover, only with the machinery of government. We have not gone into the question of possible changes in substantive law. Our task has been confined to seeing whether we could recommend a reorganization of the Administrative departments of the State, and their lines of activity, which would work more efficiently and at less cost.

We have dealt only with those departments and officials whose activities are State-wide. This excludes from the plan Boards or officials whose duties are confined to Baltimore City or to any other local unit, even though they receive State appointments. These are the Police Commissioner of Baltimore City, (although we think this official should be on the Governor's Advisory Council), the Board of Liquor License Commissioners of Baltimore City, and the State Athletic Commission,—the latter having been created by the Act of 1920, Chapter 710. This excludes also the Measurer of Woodcarts (Baltimore City Charter Sec. 590) and the Inspectors of Hay and Straw (Baltimore City Charter Sec. 552), whose operations are confined to Baltimore City. It also excludes the Washington Suburban Sanitary Commission. (Acts 1918, Ch. 122, Acts 1920, Ch. 518).

We are also not considering commissions of a purely temporary character, of which the following were created by the Legislature of 1920 for the purpose of the special work or investigation indicated:

Commission to aid Maryland citizens in prosecuting war claims against the United States (Act 1920 Ch. 539).

Commission to revise mining laws (Act 1920 Ch. 715, taking precedence over Resolution No. 24 of 1920).

State Office Building Commission (Act 1920 Ch. 149).

Soldiers' Memorial Commission (Act 1920 Ch. 448).

War Records Commission (Act 1920 Ch. 92).

Industrial and Welfare Commission (Resolution No. 14 of 1920).

Commission to revise Insurance Laws (Resolution No. 26 of 1920).

Annapolis Sewage Commission (Act 1920 Ch. 180).

Finally, we are not considering any commission or official which or who has now practically ceased to function, as we understand is the case with the Weigher of Tomatoes, (Annotated Code, Vol. II Art. 97 section 28), or any which have completed their purpose, such as the State Agricultural Lime Board, (Acts 1916 Chapter 221).

2. *Outline of the Plan.* The administrative reorganization which we propose is as follows:

I. Executive Department.

Governor.

1. Secretary of State.
2. Parole Commissioner.
3. Commissioner of the Land Office.
4. Superintendent of Public Buildings and Grounds.
5. Department of Legislative Reference.
6. Commissioners for Uniform State Laws.
7. State Librarian.

II. Finance Department.

1. Department of Financial Review and Control.

State Comptroller.

- a. State Auditor.
- b. Bank Commissioner.
- c. Insurance Commissioner.
- d. State Tax Commission.
- e. Central Purchasing Bureau.

2. Department of Deposit and Disbursement.

State Treasurer.

3. Board of Public Works.
Governor, Comptroller, Treasurer.

III. Department of Law.

Attorney General.

IV. Department of Education.

State Board of Education.

State Superintendent of Education..

1. Elementary, High and Normal Schools.
2. Maryland Public Library Work.
Advisory Commission.
3. Maryland School for the Deaf.
4. Maryland Training School for Boys.

5. Maryland Industrial Training School for Girls.
(Boards retained under Superintendent's supervision.
- V. State Board of Agriculture and Regents of the University of Maryland.
President of Board of Agriculture and of the University.
 1. Agricultural and Educational Work.
 2. Department of Forestry.
 - a. State Forester.
 - b. Advisory Board of Forestry.
 3. State Geological and Economic Survey.
 - a. State Geologist.
 - b. Advisory Board of Geological and Economic Survey.
 4. State Weather Service.
- VI. Department of Militia.
Adjutant General.
- VII. Department of Welfare.
Director of Welfare.
 1. Board of Welfare, consisting of Director as Chairman and four unpaid Commissioners. This Board will manage:
 - a. Maryland Penitentiary.
 - b. Maryland House of Correction.
 2. The Director alone will have supervisory jurisdiction over
 - a. Springfield State Hospital.
 - b. Spring Grove State Hospital.
 - c. Eastern Shore State Hospital.
 - d. Crownsville State Hospital.
 - e. Rosewood State Training School.

(The Boards of these institutions being retained.)
 3. Commissioner of Mental Hygiene.
Advisory Board of Mental Hygiene.
- VIII. Department of Charities.
Board of State Aid and Charities.
Executive Officer.
- IX. Department of Health.
State Board of Health.
Chairman of Board being Director of Health.

- X. Department of Public Works.
Board consisting of Director of Public Works as Chairman and two unpaid Commissioners.
 - 1. Highway construction and maintenance.
 - 2. All general construction work.
 - 3. State Architect.
- XI. Department of Public Safety.
Director of Public Safety.
 - 1. Motor Vehicle Department.
 - 2. State Police Force.
- XII. Conservation Department.
Conservation Commissioner.
- XIII. Department of Public Utilities.
Public Service Commission.
- XIV. State Industrial Accident Commission.
- XV. Commissioner of Labor and Statistics.
- XVI. Department of State Employment and Registration.
Commissioner of State Employment and Registration.
 - 1. Merit System Work.
 - 2. Professional and Vocational Examining and Licensing.
- XVII. Inspector of Tobacco.
- XVIII. Maryland State Board of Censors.
- XIX. Maryland Racing Commission.

We would have liked to assign the Inspector of Tobacco, the Maryland State Board of Censors and the Maryland Racing Commission among the preceding sixteen Departments, but in none of the three cases is the work really related to the work of any other department or branch of the State Government, and none of the three can properly be classified in any department. We have, therefore, finally decided that, under all the circumstances, these three branches will have to continue separate.

3. *Governor's Advisory Council.* For purposes of general co-ordination and of effective supervision by the Governor over all State affairs, we recommend that the heads of the different State Departments, whose activities may be said to relate more directly to the business and financial side of the State Government, together with the Police Commissioner of Baltimore City, meet periodically with the Governor, as his Advisory Council, to discuss

general State policies, finances and conditions.

We think that this Advisory Council should be thus composed:

State Comptroller.

State Treasurer.

Attorney General.

Chairman of the State Board of Education.

President of the State Board of Agriculture and
of the University of Maryland.

Director of Welfare.

Director of Charities.

Director of Health.

Director of Public Works.

Director of Public Safety.

Police Commissioner of Baltimore City.

Conservation Commissioner.

Commissioner of State Employment and Registration.

4. *Only one Constitutional Amendment Necessary.*
The recommendations we make can all be put into effect through legislative enactments, except one, which requires a constitutional amendment. This relates to the State Comptroller and the State Treasurer.

5. *Economies.* It is not possible to foretell accurately what the really substantial economies of the plan will be. These will result from greatly increased efficiency in administering public affairs, avoidance of duplication and waste, centralizing and systematizing governmental activities and control, etc. The difference will be between a well-coordinated, business-like management, conducted by a small number of departments whose heads will meet frequently with each other and with the Governor, and the present system of a very great number of departments, most of them acting independently of all the others, and no competent supervision over them possible. This difference cannot be measured mathematically in advance. It could not be done in private business and it cannot be done in public business either.

It is possible, however, to show the economy which will result at once from reduced savings in officials' salaries and compensation. In this respect alone the plan recommended will save approximately \$145,000 a year. The large State of Illinois, in advance of its reorganization in 1917, was only able to show an annual saving of approximately \$100,000 from this source. So far as ascertainable, other States attempted no specific predictions.

For purposes of comparison, inquiry has been made of the Governors of Idaho, Nebraska, Washington, Ohio, Massachusetts and Illinois, the states which have reorganized their administrative departments, in order to learn what savings actual experience has shown there. In each State the saving is said to be very substantial, but not easy to approximate accurately, largely because changes and increases in prices make comparisons difficult; but all of these Governors agree that the real economy comes in numerous ways from the greatly increased efficiency and business-like methods which the reorganizations have introduced.

In Idaho, where reorganization went into effect March 31, 1919, Governor Davis says that the tax levy was reduced from \$2,000,000 to \$1,726,000, representing a decrease of \$274,000, or 13 per cent. This was in the face of a considerable increase both in salaries and in the cost of supplies. The population of Idaho (1920 Census) is 431,826, and that of Maryland is 1,449,610, or 3½ times greater. Government statistics for 1919 show that Maryland's receipts and expenses were practically four times as much as those for Idaho.

In Nebraska, where reorganization was effected in 1919, Governor McKelvie says that the increases in costs and salaries make comparison impossible, but that a large saving resulted from increased efficiency, as shown by the fact that the consolidated departments not only had no deficits, as had formerly been the case, but reverted into the treasury \$185,000 from maintenance appropriations. The population of Nebraska is 1,295,502.

In Washington, reorganization went into effect April 1, 1921, and Governor Hart says that there was then a deficit in general funds of \$2,600,000 and a tax levy of 4½ mills; that the reduced expenditures and increased efficiency resulting from reorganization, as shown by the first four months, assure a reduction next year in the tax rate to 2¼ mills, or 50 per cent., and the wiping out of the deficit within two years; and that adverse newspapers admit an actual saving during the first four months of \$70,000. Washington's population is 1,356,316.

In Ohio, where reorganization went into effect July 1, 1921, Governor Davis says that the first month's operations show that there will be an annual saving in salaries alone of \$120,000, but that it is too early yet to approximate the substantial saving which will come from greatly increased efficiency.

In Massachusetts, where reorganization became effective December 1, 1919, Governor Cox says that salary increases, which alone aggregated \$1,300,000, and higher prices for food and other commodities, have made comparison impossible, but that substantial savings have resulted.

In Illinois, reorganization went into effect July 1, 1917, and the abnormal prices due to the war make it impossible to compute the amount of saving. Governor Lowden, however, in his 1919 message, points out that Illinois was able to meet every emergency of the war without an extra session of the Legislature, and that although the appropriations made by the previous General Assembly were based on pre-war prices and conditions, yet every department completed the biennium without a deficit, with the exception of the item for supplies to institutions. These results Governor Lowden attributes entirely to the reorganization of the State Government.

In considering the question of economies, we should remember that those which will flow from the more efficient handling of the State's business can hardly be expected to make themselves seen at once. In the nature of things, it takes time for the best results of any business reorganization, whether public or private, to become apparent.

We will now proceed to discuss in detail each of the Departments we recommend.

PART IV ORGANIZATION OF PRESENT AND PROPOSED DEPARTMENTS

I

Executive Department

It is recommended that the Executive Department be composed as follows:

Governor.

1. Secretary of State.
2. Parole Commissioner.
3. Commissioner of the Land Office.
4. Superintendent of Public Buildings and Grounds.
5. Department of Legislative Reference.
6. Commissioners for Uniform State Laws.
7. State Librarian.

Governor. The Governor is, of course, the head of the Executive Department of the State Government. His powers and duties are prescribed in Article II. of the Constitution, and other portions thereof, and in Annotated Code, Vols. I, III and IV Article 41, and many other sections and laws. His term of office is four years. He receives a salary of \$4500, and in addition to this provision is made to cover his living expenses at Annapolis.

No attempt need be made to summarize the functions of the Executive. He is the responsible head of the State Government, and wherever existing provisions of law do not give him means entirely adequate to discharge that responsibility, and to be fairly answerable for the acts and omissions of all parts of his Administration it is the aim of this reorganization plan to supply the deficiency.

1. *Secretary of State.* We think that the Secretary of State should continue substantially as at present, except that he should, as contemplated by the Constitution, assume active charge of the routine work of the Executive Offices. This should result in an annual saving in the office force of \$6,000.

2. *Parole Commissioner.* The Advisory Board of Parole is provided for by Annotated Code, Vols. III and IV, Art. 41, Sections 6 to 7 H. It is already classified under the Executive. We think that this agency should be continued, as the investigator and direct adviser of the Governor in parole and pardon cases, but that the work should be done by one Commissioner, instead of three.

The board's recommendations do, of course, involve the exercise of judgment, but the board could hardly be called quasi-judicial, because its reports are only advisory and simply furnish the Governor with the facts necessary to enable him to reach his own decisions. We believe that the work can be done by one Commissioner, and see no reason for continuing three. We also think that fewer Parole Officers will suffice. These suggestions would result in saving \$4300 per year. We recommend legislation to this end.

3. *Land Office.* The Commissioner of the Land Office is provided for by Article 7, Sections 4 and 5 of the Constitution. His work consists chiefly in issuing land patents, and deciding caveats thereon, preserving certain early records of importance and receiving and indexing extracts of conveyances. We feel that this work, which is being most capably done, should be continued and that it should continue centralized in one office. There would, of course, have to be an executive in charge, and instead of abolishing the office of the Commissioner, because that would require a constitutional amendment, we recommend that the Commissioner continue, but as a full-time official, and that the office force be reduced to the necessary number of full-time clerks. This would result in an annual saving of \$7,000.

4. *Public Buildings.* The Superintendent of Public Buildings and Grounds is provided for by Annotated Code, Article 41, Sections 18 to 22. The public buildings and grounds at Annapolis, and the movable property therein, are in his care. The Superintendent and the employees under him are now appointed by the Governor and the Superintendent reports to him. We have no changes to recommend in this office.

5. *Department of Legislative Reference.* This Department was created as a Baltimore City Department by Act 1906, Chap. 565. By Act 1916, Chap. 474 (Annotated Code, Vol. 4, Art. 40, Sects. 15 and 16), the department was required to perform its duties for the State also. It is supported jointly by Baltimore City and the State. Its executive officer is appointed by the Mayor of Baltimore, the City Solicitor, the President of Johns Hopkins University, the President of the Municipal Art Society and the President of the Merchants and Manufacturers' Association of Baltimore City. This is perhaps not the most approved method of appointment, but it has worked satisfactorily, and since Baltimore City as well as the State contributes towards the expenses, no change in

this regard is recommended. We do recommend, however, legislation requiring the Department to report to the Governor upon its work for the State.

6. *Commissioners for Uniform State Laws.* These Commissioners are provided for by Annotated Code, Vols. III and IV, Art. 41, Sects. 24 and 25, and by the Act of 1920, Chapter 287. The Commissioners are appointed by the Governor and are now required to report to the Legislature. It seems desirable that they should report to the Governor also, and legislation to this end is recommended. No change in this Commission should be made, as it forms part of a nation-wide association.

7. *State Library.* The State Librarian is provided for by Article 7, Section 3 of the Constitution. We think that this office should continue as at present, but that the State Librarian should be assigned to the Executive Department and report to the Governor. The Library Committee of the Court of Appeals should be continued (Code Art. 55, Sec. 12-14).

II

Finance Department

It is recommended that the Finance Department be composed of three divisions, as follows:

1. Department of Financial Review and Control.

State Comptroller.

a. State Auditor.

b. Bank Commissioner.

c. Insurance Commissioner.

d. State Tax Commission.

e. Central Purchasing Bureau.

2. Department of Deposit and Disbursement.

State Treasurer.

3. Board of Public Works.

Governor, Comptroller, Treasurer.

Ever since the Constitution of 1851 abolished the Treasurers of the Eastern and Western Shores, the two principal financial officers of the State have been the Comptroller and the Treasurer. The division of duties between these two officials, the check which one has upon the other and their independence of each other due to the different sources of their election, have all proved so satisfactory that we think it unwise to recommend any change which would subordinate one to the other. The advantages of any reorganization plan which would affect in this way the status of either must necessarily be

theoretical, and should not weigh against the actual experience of seventy years. We think, therefore, that both the Comptroller and the Treasurer should be continued, as joint heads of the financial branch of the State Government.

Moreover, while fully recognizing the advantages in general of full-time officials, we think that the Treasurer's duties should remain such that he may continue to have time to devote to his business affairs, and, also, that he should continue to be elected by the Legislature.

It is most important that at least one of the two chief financial officers of the State should, if possible, be an experienced and active banker or financier, but in any event a man of affairs and broad business knowledge. The trained judgment of such a man is often needed; he serves to keep the State, in financial matters, in close relation with the financial, banking and business interests of the community; he can be of very valuable assistance in connection with the floating of State bond issues and the management of the sinking funds; his practical training minimizes danger of bureaucratic development or red tape in the financial department.

It might be impossible to induce such a man to run for office in a primary and general election, particularly if election meant giving up his business. At best, it would always be difficult to secure him. But there would not be the same difficulty in persuading a man of this type to accept an election by the Legislature, when the office did not require all of his time.

For these reasons, we recommend no change in the provisions of the Constitution (Article 6,) relating to the State Treasurer, with the exception that we think his term of office should be made the same as that of the Governor, four years. Our recommendations relative to the Comptroller will require an amendment to this portion of the Constitution anyhow, so that this extension of the Treasurer's term would not necessitate the submission of a separate amendment.

We think that all of the State agencies whose work relates in any direct way to the financial activities of the State Government should be grouped together under the State Comptroller. These agencies embrace those of assessment, collection, audit, purchase and financial regulation, examination or control—that is to say, the auditing department, the bank department, the insurance department, the tax department, and the purchasing de-

partment. The co-ordination of these departments, under one head responsible for their co-operative functioning, would greatly increase efficiency in their service and mutual understanding between them, and would enable very substantial economies.

One of these economies would result from the formation of a central, departmental bureau of clerks and stenographers. A large part of the work in the insurance and tax departments especially, but also in the bank department, is seasonal—they have their rush periods and their slack periods, and these do not occur at the same time. A central clerical force could move from office to office in this department, enabling each of these offices to function in the dull seasons with a considerably reduced force, using the departmental force during the rush seasons. It is estimated that approximately twenty-five per cent. of the clerical appropriations to the tax department and the insurance department could be applied to the creation of a departmental clerical force, and that an additional twenty-five per cent. of the clerical work in these departments could be eliminated, with an annual saving of approximately \$10,600.

Another economy would result from centralizing the collection and disbursement of State moneys. We are convinced that the collection of public funds and their payment into the State Treasury should be made through the Comptroller's office as promptly as practicable in the case of each type of revenue. We recommend that no part of the State's revenue be allowed to remain in the hands of the collecting agency for longer than thirty days, and that legislation be enacted which will require a complete accounting in this time, subject to proper protection and plans for the prompt monthly payment of the salaries and expenses of all offices affected.

This does not include the idea of a central depository. It would simply leave the State's funds listed in the accounts of the State Treasurer, subject to his central disbursement, but available, exactly as at present, for deposit in different parts of the State, according to the system now followed.

It is to be noted that the grouping of the Bank Commissioner, the Insurance Commissioner and the State Tax Commission under the Comptroller will enable the fees now collected by and passing through those offices to be paid to the Comptroller direct.

The plan would then involve the making of practically all the disbursements directly through the State Treasury,

upon proper vouchers forwarded to the Treasury by the contracting or using department or institution, the same being first audited and reviewed by the Comptroller. Actual payment could, we think, properly be made upon the signature of the authorized representative of the Treasurer's office, and to this end we suggest that his Chief Clerk be designated State Paymaster, with authority to sign checks properly vouchered and audited, and that he be allowed a cash account from which daily disbursements could be made. He should be properly bonded.

It is estimated that the annual saving under this plan for centralizing collections and disbursements, including the saving in departmental and institutional collection and disbursing officers, would be not less than approximately \$40,000. This is in addition to the saving of approximately \$12,000 from like recommendations under the Department of Welfare.

The additional responsibility and labor which these increased duties would place upon the Comptroller would require all of his time, and, therefore, a proper increase in his salary. The Comptroller's term of office should also be the same as that of the Governor.

Accordingly, we recommend that Article 6 section 1 of the Constitution, relating to the Treasury Department, be amended so as to increase the Comptroller's salary from \$2500 to \$5000, extending his term from two to four years, and also, as has been stated, extending the Treasurer's term from two to four years.

1. *Department of Financial Review and Control.* We recommend that under the supervision and direction of the Comptroller,—who will exercise his present powers and duties, broadened along the lines explained,—the following agencies be grouped:

a. *State Auditor.* The State Auditor is appointed by the Board of Public Works, as are also his two Deputies; he receives a salary of \$2500 and holds office for two years. His powers and duties are prescribed by the Annotated Code, Vol. II, Article 81, Sections 229-232. They were considerably enlarged in 1912, 1914 and 1916, (Annotated Code, Vol. III, Art. 81, Sections 229-233; Vol. IV, Art. 81, Sections 230, 230-A, 233, 233-A).

These provisions give the Auditor and the Board of Public Works substantially all the auditing and all the accounting powers needed over State and county officials and over State-owned and State-aided institutions. The

Auditor's office should, however, be put upon a basis which will enable a more complete and prompter exercise of these powers, and which will end, as far as possible, any necessity for audits of State Departments and institutions by private firms. This is largely an administrative and budget problem.

For present purposes, we recommend legislation placing the State Auditor and his force under the supervision and direction of the Comptroller, so that there may be the fullest co-operation between these two officials; increasing the Auditor's salary from \$2500 to \$3600, so that a full-time man may be secured; making his term of office co-terminous with the Governor's; providing for his appointment by the Governor; and transferring to the Comptroller alone such auditing powers and supervision as the present law places in the Board of Public Works.

b. *Bank Commissioner.* The Bank Commissioner is appointed by the Board of Public Works, receives a salary of \$3600 and holds office for two years. His powers and duties are prescribed by Annotated Code, Vols. I, III and IV, Art. 11, Section 1-19, and Art. 58-A (Petty Loans), together with some other sections. The present Commissioner and his office force are now full-time officials.

We recommend legislation placing the Bank Commissioner under the supervision and direction of the Comptroller; making his term of office co-terminous with the Governor's; and providing for his appointment by the Governor.

c. *Insurance Commissioner.* The Insurance Commissioner is appointed by the Board of Public Works, receives a salary of \$3600 and holds office for four years. His powers and duties are prescribed by Annotated Code, Vols. I, III and IV, Art. 23, Section 175, and succeeding sections, and by several chapters of the Acts of 1920.

We recommend legislation placing the Insurance Commissioner under the supervision and direction of the Comptroller; consolidating the offices of Insurance Commissioner and Deputy Insurance Commissioner, the Commissioner to become a full-time man with a salary of \$3600, thus saving \$3000 annually to the State; continuing his term as four years, but making it co-terminous with the Governor's; and providing for his appointment by the Governor.

d. *State Tax Commission.* The members of this Commission are appointed by the Governor, with minor-

mission, and so that the Commission might have its own counsel always at hand.

Numerous decisions during recent years, in Maryland as well as elsewhere, have served to clarify doubtful questions about the Commission's jurisdiction and powers, and it may fairly be said that these are now settled and understood, at least as applied to the great majority of cases before the Commission. It is a pleasure to add that this is largely due to the efficient services, advice and guidance of the distinguished attorney who has been the Commission's General Counsel since its inception.

It is believed, therefore, that the time has come when the office of General Counsel to the Public Service Commission may be dispensed with, and its duties taken over by the Department of Law, where they naturally belong. This results in saving the salary of the General Counsel, \$4800, and that of his stenographer, \$1500. The People's Counsel should be appointed by the Governor. We recommend legislation to this end.

It is also believed that the Department of Law can take over the tax collections now entrusted to special attorneys on a commission basis, thus saving the appropriation of \$2000 for this purpose; and, if the Assistant Attorneys General devote, if necessary, full time to their duties, it is believed that the work of the Department, including the additions thereto here suggested, can be done by the Attorney General with the aid of three instead of four Assistants, thus saving the salary of one Assistant, \$2500. Legislation to this end is recommended.

IV

Department of Education

We recommend that the Department of Education be composed as follows:

State Board of Education.

State Superintendent of Education.

1. Elementary, high and normal schools.
2. Maryland Public Library Work.
Advisory Commission.
3. Maryland School for the Deaf.
4. Maryland Training School for Boys.
5. Maryland Industrial Training School for Girls.
(Boards retained under Superintendent's supervision).

The present public school system of Maryland, comprising the elementary, high and normal schools, was provided by the Act of 1916, Chapter 506, (Annotated Code, Vol. IV, Art. 77). This Act remodelled the entire educational system and policies of the State. It has been amended by several Chapters of the Acts of 1920.

The legislation provides for a State Department of Education, at the head of which is the State Board of Education. The Board is composed of seven members, appointed by the Governor for overlapping terms of seven years each, so that the term of one member expires every year. The members are to be appointed "solely because of their character and fitness". They receive no compensation for their services, and they select their own Chairman.

The Board appoints the State Superintendent of Education. The Superintendent's term is for four years, his qualifications are carefully prescribed, and his salary is \$8000.

Each county has its county Board of Education, composed of from three to six members, appointed by the Governor. The members receive no salaries. They hold office for overlapping terms of six years each. The county boards appoint District Boards of School Trustees, who receive no salaries, and hold office for overlapping terms of three years each. Each county board appoints a county Superintendent of Schools, who holds office for four years, and receives a salary varying, according to the county, from \$1800 to \$4500.

The principle underlying the system is that the members of the State Board, constituting a non-political lay body, chosen because of their character, fitness, interest in education and knowledge of the people, will be representative of the people, and will determine the educational policies of the State after subjecting the suggestions made by their professional agents and advisers to their own experience as laymen and to the layman's point of view; and that the administrative and executive work will be directed entirely by the State Superintendent.

The system, and the legislation prescribing it, are the result of the report made December 20, 1915, by the Maryland Educational Survey Commission, which was created by the Act of 1914, Chapter 844, and composed of B. Howell Griswold, Jr., Chairman, Dr. J. McPherson Scott and Albert W. Sisk. The report of this commission was in turn based upon an exhaustive survey conducted by Dr. Abraham Flexner and Dr. Frank P. Bach-

man of the General Education Board of New York, and embodied in their report on "Public Education in Maryland."

The entire subject was studied by as competent authorities, both national and local, as there are in the country, the system adopted embodies the recommendations thus made, and it is generally accepted by educational experts as unexcelled anywhere in the United States. Any departure from it, certainly until experience has shown some occasion therefor, would be most ill-advised. We refer also to the views we have expressed on Policy-making Boards.

This means that we do not favor merging the Public School System and the University of Maryland in one department, headed by either a single Director or a single Board. This would involve a radical change in the State's educational system, for which we can see no justification, and from which we can imagine no advantages, either to the public schools or to the University.

Accordingly, we recommend that the State Board of Education, organized as at present and exercising its present functions, continue as the head of the Department of Education. We believe that women should be represented on this Board.

In the interest of co-ordination, we recommend that the work of the Maryland Public Library Commission be assigned to the Department of Education. The duty of this commission is to encourage and assist the establishment of public libraries and public school libraries in the State. The Commission is provided for by Annotated Code, Vol. II, Art. 77, Section 100 and succeeding sections. It consists of seven members, of whom four, including at least two women, are appointed by the Governor bi-ennially. These are unpaid. The remaining three members are the State Librarian, the State Superintendent of Schools and the Librarian of the Enoch Pratt Free Library, all *ex officio*. The Commission elects its own President and Secretary, who serve as such without pay.

We think that this work, along broadened lines, should be assumed by the State Board of Education, and made part of the State Superintendent's regular duties. The Library Commission should be converted into an advisory body, in which capacity its members could continue to render very helpful service. The State Superintendent would, of course, cease to be a member.

We recommend, also, that the three following State-owned institutions be assigned to the Department of Education:

Maryland School for the Deaf.

Maryland Training School for Boys.

Maryland Industrial Training School for Girls.

The Maryland School for the Deaf very clearly belongs in this Department. Through specially trained instructors it educates the deaf and teaches them appropriate trades. Upon completion of their course, the pupils take their places as useful, self-supporting members of society.

For reasons given in discussing the subject of unpaid boards, we think that this institution should continue under the management of its Board of Visitors.

The Maryland Training Schools for Boys and Girls are, of course, in one sense corrective and reformatory. In other States they are usually classified with the corrective and reformatory institutions. Yet in a broader sense their work is educational. They receive the boys and girls who, because of various kinds of delinquency, are committed to the State's care, and while discipline is an essential part of the curriculum, yet the ultimate purpose is to overcome these early tendencies, which so often are due to the failure or inability of both the State and the home to provide measures against them. We feel that these boys and girls should have their chance for reformation, free, as far as possible, from association with the penal idea.

For these reasons, we think that both institutions should be assigned to the Department of Education. This indeed, will be in line with the power which most of the county boards of education already have, although they have never exercised it, to establish parental schools for the confinement, maintenance and instruction of habitually truant children. Annotated Code, Vol. III Art. 77 Sec. 158.

We think, also, that the management of these institutions should continue under their respective unpaid boards, for the reasons previously given in discussing this general subject.

In the case of these two institutions, as well as in the case of the School for the Deaf, and in line with the views we have expressed upon the subject of unpaid boards, we think that the State Superintendent of Education should be given the power of general superintendence and direction, similar to that which will be suggested for the

Director of Welfare over the boards of the State hospitals for the insane; and we recommend legislation to this effect.

One other suggestion is appropriate. There are, of course, points of contact between the University of Maryland and the public schools. Joint policy and co-operation are often called for, as, for instance, in teachers' training work under the Smith-Hughes Act, the conduct of the University Summer School and the College Extension Service. It is desirable that somewhere the public school work and the higher educational work should meet, so that the State's entire educational system and activities may be observed as a whole, and, whenever necessary, co-ordinated.

Co-operative relations of this kind already exist, but to put them on a somewhat more definite basis we suggest a Council of Education, to be composed of the President of the University of Maryland, the State Superintendent of Schools, the Chairman of the Board of Regents of the University of Maryland and the Chairman of the State Board of Education, who will meet as occasion requires for the consideration of educational questions of the character indicated.

We think that this Council should not be vested with power. Whatever co-operation or joint policies its discussions show are advantageous, will undoubtedly be carried out by the State Board of Education and by the University of Maryland. To give the Council power, however, would make it a super-board, with authority to exercise central control over educational policies and practices, a thing which we distinctly disapprove.

Accordingly, we do not recommend any legislation at all upon this particular subject. Rather do we suggest that the Council form and meet, for the purposes indicated, simply by the voluntary action of the officials concerned.

V

State Board of Agriculture and Regents of the University of Maryland.

We recommend that this Department be composed as follows:

State Board of Agriculture.

Regents of the University of Maryland.

President of Board of Agriculture and of the University.

1. Agricultural and Educational Work.
2. Department of Forestry.
 - a. State Forester.
 - b. Advisory Board of Forestry.
3. State Geological and Economic Survey.
 - a. State Geologist.
 - b. Advisory Board of Geological and Economic Survey.
4. State Weather Service.

(*Note.* The General Education Board of New York, through Dr. Abraham Flexner and Dr. E. C. Sage, is now at work upon a survey of the state-owned and state-aided colleges of Maryland, which will not be completed until the fall. Our recommendations relative to this Department are necessarily made before the results and recommendations from that survey are known, but we do not anticipate that these will affect our conclusions upon the points here covered.)

Some years ago the agricultural needs of the State were thoroughly surveyed by a committee representing the State Agricultural Society, the State Grange, the State Bankers' Association, the Merchants and Manufacturers' Association, the City-Wide Congress, the Board of Trade, the State Cannery Association and certain other groups. This committee, after consulting with the best educational and agricultural authorities in the country, formulated plans for the reorganization of the various State agencies relating to agriculture and agricultural education. These plans were enacted into legislation in 1916.

First, the Maryland State College of Agriculture was incorporated, as an institution of learning, completely controlled by the State, the leading purpose of which, in addition to other scientific and classical studies, was to give instruction in everything relating to agriculture, the mechanic arts and household economics. (Act 1916, Chapter 372).

Next, the State Board of Agriculture was established, and given supervision and control over the protection and development of all phases of the agricultural interests of the State, including live stock. (Act 1916, Chapter 391; Annotated Code, Vol. IV, Art. 2A, sections 1-10).

Under this legislation, nine trustees were provided for the college and nine members for the Board of Agriculture, all appointed by the Governor, all unpaid, and all holding office for overlapping terms of nine years, the term of one member expiring every year.

By the Act of 1916, Chapter 225, the Governor was required to appoint the same persons to the State Board of Agriculture and upon the Board of Trustees for the College. This unified Board insured the closest co-operation between the work of the College and the work of the Board. It has proved promotive of efficiency in many ways.

By the Act of 1920, Chapter 480, the State College of Agriculture and the University of Maryland were merged under the name of the latter, the government of the consolidated institution being vested in the Board of Trustees of the College, who were thereafter to be known as the Regents of the University of Maryland—the same persons still continuing, of course, as the Board of Agriculture.

The Regents of the University elect the President of the University, and the Board of Agriculture selects the President of the Board. Both positions are held by the same incumbent, who receives an aggregate salary of \$10,000.

There is thus vested in those serving as Regents of the University of Maryland all the agricultural, live stock and kindred work of the State, the higher general educational work of the State College of Agriculture and the medical, dental, pharmacy and law departments of the University of Maryland.

This presents an arrangement which, while it does not exist in any other State, appears to be functioning satisfactorily here. The conduct of the agricultural work has been giving general satisfaction to those interested therein, and the farming associations have gone on record as opposing any change. The State's higher general and professional educational activities belong naturally to the University side of the combination.

We feel that any change in this arrangement, certainly at the present time, would have neither advantage nor justification; and, accordingly, we recommend that the Regents of the University of Maryland and the State Board of Agriculture continue as the university and agricultural department of the State, under their present organization and functions. We refer also to the views we have expressed on Policy-making Boards.

We refer, without repetition, to our recommendation for a Council of Education, discussed under the Department of Education.

We recommend that the following three agencies be grouped under this Department:

1. *Forestry.* The State Board of Forestry is created and its powers and duties prescribed by legislation codified in Annotated Code, Vols. I, III and IV, Article 39A.

The board consists of seven members, two appointed by the Governor, and serving without compensation for terms of two years, and the remaining five being the Governor, the Comptroller, the President of the Johns Hopkins University, the President of the University of Maryland and the State Geologist. The Board appoints a State Forester, who serves for an indefinite term, at a salary of \$3,600.

The State Forester, under the supervision of the Board, has direction of all forest interests and all matters pertaining to forestry and the State forest reserves. It is his duty to aid in preventing and extinguishing forest fires, to enforce the forestry laws, and to co-operate in protecting and replacing timber tracts. Provision is made for a large number of Forest Wardens. The State Forester and the Board also exercise the powers conferred by the Roadside Tree Law.

There is already a close relation between the Forestry work and the University of Maryland. Both are concerned with the development of unused land. The same kind of administrative organization is adapted to each. The State Forester is, by law, the Professor of Forestry at the University, and conducts the forestry course there. The State forest nursery is at College Park. Considerable land now used for farm purposes is better adapted for trees, and joint work is important here. We feel that the State's forestry activities should be assumed by the University of Maryland.

Accordingly, we recommend legislation transferring this work to the University of Maryland, the same to be conducted there under a Department of Forestry, and continuing to have an experienced Forester, appointed by the Regents, at its head, the Forestry Board to be retained in an advisory capacity, but with a somewhat changed personnel. The President of the University of Maryland should be left off, because he will have supervision of the work, and there seems no need to continue the direct connection of the Governor and the Comptroller with it. The President of the Johns Hopkins University should continue to serve in order to maintain contact with that University, and he, together with the State Geologist and three appointive members, should constitute the Board.

2. *State Geological and Economic Survey.* This work comprises the examination of geological formations, with special reference to their economic products; the examination and classification of the soils, with special reference to their adaptability to particular crops; the preparation of geological and economic maps; special reports on the mineral products and natural resources of the State; and the consideration of scientific and economic questions of value.

The work is provided for in Annotated Code, Vol. 1, Art. 91, Sections 19-25, and is under the direction of a commission consisting of the Governor, the Comptroller, the President of the Johns Hopkins University and the President of the University of Maryland. This commission appoints a State Geologist, who has active charge of the work.

This survey enjoys an excellent reputation for efficiency and economy of operation, and similar work in several other states has been patterned after it. It operates as a free consultant for everyone seeking information within its province.

The work of the survey in its important aspects, is quite closely related to that of the University of Maryland, and we recommend that it be assumed by the University, the State Geologist in charge of it to be appointed by the Board of Regents, and the survey commission to be continued as an Advisory Board. The personnel of the latter, however, should be somewhat changed. The President of the University of Maryland should be left off, because he will have supervision of the work. There seems no need for the Governor and the Comptroller to continue their direct connection with it. It is, however, important to maintain contact with the Johns Hopkins University, so the President of that University should be continued, and provision should be made for the appointment of two other qualified members.

3. *State Weather Service.* This was established as a Weather and Crop Service, for the purpose of gathering data regarding our climate, correlating information for the farmers relative to crop conditions, and, if practicable, establishing county meteorological stations. The work is under the control of the President of the Johns Hopkins University, who designates the Director; the President of the University of Maryland, who designates the Secretary and Treasurer; and the chief of the United States Weather Bureau, who designates a meteorologist. These officers are commissioned by the Governor, and all

serve without pay. (Annotated Code, Vol. II, Art 96A).

Most of the work is now covered by the Federal Government, and nothing really remains to be done except publish the State climatological data which the service has about finished compiling.

We see no reason why the bureau should not be discontinued, and the work remaining be transferred to the University of Maryland, where it could be placed in charge of the State Geologist, who is the present Director, and as such has charge of it now. We recommend legislation to accomplish this.

VI

Department of Militia.

While the Constitution, Art. 2, Sec. 8, constitutes the Governor Commander-in-Chief of the land and naval forces of the State, and this is confirmed by Sec. 7 of the Acts of 1920, Ch. 188, which revised the military laws of the State, yet the Adjutant General, (Constitution, Art. 9, Sec. 2), has supervision and direction of the militia, subordinate only to the Governor, (Act 1920, Chap. 188, Sects. 12 and 18). It is, therefore, appropriate that the Adjutant General be the head of the Department of Militia. No legislation is necessary to accomplish this. We have only one recommendation to make relative to this Department.

The Act of 1918, Chap. 143, provides for a State Armory Commission, consisting of the Governor, the Adjutant General and the Comptroller. This Commission is vested with the management, care, control and maintenance of the armories. We feel that these duties can properly be entrusted to the Adjutant General alone, with the single exception that we think it desirable that permits to use the armories for non-military purposes should continue to be passed upon by the Governor and the Comptroller as well as the Adjutant General. The State armories ought to be open for community purposes and for exhibitions or assemblages of importance to the State, provided, of course, this does not interfere with the military needs, which must come first; and it is possible that the military authorities might at times be unduly strict in handling applications of this kind, if left solely to them. We recommend, therefore, that the Armory Commission be abolished, and its powers and duties be transferred to the Adjutant General, subject to the proviso that permits to use the armories for non-military purposes must have

the approval of the Governor, the Adjutant General and the Comptroller.

VII

Department of Welfare.

It is recommended that the Department of Welfare be composed as follows:

Director of Welfare.

1. Board of Welfare, consisting of Director as Chairman and four unpaid Commissioners.

This Board will manage:

- a. The Maryland Penitentiary.
 - b. The Maryland House of Correction.
2. The Director alone will have supervisory jurisdiction over:
 - a. Springfield State Hospital.
 - b. Spring Grove State Hospital.
 - c. Eastern Shore State Hospital.
 - d. Crownsville State Hospital.
 - e. Rosewood State Training School.

(The Boards of these institutions being retained).

3. Commissioner of Mental Hygiene.

Advisory Board of Mental Hygiene.

While the inmates of the state hospitals for the insane have, of course, a personal status different from that of the inmates of the penal institutions, yet, from an administrative point of view, the institutions themselves present very similar problems. They all care for persons who are confined under compulsion. All have the housing problem and the problem of clothing and feeding large numbers of people. All seek to provide work or employment for their inmates, although the penal institutions and the hospitals approach this from different angles, the former, to furnish occupation, to teach trades and to reform; the latter, to restore mental health. Finally, the ultimate purpose or hope of these institutions is the same, namely, that their inmates, as released, may be fitted to take and maintain positions in organized society,—law abiding in the one case, mentally sound in the other.

In view of the related nature of their problems and activities, we recommend that all these institutions be grouped in one Department, headed by a single Director, for whom, however, we will suggest somewhat different functions in the cases of the penal institutions and the hospitals for the insane.

We have assigned the Maryland Training School for Boys and the Maryland Industrial Training School for Girls to the Department of Education, for the reasons already explained in discussing that Department.

1. *The Penal Institutions.* The Maryland Penitentiary and the House of Correction are now managed by the State Board of Prison Control, whose appointment and duties are provided for by the Act of 1916, Chapters 556 and 211, the Act of 1917, Chapters 4 and 15, and the Act of 1918, Chapter 354, (Annotated Code, Vol. IV, Art. 27, Sec. 623-727). We do not think it necessary to continue this Board of three paid members. We think,—largely in the interest of economy,—that the penal institutions can be efficiently managed by a Board of which the Director of the Department of Welfare shall be Chairman, and his Associate members unpaid.

There are, of course, two very important questions of policy to be determined in connection with the State's penal system, one involving the introduction of the state use system, the other the advisability of a new prison site.

The State Board of Prison Control, in carrying out the legislative direction to establish a system of prison labor which will supersede the contract labor system, has made a thorough study, both here and elsewhere, of the prison labor situation. In its special report to the Governor of June 27, 1921, the Board recommends that certain industries be established at the prisons for the making of articles for the State. The Board has worked out the plans for this with great care, and we express our approval of their general features.

We approve of the principle, adopted by the Board, that every prisoner should do as much work as he is physically capable of doing without hardship, retaining a portion of his earnings for himself or his family; and we believe that the kind of work the prisoners are to do should be selected primarily in accordance with the economic interests of the prisoners themselves and of the State. As far as possible, the prisoners should be given work which is adapted to their needs, which will afford them a livelihood when they are released, and which will enable them to take their places as law-abiding, producing members of society. We believe, too, that work of the desired character can be selected from the wants of the different State institutions and departments, and that this should be the field for prison labor, rather than work which would bring the prisoners in competition with private business and the prisoners in competition with free labor.

It is, however, true, as the Board points out, that this system can only be established if the Legislature makes the necessary appropriation for the plants and equipment required for the work; so that the question is really one of legislative policy.

The same is true of the proposition for the building of a new prison at some point in the State where the State's resources may be developed and utilized, and where healthier surroundings can be afforded than are possible within a great city. That involves economic and financial considerations of great magnitude, which can only be resolved by the Legislature.

When these questions of policy are determined, the carrying out of the legislative will with regard to them, as well as the handling of the general prison situation and the management of the prisons, will involve in the main matters of administration. This is an additional consideration against the necessity of a paid board of three.

The principal consideration, however, is still economy, because while it is true that prison management is administrative work, yet it is of a specialized character, and its success depends very much upon the personal equation and upon wise judgment in handling a class which is largely abnormal. We think that work of this kind can be very much better done if the acts of the Director reflect a judgment reached after consideration of the varying opinions and points of view which develop at board meetings. But we believe that this result can be satisfactorily attained through a board whose associate members are unpaid.

Accordingly, we recommend that there be substituted for the present Board of Prison Control a board of five, to be known as the Board of Welfare, of which the Director of the Department of Welfare shall *ex officio* be the Chairman, the four associate members to be interested, and, preferably, experienced in social welfare, at least one of them to be a woman, and all to be unpaid.

The members of the Board of Prison Control now receive salaries aggregating \$9600. A salary of \$4000 for the Director of Welfare, which we believe sufficient, would, therefore, mean an annual saving of \$5600 as a result of these recommendations.

2. *The Hospitals for the Insane.* We think that the management of the five state hospitals for the insane should continue in the hands of their respective Boards, for the reasons already given in explaining our policy

with respect to unpaid boards. In order, however, to meet the disadvantage which we have pointed out as incident to most unpaid boards, that is, a lack of centralized and sustained responsibility and control, we think that the Director of Welfare should be vested with supervisory direction over the affairs of these institutions. He would exercise this by keeping in constant touch with their management, letting alone what is being well done and correcting what is not. His immediate adviser in this work would be the Commissioner of Mental Hygiene.

We see no need for continuing the Governor as a member of any of these hospital boards. The Director of Welfare would act as the Governor's immediate representative on each of them, he would report to the Governor upon conditions at each, and would be responsible to the Governor for the proper administration of each.

This coordination of the state hospitals would enable a plan to be worked out for the central disbursement of their expenditures from the Comptroller's Office, along lines already referred to under the Finance Department; and it is estimated that this would result in an annual saving of approximately \$12,000, over and above the saving of approximately \$40,000 from similar recommendations under the Finance Department. It will also serve to bring the hospitals into close cooperation with the State Purchasing Agent.

3. *Commissioner of Mental Hygiene.* The work now done by the State Lunacy Commission falls naturally under the Department of Welfare.

The appointment and powers of the Lunacy Commission are provided by various sections of Article 59 of the Annotated Code, Vols. II, III and IV, and by the Act of 1916, Chapter 556, Sections 648. The Commission is composed of five members, four being appointed by the Governor, with the Attorney General as the fifth. The appointed members have overlapping terms, and they receive no salaries, but those who are physicians are entitled to a fee in certain court examination cases. The Commission appoints a Secretary, with a salary of \$2500, who has active charge of the work.

The Lunacy Commission is, in the main, an advisory body. It has supervision over all institutions for the insane, both public and private, and is charged with the duty of assisting to secure an effective administration of the hospitals, and humane and adequate treatment for

the insane and feeble-minded. It is the Commission's duty to visit and investigate methods of treatment, management and all other conditions at all institutions for the insane. It is its duty also to inquire into the legality and propriety of the detention of inmates, and, upon the Court's order, into the mental capacity of persons accused of crime. It has the power to direct the transfer of patients from private hospitals to State hospitals, and of insane prisoners from the Penitentiary or House of Correction to an insane hospital. It appoints visitors to county asylums and almshouses where the insane are confined. It licenses certain private asylums.

There is no brighter spot in Maryland government than the history of her treatment and care of the insane. The powers now exercised by the Lunacy Commission should not only be continued, they should be broadened; and to this end we think that in place of the present Lunacy Commission and its Secretary there should be substituted a Commissioner of Mental Hygiene, who will receive an adequate salary,—we believe \$3600 to be sufficient,—and who will be aided by an unpaid Advisory Board of five, at least one of whom shall be a woman.

The Commissioner should be experienced in psychiatry. He should be recommended by the Advisory Board and then commissioned by the Governor, and he should not have a fixed term. The members of the Advisory Board should possess the necessary expert qualifications. The Commissioner would continue to exercise, generally, the powers now exercised by the Lunacy Commission, and he would be the immediate adviser of the Director of Welfare in the latter's duties with reference to the state hospitals for the insane. He would, in addition, have active charge of the field of mental hygiene in Maryland.

For some months past, the Maryland Mental Hygiene Survey and the National Hygiene Bureau have been studying mental hygiene in this State. Their work has carried them into the public schools, the penal and corrective institutions, the hospitals for the insane, the almshouses, the county jails and elsewhere. Their report will cover the whole subject of mental delinquency in Maryland,—its existence, prevention, treatment and cure. The report will not be completed until October, but in the meanwhile a preliminary outline of what the recommendations will be has been submitted.

These call, first, for a Commissioner of Mental Hygiene, aided by an advisory council, to perform the duties of the present Lunacy Commission, and to direct the work of

the state hospitals for the insane. This is in line with our own recommendations, except that we suggest the continuance of the boards of these hospitals,—which, as a practical matter, is clearly best in this State,—under the supervision, not of the Commissioner of Mental Hygiene, but of the Director of Welfare, advised by the Commissioner of Mental Hygiene.

The report of the Commissions will also recommend nurses' training schools, social service studies, travelling or visiting clinics for the prevention of mental disease, out-patient clinics, the mental study of the school children, and special classes in the public schools for the mentally defective, or backward children.

These recommendations represent the best that modern thought can suggest for Maryland in this important field. They reflect the combined judgment of the leading national authorities and of the most experienced and practical men in this State. Whether it is practicable and desirable to adopt all of them, to the extent recommended, can only be determined after a study of the full report when received.

For the present, therefore, we suggest that the Commissioner of Mental Hygiene be entrusted with the direction and fulfilment of such of the above plans as, after proper consideration, prove suitable and practicable for adoption in this State.

Recommendations. In order to carry out the views already expressed, our recommendations are that a Department of Welfare be established, charged with general direction and supervision over the penal institutions, the state hospitals for the insane and the field of mental hygiene; that the head of this Department be the Director of Welfare; that the management of the Maryland Penitentiary and the Maryland House of Correction be entrusted to a Board of Welfare, composed of the Director of the Department as Chairman *ex officio* and of four unpaid associate members, at least one of whom shall be a woman; the present State Board of Prison Control to be then abolished; that the management of the five state hospitals for the insane continue in the hands of their unpaid boards, but subject to the supervision and, where necessary, the direction of the Director of Welfare; that the present State Lunacy Commission and its Secretary be abolished and that there be substituted in their place a Commissioner of Mental Hygiene, appointed as above suggested, and receiving an adequate salary, who will be the immediate adviser of the Director of Welfare

in connection with the latter's supervision over the state hospitals for the insane, who will perform the general duties of the present Lunacy Commission and, in addition, will have active charge of mental hygiene work in the State, being aided and advised by an unpaid Advisory Board of Mental Hygiene, consisting of five members, at least one of whom shall be a woman.

VIII

Department of Charities.

The present Board of State Aid and Charities is provided for by Annotated Code, Vols. II and IV, Art. 88-A, Sections 1-7A. The Board consists of seven members, six of whom are appointed biennially by the Governor, with overlapping terms. They receive no compensation for their services. The Governor *ex officio* is the seventh member of the Board. The Board appoints a Secretary, at a salary of \$2,500.

The Board is given charge of the general subject of State-aid, and power to visit, inspect and investigate all institutions receiving financial assistance from or contracting with the State. The Board also reports upon the conditions of such institutions, and recommends the amount of State-aid which it considers they should, respectively, receive. These recommendations furnish the basis for the Governor's budget appropriations.

State-aid now amounts in Maryland to nearly \$1,000,000 a year. We think that an expenditure so large justifies some broadening of the Board's powers, particularly with respect to its control over the application and use by State-aided institutions of the State's money. The Board could exercise this control under a co-operative arrangement with the Comptroller, who, under Annotated Code, Vol. I, Art. 19, Sec. 41, already receives reports of State-aid expenditures, and who, through the State Auditor, will have the power of audit of the books of State-aided institutions (Annotated Code, Vol. IV, Art. 81, Sec. 233-233A).

These recommendations and existing provisions, together with the power the Governor already has to appoint a representative to attend the board meetings of all institutions receiving financial aid from the treasury, (Annotated Code, Art. 41, Sec. 28), will, we think, furnish all the machinery needed for adequate supervision and control of the State-aided institutions and their expenditure of State money.

We think that the Department of Charities should consist of the present Board of State Aid and Charities, organized as at present, with the Chairman of the Board acting as the Director of the Department, and all the members, including the Chairman and Director, to continue unpaid. We think that at least two of the associate members should be women.

This is one of the few instances in which we recommend that a Department be headed by a Board—of the others, two being in the field of Education and one in the field of Health. The subject of State aid to charitable, educational, medical and eleemosynary institutions involves such broad questions of policy and state philanthropy, not only generally, but as applied to the individual institutions themselves, as to be worthy of the best thought of the most public spirited citizens of the State.

It would be unfortunate if this great work should ever come to be performed simply on the basis of receiving compensation for it. On the contrary, the aim should be to continue it under the direction of broad-minded men of experience and judgment, who undertake their task as a public duty, and whom compensation tends to discourage rather than attract. This applies not only to the associate members of the Board, but even more to the Director and Chairman. The detail work would, of course, continue in the hands of a paid executive officer or secretary, trained and qualified for his position.

There are two State-owned institutions for the tubercular, the Maryland Tuberculosis Sanatorium at Sabillasville and the Pine Bluff Sanatorium near Salisbury. The former is managed by the Tuberculosis Sanatorium Commission and the latter by its own Board. For reasons already given in discussing the subject of unpaid boards, we think that no change should be made in the existing method of managing these institutions. We think, however, that there should be some central supervision over their expenditure of the State money appropriated for their maintenance, and we suggest that for this purpose these two institutions be assigned to the Department of Charities.

We favor the legislation necessary to carry into effect the foregoing recommendations.

IX

Department of Health.

This Department is now headed by the State Board of Health, and its organization, powers and duties are pre-

scribed in Annotated Code, Vols. 1, III and IV, Art. 43, and by several Chapters of the Acts of 1920.

The State Board of Health consists of eight members. Four,—one an experienced civil engineer and three experienced physicians,—are appointed by the Governor, for overlapping terms of four years, so that two terms expire every second year. The fifth member is the Secretary, a physician experienced in sanitary science, who is elected by the Board, is its executive officer, can only be removed for cause, and *ex-officio* becomes a member of the Board. The sixth and seventh members are the Attorney General and the Commissioner of Health of Baltimore City. The eighth member was added by the Act of 1920, Chapter 104, is required to be an experienced pharmacist, and is appointed by the Governor for four years. The appointive members are unpaid, and the Secretary receives a salary of \$4,000.00.

Recognizing the inability of laymen to make recommendations of value as to work of this nature, we have conferred with physicians of recognized ability in public health service, and our best advice is that even medical authorities would hesitate to make recommendations without an extensive study of the conditions in this State and of the work being conducted here by the Health Department.

Public Health Service appears to be in a stage of transition now,—the old idea of the health officer as a policeman, simply enforcing health laws and regulations, has passed, and the work is entering upon a broader field; but there is not yet agreement upon the functions which should be exercised there, or upon their exact nature and limitations. The subject has become a specialty in itself, and the present period may fairly be called an educational one.

There is only one way to determine the question whether the public health work of Maryland can be more efficiently or advantageously performed; and that is through a survey conducted by some recognized authority, such as the Public Health Service, with the co-operation of a committee of experienced local physicians.

Such a survey was made in the fall of 1913, under the direction of Dr. Carroll Fox. It took six months to complete it. The results were published in the Public Health Reports, issue of January 30, 1914, pages 222-300. A great many of the recommendations there made have since been adopted.

Nothing has come to our attention to indicate the need of another survey of this kind, and, accordingly, we make no recommendations upon this subject.

There is, however, one suggestion made by the Public Health survey of 1914 which was not adopted, but which we think should be; namely, that the executive officer of the Board, instead of being subordinate to the Board, as he is at present, be vested with real responsibility and with power to act promptly and on his own initiative. We think it important that a health executive should have such power.

In line with this view, a number of States have recently abolished their Boards of Health,—unless retained in an advisory capacity,—and have placed a single Commissioner, appointed by the Governor, in charge of the work.

This, however, has its disadvantages. In two States, Ohio and Illinois, it has resulted in displacing Health Commissioners, after long service and experience, upon a change in the State administration. Not only is this most unfortunate for the service, but it tends to discourage experienced public health men from accepting the position of Commissioner, because of the insecurity of their tenure.

It is essential that political considerations should not enter into the choice or the continuance in office of the Health Commissioner. The class of experienced men is extremely limited, and State health work is a field of opportunity for them; but such men simply cannot be obtained without at least reasonable assurance that a change in administration is not apt to mean the loss of their positions.

What we recommend, therefore, is a Department of Health, headed by a Board of Health, constituted as at present, except that the Executive officer, instead of being the Secretary, will be known as the Director of Health, and will be the Chairman of the Board; he will hold office, not for a fixed term, but during the faithful and efficient discharge of his duties, being only removable for cause; and he will be appointed by the Governor upon the nomination of the Board of Health.

We think this plan will meet all difficulties. It will make the Director the responsible head of the Department, and the relation between him and the Governor will be more direct than it is under the existing law, which would be very desirable. At the same time, the fact that the Director's term will not expire at any fixed period, that he can be removed only for cause, and that the Governor will always be required to accept the nominee of the

Board, will, with the aid of public sentiment, result in making the Director's tenure, for all practical purposes, secure, so long as he continues efficient. We believe that women should be represented on this Board.

The establishment of a Bureau of Child Hygiene has been suggested. The idea appeals to us, but it is not within our province to investigate the need for specialized and scientific work of this kind. If, however, such a Bureau is provided, we think that it should be assigned to the Department of Health.

X

Department of Public Works.

We recommend that this Department be composed as follows:

Board of three, consisting of Director of Public Works and two unpaid Commissioners.

1. Highway construction and maintenance.
2. All general construction work.
3. State Architect.

By far the most important work which would fall under this Department is, of course, highway and bridge construction and maintenance. Great as this is in magnitude, its scope is so well understood that little need be said in regard to it.

In addition to this work, the State is constantly constructing new buildings for its institutions and for some of its departments. For instance, buildings for the Maryland Industrial Training School for Girls are now being erected in the country; a ward for the criminal insane is being built at Spring Grove; additions are under construction at College Park; an institution for colored tubercular patients will shortly be erected; the number of State armories is added to from time to time.

In the past, construction work of this kind has always been undertaken either by the institutions or departments for which the buildings were intended, or else by special building commissions created for the purpose.

We think that all work of this kind should be done under the supervision and direction of one Department; and we are convinced that the State's general construction work can be efficiently and satisfactorily handled by the same department that is entrusted with its highway work.

The highway work is now in charge of the State Roads Commission, which consists of three members, one belonging to the minority party. They all serve until their

successors are appointed. The law fixes the Chairman's salary at \$2500 and the salary of the two associate members at \$2000 each. (Annotated Code, Vol. IV, Art. 91, Sec. 33). Provision is made for a Chief Engineer at \$5000. The present Chairman combines the duties of both Chairman and Chief Engineer, receiving a compensation of \$7500.

While a great part of the Commission's work is purely administrative, yet the selection and route of roads to be constructed involves a very considerable degree of judgment. It often requires a good deal of determination, too, in the face of insistent pressure. We, therefore, do not think that the selection and construction of highways should be left to one man alone. We think that whoever has charge of this work should have the responsibility of it shared by others and should have the support of others for the policies and decisions he carries out.

This means that we favor the continuance of a commission in charge of highway work. We do not, however, think it necessary to compensate the associate members of the Commission for their services. The Chairman must, of course, receive an adequate salary, but the work of his associates will involve principally the exercise of judgment and the determination of policies. This work should not be very exacting, and it is of an interest and importance which we feel will command the services of capable men without compensation. This would mean an annual saving to the State of \$4000. We see no reason why minority representation upon the commission should not continue.

We think, moreover, that the Chairman should have charge of the general construction and building work of the State, co-operating, of course, with the institutions or departments concerned.

Accordingly, we recommend that in place of the present State Roads Commission there be established a Department of Public Works, headed by a commission consisting of a paid Director as Chairman, and two unpaid associate members, one from the minority party; that this commission be charged with all the powers and duties of the present State Roads Commission; and that, in addition, the Director have charge of the general construction and building work for the State institutions and departments.

We also recommend that the position of State Architect be established in this Department. At present, Architects' services are usually charged against the cost of the

work and paid from the funds appropriated to do the work, which in the case of new buildings are generally the proceeds of bond issues. A considerable amount of construction for the State is always going on. The present is not an abnormal year in this regard. Three new buildings are under construction for different institutions and bids are about to be solicited for a fourth. In these cases the architects' commissions will aggregate not less than \$30,000. Many years they greatly exceed this. We can see no reason why the State should stand any such expense as this, and we believe that the appointment of a State Architect, allowing for the inspection charges which the private architects assume, will average a saving to the State of certainly not less than \$20,000 a year.

XI

Department of Public Safety.

We recommend that this Department include the work of the Motor Vehicle Commissioner and of the State Police Force, and that it be headed by a Director of Public Safety who will perform the duties now performed by the Motor Vehicle Commissioner, and also superintend the activities of the State Police.

From time to time the suggestion has been made that the Motor Vehicle department be merged into the highway department. The fact that the Motor Vehicle department collects the funds which the highway department spends does not, of course, make their work related; but there is a relation growing out of the fact that it is the duty of the Motor Vehicle department to enforce laws passed for the protection from damage of the roads which the highway department is charged to maintain.

Nevertheless, we do not favor combining the two departments. We see very little, if any, opportunity for economy in such a combination, because the whole force of the Motor Vehicle department is necessary for its work, and if not maintained as a separate organization it would have to be maintained, at practically the same expense, as an organization under the Department of Public Works.

Moreover, a department whose province it is, in proper cases, to refuse, suspend and revoke motor vehicle licenses, and to enforce speed and other regulatory provisions of the motor vehicle law, cannot fail to accumulate more than a fair share of criticism and ill-feeling, which, no matter how unjust, is still understandable, and which, it is to be regretted, is apt to increase the more fearlessly the department performs its duty. The highway depart-

ment has a sufficiently difficult job, as it is, in meeting the natural disappointment of those whose wish for new roads cannot, at the time, be gratified. We think it might seriously impair the highway department's effectiveness, if it were compelled to shoulder the criticisms which grow out of the enforcement of the motor vehicle law.

Finally, the Director of Public Works will have his time completely occupied in directing all the highway and general construction work of the State, and he would not, in any event, be able to supervise adequately the motor vehicle work also. The motor vehicle work is not only quite distinct, in its more important features, from highway work, but affecting directly, as it does, the lives and safety of nearly everyone in the State, and involving the collection of more than \$2,000,000 every year, it is big enough and important enough to justify a department of its own.

We recommend that the State Police Force be established upon a definite basis. We believe that this force has justified itself in the minds of practically everyone as a much needed, potent agency for the maintenance of law and order and for the security of the people in their lives and property.

We agree with the representatives of organized labor that the force should not be used as an instrument for breaking strikes, or interfering in any way with the recognized rights of the working man, and we favor any legislation safeguarding this policy which can be enacted without restricting the duty of the force under all circumstances to suppress lawlessness and disorder.

The force is now maintained from the motor vehicle title fees received under the Act of 1920, Chap. 407, and it is necessary for the Sheriffs of the several counties to swear the men in, in order to give them authority to arrest for offenses other than violations of the motor vehicle laws.

Legislation remedying this situation should be enacted, and the organization and powers of the force should be more definitely provided. We think, also, that the force should be maintained by direct appropriation.

We recommend that the force be assigned to the Department of Public Safety, and be under the supervision of the Director of that Department. By far the greater portion of the work of the State Police will relate to the enforcement of the motor vehicle laws, and close co-ordination with that department is most important.

The present Motor Vehicle Commissioner is appointed by the Governor, holds office for two years and receives a salary of \$4000.00. (Annotated Code, Vol. IV, Art. 56, Sec. 136).

We recommend legislation establishing a Department of Public Safety, to be headed by a Director of Public Safety, who will be appointed by the Governor, at the same salary of \$4000.00; that the powers and duties of the present Motor Vehicle Commissioner be transferred to and exercised by the Director of Public Safety, and that he also be given supervision of the State Police Force, which shall be organized upon a definite basis, with particular reference to the suggestions above made.

XII

Conservation Department.

We recommend that the work of the Conservation Commission be transferred to one Conservation Commissioner.

The Conservation Commission was created by the Act of 1916, Chap. 682 (Annotated Code, Art. 19A). Its jurisdiction embraces (1) oysters and clams, (2) fish, crabs and terrapin, (3) wild fowl, birds, game and fur-bearing animals. The commission consists of three members appointed by the Governor, for terms of four years. The Chairman receives a salary of \$4,000, and the associate members \$3,000 each.

The subjects entrusted to the Commission's care comprise so large and important a part of the natural resources of the State, they constitute the calling of so many of our people, and their development means so much for the State's welfare, that we think a separate Department for their regulation and control advisable.

No further consolidation in this field can be made, because the Act of 1916 itself combined in the Conservation Commission the various agencies which theretofore controlled different branches of the work.

We have, therefore, only one recommendation to make in this department. The policies of the State with reference to its water and game resources are quite well settled, and the Commission's work, while very important, is mainly administrative. In line, therefore, with the general attitude we have expressed towards administrative duties, we recommend that the two associate members of the Commission be abolished, and that the powers and duties of the Conservation Commission be transferred to

and exercised by a single Commissioner, who will receive a salary of \$4,000 and hold office for four years. This will mean a saving of \$6,000 a year to the State.

XIII

Department of Public Utilities.

We recommend that this Department consist of the Public Service Commission.

The regulation of the public utilities of the State is of sufficient importance and perplexity to constitute a separate Department. The organization and work of the Public Service Commission has developed along sound and proper lines. Its three members, appointed by the Governor (Annotated Code, Vol. IV, Art. 23, Sec. 414), should be continued, not only because the volume of work requires them, but because of their quasi-judicial duties, and the reasons we have expressed in discussing quasi-judicial boards. They hold office for six years each, with terms overlapping, so that one term expires every two years. We favor the continuance of these provisions. Their salaries—\$6000 to the Chairman and \$5000 to each of the associate members—are, we think, reasonable.

Under the Department of Law, we have already recommended transferring the duties of the General Counsel of the Commission to the Attorney General, and the appointment of the People's Counsel by the Governor. We have no other changes to suggest.

We recommend, therefore, that the Department of Public Utilities consist of the Public Service Commission, as at present constituted and exercising its present functions.

XIV

State Industrial Accident Commission.

We recommend no change in the State Industrial Accident Commission.

The Commission was created by the Act of 1914, Chapter 800, to carry out the provisions of the Workmen's Compensation Law. (Annotated Code, Vols. III and IV, Article 101).

The work of the Commission assumed what may be called normal proportions about the fall of the year 1915. That first year 31,324 accident reports were filed, and last year there were 53,678. The first year there were 4282 claims filed, and last year there were 6707. This number

will be much increased because of the recent reduction of the waiting period from two weeks to three days. The first year total benefits paid were \$704,939, and last year they were \$1,353,487, an increase in five years of almost 100 per cent.

The State Accident Fund has accumulated assets of \$597,112, and after setting aside reserves, the net surplus is \$352,465, which has been reinsured up to \$250,000. The Fund is one of the strongest institutions in the State writing compensation insurance.

The Commission's work is of a distinctive character. Its powers are to a large extent judicial. On no other basis could it, during a single year, take \$1,353,487 of employer's money and award it to employees and dependents. A commission which has such duties to perform should be free from administrative details and regulatory matters which do not relate directly to its own work.

This would seem particularly true with respect to the labor laws of the State, the enforcement of which, it has been suggested, should be entrusted to the Commission, by combining it with the State Board of Labor and Statistics. The State Industrial Accident Commission must occupy a judicial position between employer and employee. It should not at the same time be given the task of enforcing laws made for the benefit of one of these classes.

In view, therefore, of both the magnitude and importance of the work and of its distinctive character, we think that it should be assigned to a Department of its own.

The three Commissioners are appointed by the Governor for overlapping terms of six years each, one term expiring every two years, with minority representation and salaries of \$5000 each. The salaries are reasonable, and we think the other provisions should continue. The important work of the commission is not administrative. It is, as already stated, quasi-judicial, often requiring a high degree of judgment and deliberation before decision. For reasons already given in discussing this general subject, we believe three Commissioners preferable to one. An additional reason is that with three Commissioners, one can sit in different parts of the State. Regular sessions are now held in Cumberland.

Moreover, the State would not save anything by reducing the number of Commissioners. The expenses of both the Commission and the State Accident Fund are paid in the first instance by the state, but at the end of

each year they are assessed against all the insurance carriers writing compensation insurance for the State, including self-insurers and the State Accident Fund, which latter has been self-sustaining for more than three years. These assessments are paid into the State Treasury, so that the State bears no part of the expenses of either the Commission or the Fund. Consequently, any reduction in the number of Commissioners would simply mean that the insurance carriers would be assessed less; and we understand that these insurers, who pay the bill, prefer to pay for a commission of three.

XV

Commissioner of Labor and Statistics.

We recommend that the work now being done by the State Board of Labor and Statistics be transferred to a Commissioner of Labor and Statistics.

The State Board of Labor and Statistics was created by the Act of 1916, Chap. 406 (Annotated Code, Vol. IV, Art. 89). It succeeded the Bureau of Statistics and Information, the Chief of the Industrial Bureau and the Inspectors of Female Labor, and the Steam Boiler Inspectors of Baltimore City and the Mine Inspectors of Allegheny and Garrett Counties, were placed under it.

The Board keeps a bureau of general information, collecting statistics on various subjects, such as conditions of labor, wages, strikes, agricultural conditions and products, mineral products, manufacturing industries, transportation, shipping, commerce and causes of unemployment. It maintains free employment agencies and has powers of arbitration in labor disputes. It enforces the laws relative to hours of work, child labor and workshops and factories.

This work is important and distinctive, it is organized upon a sound basis, all the related fields being combined, and it has been giving satisfactory results. We think it should be conducted as an independent department.

The present Board consists of three Commissioners, appointed by the Governor for terms of two years each, the Chairman receiving a salary of \$3,000 and the other two, known as advisory members, receiving \$500 each. The work is mainly administrative.

We recommend legislation abolishing the advisory members, thus saving \$1000 a year to the State, and vesting all the work in a Commissioner of Labor and Statistics, appointed by the Governor for a term of four years, and receiving a salary of \$3,000.

The duties of the Board of Boiler Rules, created by the Act of 1920, Chap. 676, should also be transferred to the Commissioner, and the work of that Board, the Steam Boiler Inspectors of Baltimore City and the Board of Examining Engineers should be co-ordinated.

XVI

Department of State Employment and Registration.

We recommend that this Department be composed as follows:

Commissioner of State Employment and Registration.

1. Merit System Work.
2. Barber Examiners, State Board of.
3. Chiropody Examiners, State Board of.
4. Chiropractic Examiners, State Board of.
5. Dental Examiners, State Board of.
6. Engineers, Board of Examining.
7. Electrical Examiners and Supervisors, Board of.
8. Horseshoers, Board of Examiners of.
9. Law Examiners, State Board of.
10. Medical Examiners.
11. Moving Picture Machine Operators, Board of Examining.
12. Nurses, State Board of Examiners of.
13. Optometry, State Board of Examiners in.
14. Osteopathic Examiners, State Board of.
15. Pharmacy, Maryland Board of.
16. Plumbing, State Board of Commissioners of Practical.
17. Public Accountants, State Board of Examiners of.
18. Undertakers, State Board of.
19. Veterinary Medical Board, State.

Merit System. The Merit System for State employees was provided by the Act of 1920, Chap. 41, amended by the Act of 1920, Chapter 658. The system became operative January 1, 1921. The work is in charge of the State Employment Commissioner, who is appointed by the Governor, receives a salary of \$5,000 and holds office for six years. The system was most successfully inaugurated, and has been accompanied by no friction of any kind. Every State department has evidenced a spirit of complete co-operation and willingness to conform to the new requirements.

We have no recommendations to make with respect to the State Employment Commissioner's present work.

There are, however, a number of boards and commissions in this State charged with the duty of licensing or registering the members of various trades and professions; and we believe that the administrative functions of these boards, subject, possibly, to one or two exceptions, and also to the conditions we will state, can, with great advantage, be centralized in the same department which operates the Merit system, the department to be known as the Department of State Employment and Registration, and to be directed by a Commissioner of State Employment and Registration, who will take the place of the present State Employment Commissioner.

These boards and commissions are:

1. *Barber Examiners, State Board of.* (Annotated Code, Vol I, Art. 43, Sections 209-222). This Board consists of three members, appointed by the Governor, their terms of office being two years. They are entitled to receive a per diem of \$5.00 from fees. The Board is charged with the duty of licensing barbers, and may revoke such licenses for cause. It is also authorized to proceed against unsanitary barber shops.

2. *Chiropody Examiners, State Board of.* (Annotated Code, Vol. IV, Art. 43, Sections 304-315). This Board consists of four members, selected by the Board of Medical Examiners of Maryland, serving overlapping terms of four years each, and each entitled to a per diem of \$10.00 from fees. The Board is charged with the duty of licensing chiropodists, and may revoke such licenses for cause. It is made the duty of the Baltimore City Police Department and the County Sheriffs to see that all practising chiropodists are duly registered.

3. *Chiropractic Examiners, State Board of.* (Act 1920, Ch. 666). This Board consists of three members, appointed by the Governor, for overlapping terms of three years each, and each entitled to a per diem of \$5.00 from fees. The Board is charged with the duty of licensing chiropractors, and may revoke such licenses for cause. It is the duty of the Board's Secretary-Treasurer to aid the State's Attorneys in prosecutions under the Act.

4. *Dental Examiners, State Board of.* (Annotated Code, Vol. I, Art. 32, Sections 1-12, amended by the Act of 1920, Chapter 481). This Board consists of six members, appointed by the Governor from recommendations made by the Maryland State Dental Association. They hold office for overlapping terms of six years, two terms

expiring each year, and receive a per diem of \$25.00 each from fees. The Board is charged with the duty of licensing dentists, and may revoke such licenses for cause.

5. *Engineers, Board of Examining.* (Baltimore City Charter, Sections 426-430). This Board consists of two members, appointed biennially by the Governor. They receive a salary of \$1500 each, and employ a Secretary at not exceeding \$1000, all payable from fees. The Board's jurisdiction extends only to stationary engineers and engines. Originally, the law applied in Baltimore City alone, but in 1910 it was made state-wide. The Board is charged with the duty of licensing stationary engineers, and with the enforcement of certain regulatory requirements.

6 *Electrical Examiners and Supervisors, Board of.* (Baltimore City Charter, Sections 663A-663Q). This Board consists of five members, appointed by the Governor, two from nominations by the Electrical Contractors' Association of Maryland, one from nominations by the Chief of the Electrical Inspectors of Baltimore City, one from nominations by the Association of Fire Underwriters of Baltimore City, and one practical journeyman selected by the Governor at large. Their terms of office are two years, and they are entitled to a per diem of \$5.00 each from fees. The Board is charged with the duty of licensing Master Electricians, has power to revoke such licenses, and to adopt rules and regulations, which have the force of law, for the installation of electrical wiring and construction in Baltimore City.

7. *Horseshoers, Board of Examiners of.* (Baltimore City Charter, Sections 515A-515F). This Board consists of five members, appointed by the Governor for overlapping terms of four years each. The Board is charged with the duty of examining and licensing horse-shoers. The Act applies only to Baltimore City and the twelfth district of Baltimore County.

8. *Law Examiners, State Board of.* (Annotated Code, Vols. I, III and IV, Art. 10, Sections 1-6). This Board consists of three members of the bar, all appointed by the Court of Appeals. They hold office for overlapping terms of three years each. They are entitled to compensation as fixed by the Court of Appeals, payable out of fees. The Board is charged with examining applicants for admission to the Bar, and reporting the results to the Court of Appeals, which has the power to admit.

9. *Medical Examiners.* These are provided by Annotated Code, Vols. I, III and IV, Art. 48, Sections 107-135. They consist of two Boards, one appointed by the Medical and Chirurgical Faculty of Maryland and the other by the Maryland State Homeopathic Medical Society. Each of these Boards consists of eight members, with overlapping terms of four years, so that two terms expire every year. The Boards fix the compensation of their members, the same being payable from fees. The Boards are charged with the duty of examining and licensing applicants for the practice of medicine and surgery. The whole subject is carefully regulated, and the Secretaries of the Boards are to inquire into violations of the law and institute appropriate proceedings and prosecutions.

10. *Moving Picture Machine Operators, Board of Examining.* (Baltimore City Charter, Sections 691A-691I, amended by the Act of 1918, Chap. 195). This Board consists of three members, appointed biennially by the Governor, one from the Board of Fire Underwriters Association, one from the Moving Picture Operators' Union, and one exhibitor licensed to operate motion picture machines. The members of the Board are entitled to a per diem of \$5.00 each from fees. The Board is charged with the duty of licensing moving picture machine operators, and of suspending and revoking such licenses for cause. The Board also has power to inspect operating rooms.

11. *Nurses, State Board of Examiners of.* (Annotated Code, Vols. I and IV, Art. 43, Sections 201-208). This Board consists of five members, appointed by the Governor from recommendations made to him by the Maryland State Association of Graduate Nurses. The members serve for three years with overlapping terms. They are entitled to a per diem of \$5.00 each, and the Secretary to a salary of from \$100 to \$500, all payable from fees. The Board is charged with the duty of registering trained nurses, and may revoke such licenses for cause. It is also the Board's duty to prosecute for violations of the law, and it is authorized to appoint a registered nurse to act as visitor and inspector of training schools for nurses, at a per diem of \$5.00.

12. *Optometry, State Board of Examiners in.* (Annotated Code, Vol. III, Art. 43, Sects. 252-268, amended by the Act of 1920, Chap. 132). This Board consists of five members, appointed by the Governor from recommendations made by the Maryland Association of Optometrists. The members hold office for two years, and are

entitled to a per diem of \$10.00 each, plus \$3.00 for examinations and 50 cents for registrations, all payable from fees. The Board is charged with the duty of licensing optometrists, and may revoke such licenses for cause. Regulations for the practice of optometry are prescribed.

13. *Osteopathic Examiners, State Board of.* (Annotated Code, Vols. III and IV, Art. 43, Sections 290-303). This Board consists of five members, appointed by the Governor from recommendations made by the Maryland Osteopathic Association. The members serve for overlapping terms of three years, and are entitled to a per diem of not more than \$15 each. The Board is charged with the duty of licensing osteopaths, and may revoke such licenses for cause. It is the duty of the Board's Secretary to inquire into violations of the law and institute appropriate proceedings and prosecutions, and the Baltimore City Police Department and the County Sheriffs are required to see that all practising osteopaths are registered.

14. *Pharmacy, Maryland Board of.* (Annotated Code, Vol. I, Art. 43, Sections 178-191, amended by the Act of 1920, Chap. 525). This Board consists of five members, appointed by the Governor, with overlapping terms of five years, so that one term expires every year. Each member receives a salary of \$50.00 and the Board's Secretary a salary of not more than \$200, all payable from fees. The Board is charged with the duty of licensing pharmacists, and is authorized to enter into reciprocal relations with other States.

15. *Plumbing, State Board of Commissioners of Practical.* (Baltimore City Charter, Sec. 509-515). The jurisdiction of this Board is confined to Baltimore City. It consists of five members, appointed biennially by the Governor, three being practical and skilled plumbers of Baltimore City, the fourth being the Commissioner of Health of Baltimore City, and the fifth a member of the State Board of Health. The members hold office for two years, and are entitled to receive a per diem of \$5.00 each, for not more than thirty days in any one year. The per diems and all expenses are paid from fees, except that for each of the fiscal years 1921 and 1922 the State has appropriated from its general funds \$1000 for traveling and inspection expenses. The Board is charged with the duty of licensing plumbers in Baltimore City, and of enforcing the provisions of the law.

16. *Public Accountants, State Board of Examiners of.* (Annotated Code, Vol. IV, Art. 75A, Sections 1-8). This

Board consists of five members, appointed by the Governor, three being certified public accountants, one an attorney-at-law and one an economist, the latter appointed from recommendations made by the President of the Johns Hopkins University. The members hold office for overlapping terms of three years, and they receive no compensation. The Board is charged with the duty of licensing certified public accountants.

17. *Undertakers, State Board of.* (Annotated Code, Vol. I, Art. 43, Sections 230-247). This Board consists of ten members, seven appointed biennially by the Governor, and the other three being the Secretary of the State Board of Health, and the Commissioner and Assistant Commissioner of Health of Baltimore City. The appointive members hold office until their successors are named. They serve without compensation. The Secretary receives a salary of \$500.00, payable from fees. The Board is charged with the duty of licensing undertakers, and may revoke such licenses for cause. It is authorized to establish a school of instruction. As the result of a decision of the Court of Appeals, this law seems to apply only to Baltimore City.

18. *Veterinary Medical Board, State.* (Annotated Code, Vol. I, Art. 43, Sections 136-150). This Board consists of five members, appointed by the Governor, for terms of four years. No provision is made for their compensation. The Board is charged with the duty of licensing veterinarians. It is also the Board's duty to prosecute for violations of the law.

The functions of all these boards and commissions are related. All are charged with examining and licensing or registering applicants for admission to the various professions and trades. At present, they do this work separately. Their headquarters are widely scattered, and often difficult to find. When situated, as they frequently are, in the professional office of one of the board members, conferences are naturally subject to delays.

It would be the greatest possible convenience to everyone having business with these boards if they had their headquarters and records centralized in one office, and in charge of some one who would always be accessible there. The duplication of work and expense thus eliminated would be very considerable. The increased efficiency would be very considerable, too.

The office of the State Employment Commissioner is equipped to take over all this work. The work would fit excellently into the plan of organization now existing in

that department. It would merely add to the volume of what that department does, because the machinery is already there.

The important thing about such a consolidation, however, is that it must not impair the close relationship with the professions and trades and the benefits therefrom which result from the boards and commissions as now organized, or at least most of them. This relationship is, of course, necessary for the proper preparation and rating of examinations. But of equal importance with that, is the added interest and responsibility for maintaining high standards in a profession or trade which always should rest and usually does rest upon those who serve on boards and commissions of this kind. It is necessary that nothing be done to lessen that.

A number of the present boards, for instance, have membership in national or international associations, and send delegates to their conventions. This should, of course, continue. It serves to keep Maryland abreast of the most advanced practices and standards elsewhere. This is only one of many board or commission activities which it is most desirable to encourage.

We believe that the licensing functions of these boards and commissions, with one or two possible exceptions, can be concentrated in the State Employment Department in a way which will secure the benefits of convenience, efficiency and economy, and at the same time retain the individuality and responsibility of the boards and commissions themselves.

Our recommendations are that all these boards, with the possible exception, for special reasons, of one or two, be located in the one department, where their records and documents will all be kept, where the examinations will all be held, where the correspondence, printing, advertising, compiling, certifying, licensing, recording and other administrative and detail work will all be attended to, and where some one will be accessible to the public at all times to give any information desired.

We recommend that the boards themselves be retained, constituted as at present,—unless changes commend themselves as desirable to the profession or trade itself,—for the purpose of preparing suitable examination questions or tests, conducting these, and, after they have been held, making the ratings and returning them to the central office. This plan will leave with the present boards the duty of prescribing or applying standards and qualifications for their respective professions and trades, and

rating the applicants. These are responsibilities which should rest on the professions and trades themselves, and which they, acting through boards selected from their own ranks, are best qualified to perform. The plan will also relieve these boards of all administrative work and detail, which the central office can do more satisfactorily and economically than they can. At the same time the boards will lose none of their individuality or prestige, and will be as capable as ever of advancing the welfare and interests of their professions and trades.

We believe this plan to be very much better than the plan, which has been suggested, of substituting for the existing boards examining boards of three, appointed by the Employment Commissioner. It must not be forgotten that the existing boards are nearly all products of the best thought of those most interested in their work, reached, in many instances, after years of observation and practical experience. They are adapted to conditions in this State. They should not be scrapped just because something else may look well on paper. To concentrate their work, and relieve them of administrative details, is one thing. This is, we believe, the efficient and economical thing to do. But to supersede them altogether, and transfer their responsible functions to experimental boards of three, organized on different lines, is quite another thing; and we see no occasion whatever for it in this State.

Whether it would be desirable to relieve some of these boards of certain of their present functions not directly related to licensing,—for instance, inspection work, in some cases, enforcing the laws, in others,—and transfer such functions to other departments, or whether, on the other hand, it would be desirable to strengthen or even to extend some of these functions, are details which need not be determined now.

The economy resulting from these recommendations would be considerable.

We find that the annual receipts of all these boards from fees and other sources now aggregate approximately \$32,000, while their annual expenses in salaries, per diems, employees, rent and miscellaneous items aggregate for the present year approximately \$37,340, the deficit being taken care of by balances brought down from previous years.

The additional annual expense to the office of the Employment Commissioner in taking over all this additional work will not exceed approximately \$10,000.

Therefore, if the gross receipts of these boards were all paid annually to the State, as we recommend be done, and if no payments were made on account of the work except to the staff of the Employment Commissioner, the annual saving to the State would be approximately \$22,000. This, however, would probably not be fair, because the work involved and the time consumed for board members, under the plan proposed, would still be considerable, and they would have certain necessary personal expenses to bear; and in many cases the qualified men could not afford to give their services for nothing. Making a reasonable allowance for this, we believe that the annual saving from these recommendations would be not less than \$18,000.

XVII

Inspector of Tobacco.

The inspection of tobacco is provided for by Annotated Code, Vols. I, III and IV, Art. 48, Sections 9-49, and by several Chapters of the Acts of 1920.

Under the Act of 1920, Chap. 39, Sec. 9, the Inspector of Tobacco is appointed by the Governor, from one of the tobacco growing counties. He holds office for two years and receives a salary of \$4,000.

Until 1916 the Tobacco Inspector was appointed, as now, by the Governor. The Act of 1916, Chap. 309, transferred his appointment to the State Board of Agriculture. In 1920 there was an almost unanimous desire among the tobacco growers of the State to have the Inspector appointed by the Governor again, and the Act of 1920, Chap. 39 accomplished this.

The department seems to be functioning satisfactorily and well, and we have no recommendations to make with regard to it.

XVIII

Maryland State Board of Censors.

This Board is provided for by Annotated Code, Vol. IV, Are. 66A, Sections 1-23, amended by the Acts of 1920, Chap. 651. It consists of three members, appointed by the Governor, with overlapping terms of three years, so that one term expires every year, and with minority representation. The Commissioners each receive a salary of \$2400.

It is the Board's duty to censor moving pictures, and its approval is necessary before any can be legally exhibited in the State.

The Board's work involves religious, educational, social and moral considerations. Its proper exercise requires a very high degree of judgment, appreciation and discrimination, and if it were entrusted to only one Censor, then the individual views and opinions of whoever happened to fill the office for the time being would almost necessarily prevail and fix the standards. These views might accord with sound public sentiment on the subject or they might not. What the general public feels on questions of this kind is pretty apt to represent the clean and the moral and the right thing. We believe that, in the long run, this is much more apt to be reflected correctly through a board than through a single Censor.

Whether the present Board should be increased, or special qualifications be prescribed for its members, need not now be determined. Of course, one at least should continue to be a woman.

We find no necessity for any recommendations with respect to the State Board of Censors.

XIX

Maryland Racing Commission.

The Commission was created by the Act of 1920, Chap. 273. It consists of three members, appointed by the Governor, with overlapping terms of six years, so that one term expires every two years. Minority representation is required. The Chairman receives a salary of \$4,000, and the associate members \$3,000 each. These salaries, as well as all other expenses, (the latter not to exceed \$20,000 annually), are charged against the Commission's receipts.

The duty of the Commission is to regulate and control horse races conducted within the State.

Tracks are required to pay a license fee of \$6,000 per day, and an additional fee or tax of fifteen per cent of their net revenues. These fees are accounted for to the State Treasury. At present they amount to about \$700,000 a year. Smaller fees are charged for racing in connection with fairs and agricultural exhibits, and these are accounted for to the county in which the fair or exhibit is held.

We have considered the advisability of substituting one Commissioner for the Commission of three. Aside, however, from practical considerations which might make this inadvisable, the Commission as now constituted represents the legislative plan, which has had only one

year's trial, for dealing with a situation which is confessedly difficult, and with regard to which there exist differences of opinion among many people of the State.

We, therefore, make no recommendations with respect to the Maryland Racing Commission.

PLAN FOR REDUCING THE NUMBER OF ELECTIONS IN MARYLAND.

REPORT OF THE SUB-COMMITTEE OF THE REORGANIZATION COMMISSION ON REDUCING THE NUMBER OF ELECTIONS.

TO THE COMMISSION ON REORGANIZATION :

Your Sub-committee's investigation of the cost to the City of Baltimore and Counties of the State of Maryland of conducting the offices of Supervisors of Elections, of the registration of voters, and of holding the Primary and General Elections (not including the municipal elections in Baltimore City and other cities and towns in the State of Maryland), shows the same to be in round figures \$700,000 per year, or \$2,800,000 during a gubernatorial term of four years, as per attached statement.

We recognize the objection to having State elections influenced by issues of National import, and particularly the importance of not having State elections at the same time that Presidential elections are held, but having in view the saving of one-half the cost of elections, which would amount to \$350,000 per year, or \$1,400,000 in a gubernatorial term, and to minimize the influence of National issues, we recommend the submission at the general election to be held in 1922 of appropriate constitutional amendment or amendments, and the passage of such legislation as may be necessary to abolish all State and County elections that under present law are to be held in the odd years after 1923, and to accomplish this in the following manner:

First—Instead of electing in 1923 those officers who, under the present provisions of law, would at the general election to be held in that year be elected either for a six, four or two-year term, provide for their election at that time for three-year terms, and thereafter upon the expiration of said terms for electing such officers for terms of four years each.

Second—Whenever the term of any officer having a term of more than four years, who shall have been elected prior to the general election of 1923, expires, the expiration of such term shall be treated as causing a vacancy which shall be filled, until the next general election for members of the General Assembly, as now provided by law.

Third—Senators elected under the present Constitution whose terms would expire on the first Wednesday of January, 1926, shall serve until the qualification of their successors who shall be elected in the general election of 1926. (While this would be an extension of the terms of these Senators, unless a Special Session of the Legislature were called, they would not during the extended period actually exercise any legislative powers.)

Respectfully submitted,

CARVILLE D. BENSON, *Chairman*,
 JOSHUA W. MILES,
 F. NEAL PARKE,
 SYLVAN HAYES LAUCHHEIMER,
 HENRY D. HARLAN.

COST OF ELECTIONS IN MARYLAND

County	1920
Alleghany	\$ 30,180.69
Anne Arundel.....	12,235.32
Baltimore	*60,000.00
Calvert	4,891.59
Caroline	4,985.70
Carroll	13,618.35
Cecil	8,959.59
Charles	4,610.73
Dorchester	8,323.23
Frederick	17,083.60
Garrett	5,600.00
Harford	10,654.33
Howard	8,295.98
Kent	10,646.11
Montgomery	13,782.10
Prince George's.....	**17,000.00
Queen Anne's	6,813.74
St. Mary's	**5,000.00
Somerset	6,383.22
Talbot	**8,000.00
Washington	**17,000.00
Wicomico	7,992.52
Worcester	7,711.69
Baltimore City	*410,125.00
Total.....	\$699,893.49

*Budget 1921.

**Estimated.

situation for which the federal court is not responsible. The measure has already received the active support of the City of New York, Chicago, the New Jersey League of Municipalities, also many other cities which cannot be individually mentioned. It should be vigorously backed by every person and organization interested in effective public utility regulation.

JOHN BAUER.



Arizona Reforms its Finances.—Arizona has made notable progress this year in its fiscal control. Governor Campbell called a special session of the legislature that met during April and upon his recommendation in view of the pressing need for economy passed a sweeping state financial code.

The financial code provides that in the future appropriations to carry on the activities of the state government must be included in a single appropriation bill that is to be submitted by the governor along with the budget to the legislature. The code abolished 179 continuing, revenue, and indefinite appropriations. One example may be cited that indicates what this provision alone accomplished. Before the code was enacted one department that had four continuing appropriations expended approximately \$350,000 per year. Practically no attention had been given to the expenditures of this department by former legislatures because it did not request any appropriation. After the code was adopted, a careful examination was made of the expenditures of this department, and it was found that greater efficiency and a higher standard of work could be maintained with an annual appropriation of \$92,000.

The code abolished all special funds, except the permanent funds prescribed by law, and placed their receipts in the general fund. There are now no idle or dormant funds. The investment and management of permanent funds are prescribed by the code. Expenditures for capital outlays cannot be made until after the money is in the state treasury. Appropriations are classified and expenditures must be itemized according to an object classification that is prescribed by the code.

Under the provisions of the code no state agency can expend more than one-fourth of its appropriation for the fiscal year during any quarter without the approval of the governor and the auditor jointly. By this control, it is proposed to eliminate emergency and deficiency

appropriations in the future. All unencumbered balances of appropriations revert to the treasury at the end of the fiscal year.

Following the enactment of the financial code, the legislature repealed the appropriations for the biennium that had been made the preceding year and enacted a general appropriation bill covering the second year of the biennium—July 1, 1922 to June 30, 1923. By this procedure savings were made immediately that will reduce the state tax levy for the next fiscal year by 33½ per cent.

A. E. BUCK.



A Hodge-podge Administrative Consolidation in Maryland.—Following the recommendations of the reorganization commission in its report to Governor Ritchie last September, the 1922 Maryland legislature enacted a state reorganization bill. This bill was approved by the governor on March 1, and will become effective on January 1, 1923.

The reorganization act provides for placing practically all the administrative agencies of the state government, both constitutional and statutory, in nineteen groups. These groups are as follows: (1) executive department, (2) finance department, (3) department of law, (4) department of education, (5) state board of agriculture and the regents of the university of Maryland, (6) department of militia, (7) department of welfare, (8) department of charities, (9) department of health, (10) department of public works, (11) commissioner of motor vehicles, (12) conservation department, (13) department of public utilities, (14) state industrial accident commission, (15) commissioner of labor and statistics, (16) department of state employment and registration, (17) inspector of tobacco, (18) Maryland state board of censors, and (19) Maryland racing commission. Only nine of these groups or departments are headed by single persons; the others are either administered by commissions or by dual or triple-headed executives. The governor can control by appointment the administration of only about half of the so-called departments. For example, the department of finance is to be administered by three constitutional agencies, namely, the comptroller elected by the people, the treasurer appointed by the legislature, and the board of public works consisting of the governor, comptroller, and treasurer. The department of law is to be under the constitutional elective attorney general.

The internal arrangement of some of the departments is anomalous. The plan provides that the department of finance will have three divisions, namely, financial review and control, deposit and disbursement, and board of public works. The division of financial review and control is to be headed by the comptroller, and the division of deposit and disbursement is to be supervised by the treasurer. The board of public works is the fiscal agent of the state with reference to internal improvements. Under the division of review and control are to be placed an auditor and deputies appointed by and reporting to the governor, the bank commissioner, the insurance commissioner, the state purchasing agent, and the state tax commission. It would seem hardly possible for the comptroller to perform an independent and unbiased audit of the state's expenditures and revenues with all of these administrative units working under him. Of course, the governor appoints practically all of these officers, and this makes the proposed arrangement even more of a hodge-podge. Then the proposed executive department is largely an *omnium gathrum*. It will contain, besides the executive office, the secretary of state, the commissioner of the land office, the state librarian, the parole commissioner, the superintendent of buildings and grounds, the department of legislative reference, and the commissioners for uniform laws. Three of these are constitutional agencies.

Only a few minor boards and agencies are abolished by the act. In most instances others are created to take their places, either in an administrative or an advisory capacity. The plan of regrouping the activities apparently does not reduce the number of state officers and employees, nor does it promise to reduce the cost of administering the government. When the plan goes into operation, it is unlikely that the governor will find himself in any better position for managing the affairs of the state than he is at the present time. On the whole the proposed plan appears not to be a reorganization at all, but merely a sort of consolidation under which the existing administrative agencies are to be corralled in nineteen groups. For this reason the Maryland plan gives less promise of success than any plan of state reorganization yet adopted.

A. E. BUCK.

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The Tax Supervising and Conservation Commission of Multnomah County, Oregon, consists

of three persons appointed by the governor with authority to veto items in the ever-increasing budgets of 17 local tax levying bodies including the city of Portland. Originally it was merely advisory and was ignored; in June 1921 it acquired this veto power. The 17 governments are the County, City of Portland, Dock Commission, Port Commission, the urban School District, 3 towns, 5 water districts and 4 drainage districts, the first five being the important ones and involving the same territory.

Although tax limits have been embodied in the constitution and statutes of Oregon, they have proved to be about as ineffective in really limiting tax burdens as in other states of the Union. In the nature of the case, each of the above units has, year after year, levied its taxes in consideration of its own needs only, irrespective of the relative needs and demands of the other bodies. The inevitable result of this decentralized organization and the failure to get a complete financial picture of the government as a whole has been the pyramiding of taxes.

The new law provides that the Tax Supervising and Conservation Commission shall enforce its budget decision by tax levy certifications. Briefly, the various levying boards are required, on or before the first day of October of each year, to submit to the Commission their detailed budget estimates for the next ensuing fiscal year, giving historical data for three and a half preceding years. Budget hearings before the Commission are provided for. The Commission is not empowered to increase items of the budget unless the increases are requested under emergency circumstances by the levying bodies, and the vote of the Commission has to be unanimous. The law requires the Commission to direct the various levying bodies to levy certain taxes in accordance with its findings and conclusions. In case a levying board does not levy the tax certified by the Commission, the Commission is authorized to make the levy on its own account and the County Assessor is required to extend the Commission's levy on the tax roll, all levies extended contrary to the provisions of this law being declared null and void.

The law has been tested before the courts, through the efforts of the city administration, both as to constitutionality and various points of jurisdiction, and has been sustained in all respects.

Each one of the seventeen levying bodies was given adequate hearing in October, 1921, and

in the case of the city and county these hearings were followed by special hearings at which the administrative officers of particular departments, bureaus and offices were questioned and interviewed.

The total reduction finally made was approximately \$600,000 which appears small in amount as compared with the total levies of about \$10,000,000, but it should be noted that this was accomplished without the reduction of governmental salaries and without the elimination of any lines of governmental activity. Two-thirds of the total reduction was accomplished in the budget of the City of Portland.

In the main, opposition to the work of the Commission has emanated from the City administration, which has staged a campaign of publicity in the press with a view to discrediting the Commission.

There are some who look to government reorganization and consolidation and the establishment of an effective local budget system as a solution of Portland's difficulties. But until such time as this ultimate remedy can be applied, they are inclined to support the new Commission in its efforts to secure co-ordination.

C. C. LUDWIG,

Executive Secretary of the Tax Supervising and Conservative Commission.

✱

The New Administrative Code in Washington is working well, has led to the elimination of 474 employees and the saving of \$1,000,000 a year in the state's expenditures, according to Governor Louis F. Hart, whose statement on the first year of the code has been issued in pamphlet form by the Republican State Central Committee. The end of the preceding biennium in March 1921 found practically every department asking for deficiency appropriations, of which \$1,250,000 were granted. After the multifarious bureaus, offices and commissions of the state had been grouped into an orderly cabinet system of ten departments, the governor and his department heads undertook to live 15% inside the monthly proportion of the authorizations and the first year closed with more than 15% unspent in the administration as a whole.

✱

Government of South Carolina Studied.—As a result of the studies made last summer and fall by the Joint Legislative Committee on Economy and Consolidation considerable progress

was made at the legislative session ending in March in improving the state's fiscal and revenue systems and in bettering the general organization and operating procedure of the state government.

During the summer and fall of 1921 the Joint Legislative Committee made intensive studies of the organization, personnel, and operating procedure of each of the fifty departments, institutions, boards, and commissions constituting the executive branch of the state government and also of the legislative and judicial branches. In this study, as well as in its analysis of the revenue problems and the drafting of revenue and other bills, the Committee secured the services of Griffenhagen & Associates, Ltd., of Chicago, who supplied experts in government finance and accounting, organization, engineering, education, social welfare, office administration, and institution management, including Fred Telford, Hugh J. Reber, W. T. Middlebrook, and G. R. Haigh.

The attention given to the revenue measures, coupled with the short session of only two months, prevented the Legislature from giving to the Committee's economy measures the attention they would otherwise have received. Though the studies of the experts indicated that the state government is economically administered, the Committee recommended that the operating costs be reduced by about ten per cent of the amounts appropriated for 1921 and pointed out just how these reductions could be made without cutting state expenditures for schools, highways, health, or other legitimate activities. Specific examples of bad internal organization, overmanning, ineffective procedure, poor equipment, and other wastes were cited. The need of consolidations was pointed out and eleven specific consolidations recommended. Complete reform of the state's auditing system was strongly urged in order to prevent waste and extravagance on the part of several state agencies. In the pressure at the end of the session when the revenue measures were out of the way it proved impossible to accomplish a great deal with these matters but several marked improvements were made and a number of state agencies put on notice to mend their ways; some have taken effective steps since the Legislature adjourned to carry out the Committee's recommendations, thus making legislative action unnecessary. It seems very likely that next January the Legislature to be elected in November will have be-

fore it from the beginning of the session the problem of putting into effect the Committee's various recommendations as to the steps to be taken to effect every possible economy.

SENATOR NEILS CHRISTENSEN,
Chairman Committee on Economy and Consolidation.

✦

Recent Finance Reforms in Nebraska.—Under the leadership of Governor McKelvie and with the able assistance of Mr. Philip F. Bross, secretary of the department of finance, notable progress in state finance reform has been made recently in Nebraska. A uniform fiscal year, beginning July 1, has been established. All special mill levies, except the capitol fund levy, have been repealed. This included the repeal of the university and normal school levies. A new budget law was enacted by the 1921 legislature which provided for a centralized control of appropriations through quarterly estimates approved by the governor. This law is in advance of most executive budget laws in that it provides a procedure by which the governor can control the expenditures of department after the appropriations have been made by the legislature. Most budget laws provide only that the governor shall make up the budget for the legislature and do not prescribe any procedure by which he can control the expenditures after the appropriations have been made. Under the Nebraska system, the governor, through the approval of the quarterly estimates, can prevent state spending agencies from incurring deficits. Not only that, but he can ascertain within a few months after the biennium has started if there is going to be a surplus and can have the appropriations reduced, as was done at the special session of the

legislature called by Governor McKelvie in January of this year.

The department of finance gathers daily and from monthly reports information of vital importance to budget making. It is constantly giving publicity to state, county and city expenditures that is of great value in affording a better understanding of government expenditures. The accounting and record keeping system of the department is very good and deserves the study of all who are interested in improved financial methods for government.

A. E. B.

✦

Missouri Constitutional Convention convened on May 1 and got into a long, discreditable partisan deadlock of several weeks' duration over the election of officers.

✦

Kansas City's Charter Commission is hostile to the city manager idea but has moved toward simplification by voting to abolish the two-house municipal legislature in favor of a single council. This leaves Baltimore to furnish the last remaining example among the larger cities of the quaint anachronism in America.

✦

Maine Holds a Referendum in the fall on abolishing the direct primary. Both parties are on record against the primary and in favor of reversion to the convention system.

✦

Three Referenda Are Expected in Arizona.—
1. Repealing the direct primary. 2. Extending to four years the term of members of the legislature. 3. Disfranchising all but owners of real estate from bond elections.

II. GOVERNMENTAL RESEARCH CONFERENCE NOTES

Tenth Governmental Research Conference was held at Cleveland on June 1-3 with sessions on Taxation, Cost of Government, Criminal Justice, City Manager Plan and Relation of Research to Universities. A dinner session was devoted to State Reorganization in Ohio with Governor Davis of Ohio as guest.

✦

Administrative Survey of South Dakota.—The 1921 legislature of South Dakota authorized the governor to conduct an efficiency study of the state administration. To make this study

Governor McMaster secured the services of the New York Bureau of Municipal Research. The work was begun in January, 1922, and was completed four months later. A complete report of the findings and recommendations of the Bureau was submitted to the governor on May 15th.

The first part of the report is rather brief and is intended for popular information. The second part covers in detail finance organization, budget making, purchasing, employment, accounting and reporting, state tax and revenue system, debt administration, agriculture and home build-

REORGANIZATION BILL

ACT 1922, CHAPTER 29.

ACT 1922, CHAPTER 452.

AN ACT to organize in departments the Executive and Administrative functions of the State Government of Maryland, in order to promote co-ordination and increased economy in the conduct of the Government; creating, establishing or continuing certain departments, boards, commissions, institutions and officials, and prescribing their organization, rights, powers, duties, obligations and functions; abolishing certain offices, boards, commissions, departments and governmental agencies, and/or transferring their powers and duties, in whole or in part, to or among others; and repealing inconsistent Acts and parts of Acts.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That upon the taking effect of this Act the Executive and Administrative Departments, boards, commissions, institutions and officers of the State Government of Maryland mentioned in this Act shall be organized, established, continued or abolished, and shall have and exercise the rights, powers, duties, obligations and functions, as herein provided.

PART 1.

General Provisions.

SECTION 1. The Executive and Administrative Departments, boards and commissions of the State Government are hereby created or recognized and continued as follows:

- I. The Executive Department.
- II. The Finance Department.
- III. The Department of Law.
- IV. The Department of Education.
- V. The State Board of Agriculture and the Regents of the University of Maryland.
- VI. The Department of Militia.
- VII. The Department of Welfare.
- VIII. The Department of Charities.
- IX. The Department of Health.
- X. The Department of Public Works.
- XI. The Commissioner of Motor Vehicles.
- XII. The Conservation Department.
- XIII. The Department of Public Utilities.
- XIV. The State Industrial Accident Commission.
- XV. The Commissioner of Labor and Statistics.
- XVI. The Department of State Employment and Registration.
- XVII. The Inspector of Tobacco.
- XVIII. The Maryland State Board of Censors.
- XIX. The Maryland Racing Commission.

SEC. 2. The executive and administrative offices, boards, commissions or other governmental agencies now existing which do not constitute one of the said departments, are placed in the said departments as hereinafter provided; and every State office, board, commission or other governmental agency created during this or any subsequent session of the General Assembly shall be placed in one of said departments. Each of the said departments shall be constituted and shall have and exercise the rights, powers, duties, obligations and functions hereinafter provided. Any officers, boards or commissions not referred to in this Act shall not be affected hereby.

SEC. 3. Where an existing office, board, commission, department or other governmental agency is abolished or superseded by this Act, all books, papers, maps, charts, plans,

records, documents and all supplies, equipment and other property in the possession of the same, or of any member or officer thereof, shall be delivered to or shall vest in the department to which the rights, powers, duties, obligations and functions of the agency so abolished or superseded are transferred, or to or in the successor to the agency so abolished or superseded; and where some only of the rights, powers, duties, obligations or functions of an existing office, board, commission, department or other governmental agency are transferred to another department, then the books, papers, maps, charts, plans, records, documents and all supplies, equipment and other property relating to the rights, powers, duties, obligations or functions so transferred shall be delivered to or shall vest in the department to which such transfer is made.

SEC. 4. All persons in the classified service under the Merit System Law, namely, the Act of 1920, Chapter 41, and any amendments thereto, who are employed by any officer, board, commission, department or other governmental agency abolished or superseded by this Act, or any member of any such board or other agency, whom it is desired to appoint and transfer to classified service positions in the department to which the powers and duties of such agency are transferred or under the successor of the agency so abolished or superseded, shall be eligible to such appointment and transfer without the necessity of complying with the provisions of the said Merit System Law, or the rules and regulations made thereunder, relative thereto; but after such appointment and transfer, then such positions shall continue in all respects classified service positions.

SEC. 5. All petitions, hearings and other proceedings pending before any officer, board, commission, department or other governmental agency which is abolished or superseded by this Act, and all prosecutions, legal or other proceedings and investigations begun by or before any such agency so abolished or superseded, and not completed at the time of the taking effect of this Act, shall continue and remain in full force and effect notwithstanding the passage of this Act, and may be completed before or by the department which succeeds to the rights, powers, duties, obligations and functions of the agency so abolished or superseded, or before or by the successor of the agency so abolished or

superseded, to the same extent that such agency itself could have done had the same not been abolished or superseded, and all penalties, fines or forfeitures incurred or accrued before this Act takes effect or at the time thereof, and which would be subject to enforcement by an officer, board, commission, department or other agency abolished or superseded hereby, shall be enforced by the department to which the rights, powers, duties, obligations, and functions of such agency so abolished or superseded are transferred, or by the successor to the agency so abolished or superseded.

SEC. 6. All orders, rules and regulations made by any officer, board, commission, department or other governmental agency which is abolished or superseded by this Act, shall be and remain in full force and effect, until revoked or modified in accordance with law by the department which succeeds to the rights, powers, duties, obligations and functions of such agency so abolished or superseded, or by the successor to the agency so abolished or superseded.

SEC. 7. All existing contracts and obligations of the officers, boards, commissions, departments or other governmental agencies abolished or superseded by this Act, shall be and remain in full force and effect, and shall be performed by the departments to which the rights, powers, duties, obligations or functions of such agency so abolished or superseded are transferred, or by the successor to the agency so abolished or superseded.

SEC. 8. The heads of departments and all officers, boards and commissions, and employees of such, who or which under this Act are transferred to departments, or become divisions of departments, and who or which are not in the classified service under the Merit System Law, shall continue exempt from the Merit System Law, and the rules and regulations made thereunder, unless and until placed in the classified service in accordance with the provisions of the Merit System Law.

SEC. 9. The heads of the departments shall devise a practical and working basis for co-operation and co-ordination of work, eliminating duplication and overlapping of functions. They shall, so far as practicable, co-operate with each other in the employment of services and the use of quarters and equipment. The heads of departments shall devise plans for

organizing from the clerical and stenographic help of the divisions under them a central or departmental force of clerks and stenographers whose services may be availed of by any of such divisions as needed, to the end that the clerical and stenographic forces in each of the said divisions may be reduced to the minimum required.

SEC. 10. Any appropriation in the Budget for the fiscal years ending, respectively, September 30, 1923, and September 30, 1924, made to or for the use or benefit of any officer, board, commission, department or other governmental agency abolished, or superseded by the terms of this Act, shall be held and considered an appropriation to or for the use or benefit of the officer, board, commission, department or other governmental agency to whom or to which the rights, powers, duties, obligations or functions of the aforesaid agency so abolished or superseded are by this Act, in whole or in part, transferred, or who or which succeeds to the same; and this shall be the case whether this Act or the Budget Bill is enacted first.

SEC. 11. Any law enacted at the Session of 1922 of the General Assembly of Maryland which amends or enacts any provisions of law relating to any officer, board, commission, department or other governmental agency abolished, superseded or affected by this Act, or to the powers or duties thereof, shall be taken and held as applying to the officer, board, commission, department or other governmental agency to whom or to which the rights, powers, duties, obligations or functions of the aforesaid agency so abolished, superseded or affected are transferred, in whole or in part, or who or which succeeds to the same; and this shall be the case whether such law or this Act is enacted first.

PART II.

I.

THE EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS.

The Executive Department.

SECTION. 1. The head of the Executive Department shall be the Governor of the State, who in addition to the rights, powers, duties, obligations and functions now or hereafter conferred by law, shall also have supervision and direction

over the officers and agencies hereby or hereafter assigned to the Executive Department.

SEC. 2. The Secretary of State shall be assigned to the Executive Department. He shall have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 3. The Parole Commissioner shall be assigned to the Executive Department.

(a) The terms of the members of the Advisory Board of Parole shall continue or be extended, as the case may be, until the taking effect of this Act, whereupon the same shall cease and be at an end and the said Board shall be and stand abolished.

(b) Upon the taking effect of this Act, Section 6 of Article 41 of the Annotated Code of Maryland, Volume III, and Section 7-B of said Article 41 of the Annotated Code, Volume IV, title "Governor," are hereby, respectively, repealed and re-enacted with amendments so as to read, respectively, as follows:

6. The Governor, by and with the advice and consent of the Senate, shall appoint one Parole Commissioner, who shall be not less than thirty years of age, and who shall have been for the four years next preceding his appointment a resident and qualified voter of the State of Maryland. The Parole Commissioner shall hold office for two years, and until his successor shall qualify, his term commencing on the first Monday of May next ensuing his appointment; except that the Parole Commissioner first appointed under this Act shall be appointed and his term shall begin when this Act takes effect, and he shall hold office until the first Monday of May, 1924, and until his successor shall qualify. Any vacancy in said office shall be filled by the Governor for the unexpired term, by and with the advice and consent of the Senate.

The Governor may remove the Commissioner for inefficiency, neglect of duty or misconduct in office, giving to him a copy of the charges preferred against him, and the opportunity of being publicly heard in person or by counsel in his own defense, on not less than ten days' notice. In case of removal, the Governor shall file in the office of the Secretary of State a complete statement of all charges made

against such Commissioner and his finding thereon, together with a complete record of the proceedings.

7B. The Parole Commissioner shall receive a salary of \$2,500 per annum, and shall, for the purpose of carrying out the provisions of this sub-title, have power to appoint and remove at pleasure such number of parole officers, not exceeding four, as shall be provided for in the Budget, each of whom shall receive the compensation provided in the Budget. The Parole Commissioner shall also, in his discretion, appoint and remove at pleasure other persons to serve as parole officers without pay. The Commissioner shall have power to appoint and remove at pleasure a Secretary, at such compensation as may be fixed in the Budget. The Parole Commissioner, and the parole officers appointed by him, are authorized and empowered to arrest, without warrant, all persons who violate the terms of their parole or conditional pardon, wherever found within the State.

(c) All the rights, powers, duties, obligations and functions of the Advisory Board of Parole under existing law shall, on the taking effect of this Act, be transferred to and thereafter be exercised and performed by the said Parole Commissioner, who shall be the lawful successor of the said Board, to the same extent and effect as if the said Parole Commissioner had been named in said existing laws as the official upon whom the said rights, powers, duties, obligations and functions were conferred.

SEC. 4. The Commissioner of the Land Office shall be assigned to the Executive Department. He shall have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 5. The Superintendent of Public Buildings and Grounds, appointed as at present, shall be assigned to the Executive Department. He shall have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 6. The Department of Legislative Reference shall be assigned to the Executive Department. It shall, through its executive officer, appointed as at present, have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law; and, in addition, shall report in writing annually to the Governor, on or before the first day

of January, upon the performance during the preceding year of the duties imposed by the Acts of 1916 Chapter 474, (Annotated Code, Volume 4, Article 40, Sections 15 and 16).

SEC. 7. The Commissioners for Uniform State Laws, appointed as at present, shall be assigned to the Executive Department. They shall have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law; and, in addition, shall report to the Governor before each session of the General Assembly an account of their transactions, and their advice and recommendations in relation to the subjects confided to them.

SEC. 8. The State Librarian shall be assigned to the Executive Department. The State Librarian shall have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law; and, in addition, shall report in writing annually to the Governor, on or before the first day of January, upon the work and operations of said office during the preceding year. The Library Committee of the Court of Appeals shall continue as now provided for by Annotated Code, Article 55, Sections 12 to 16, inclusive.

II.

The Finance Department.

SECTION 1. The Finance Department is hereby established. It shall comprise the Treasury Department, as created by the Constitution, and perform such additional functions as are herein prescribed. The heads of this Department shall be the Comptroller and the Treasurer, exercising, respectively, the rights, powers, duties, obligations and functions now or herein or hereafter conferred upon them, respectively, by the Constitution and laws of the State.

SEC. 2. The Finance Department shall embrace three Divisions, namely, (1) the Division of Financial Review and Control, (2) the Division of Deposit and Disbursement and (3) the Board of Public Works.

SEC. 3. The head of the Division of Financial Review and Control shall be the Comptroller, who, in addition to the rights, powers, duties, obligations and functions conferred upon him by law as aforesaid, shall also have and exercise supervision and direction over the officers and governmental agencies herein mentioned and assigned to this Division.

(a) Upon the taking effect of this Act, sections 229, 230, 232, 233 and 233A of Article 81 of the Annotated Code of Maryland, title "Revenue and Taxes," sub-title "State Auditor," shall be and the same hereby are repealed and re-enacted, with amendments, so as to read, respectively, as follows:

229. There shall be a State Auditor and two Deputy State Auditors, all to be appointed by the Governor, who shall be assigned to the Division of Financial Review and Control, shall take the oath prescribed by the Constitution, and shall hold their offices for four years from the date of their appointment and qualification and until the appointment and qualification of their successors, their terms beginning on the first Monday of May succeeding their appointment, except that the said officials first appointed under this Act shall be appointed and their terms begin when the Act takes effect, and they shall hold office until the first Monday of May, 1924, and until their successors shall qualify. The State Auditor shall receive a salary of \$3,600 per annum, and each Deputy State Auditor shall receive the salary provided in the Budget. The State Auditor and the Deputy State Auditors shall each give a bond to the State of Maryland in the penalty of Twenty-five Hundred Dollars (\$2,500) conditioned upon the faithful performance of their duties, the surety to be approved by the Comptroller. The State Auditor shall appoint such assistants, at such salaries as he may deem necessary, subject to the approval of the Comptroller and to the provisions of the budget. The State Auditor and his Deputies, under the supervision and direction of the Comptroller, shall have and exercise all the rights, powers, duties, obligations and functions conferred upon him or them by law.

230. The State Auditor, with the aid of the Deputy State Auditors and the assistants, shall on or before the first day of December in each and every year make an examination of the books, accounts and reports of all Clerks of Courts, Registers of Wills, Sheriffs, State's Attorneys, and all Collectors of State Taxes of the State of Maryland, including the City of Baltimore, and also all county treasurers and fee officers, and the books and accounts of the several boards of County Commissioners and of the several county treasurers and collectors, in so far as they affect the collection of State taxes,

or the assessable basis upon which State taxes are levied. He shall also, with the aid of the Deputy State Auditors and the assistants, on or before the first day of December in each and every year examine the books and accounts of the State Tobacco Warehouse, and such other books and accounts of State officers, departments, boards, commissions or institutions not herein enumerated as the Comptroller may direct. He shall also, with the aid of the Deputy State Auditors and the assistants, on or before the first day of December in each and every year make an examination of the books and accounts of all institutions in the State receiving State aid. He or the Deputy State Auditors shall personally visit all of the aforesaid offices and institutions at least once a year, and oftener, if in his judgment it is necessary to do so. The State Auditor shall on or before the first day of December in each year, and also at such other time and times as may be desirable, make a full and detailed report in writing to the Comptroller of the result of his examination of the books and accounts of the offices, departments, boards, commissions, and institutions so examined by him. It shall be his duty in such reports to make suggestions as to changes in the conduct of such offices and institutions, and in the method of keeping the books and accounts in the offices and institutions examined by him; and with respect to the adoption of uniform systems of accounting by such offices and institutions; and also as to changes in the form of the reports made by said officers to the Comptroller. It shall also be the duty of the State Auditor to report all violations of the law and of the orders of the Comptroller in the conduct of such offices and institutions, and in the keeping of the books and accounts of the offices and institutions examined by him, to the Comptroller, and to make such suggestions as to amendments of the laws of the State as he may deem advisable to protect the interests of the State. The Comptroller is authorized and directed, either upon such reports so made to him by the State Auditor or upon his own initiative, to order and direct such officers and institutions to adopt and follow such method of conducting their offices and institutions, or of keeping books and accounts, or to adopt such uniform systems of accounting, or to make such form of reports, as the case may be, as the said Comptroller may deem proper and advisable and may prescribe. And in case it shall at any time appear that any officer whose accounts

shall have been examined by the State Auditor is in default to the State for any sum or sums of money, it shall be the duty of the Comptroller forthwith to direct the State's Attorney of the County or of Baltimore City to bring action in the name of the State against such officer and his bond, if any, to recover said money so due to the State, as aforesaid, or the Comptroller may in his discretion direct such suit to be brought by the Attorney-General of the State. The Comptroller is authorized and empowered to prescribe a uniform fiscal year for all State offices, officers, departments, boards, commissions and institutions, and for all institutions in the State receiving State aid, and by his order to require the said State offices, officers, departments, boards, commissions and institutions, and institutions receiving State aid, to make and keep their books, accounts, statements and reports in accordance therewith.

232. In case the State Auditor shall fail to make the annual report herein provided for, or shall in other respects willfully fail or neglect to perform the duties herein provided for, he may be removed from office by the Governor. In the event of the death, resignation, refusal to act or removal of the State Auditor or Deputy State Auditor the Governor will have the authority to fill such vacancy.

233. All institutions in this State receiving State aid shall at all times keep their books and accounts open to inspection by the State Auditor or Deputy State Auditors or assistants at any time he or they apply for examination of the same. They shall also furnish an account upon demand showing receipts of State aid and disbursements of money received from the State. It shall be unlawful for any institution to receive any appropriation or aid from the State, or any part thereof, unless and until such institution fully complies with any order or orders which the Comptroller may make or prescribe under the authority of Section 230 of this Article, and with any and all other requirements of law; and the Comptroller shall not draw his warrant for the payment of any such appropriation, or part thereof, to any such institution, unless and until the State Auditor reports to him that such institution has fully complied with any such order or orders.

233A. Any Clerk of Court, Register of Wills, Sheriff, State's Attorney or Collector, any County Treasurer or fee

officer, and the members of any board of county commissioners or any county treasurer or collector, and any officer of the State Tobacco Warehouse, or of any department, board, commission or institution embraced within the provisions of Section 230 of this Article, who shall knowingly fail or refuse to comply with any order or orders which the Comptroller may make and prescribe under the authority of said section, with respect to his office or institution, or who shall knowingly fail and refuse to comply with any other provision of this law, shall be guilty of a misdemeanor, and shall be subject to a fine of not less than fifty dollars, nor more than five hundred dollars, or to imprisonment for not less than thirty days, nor more than six months, or both, in the discretion of the Court, for each and every such offense.

(b) Upon the taking effect of this Act, Section 1 of Article 11 of the Annotated Code, title "Banks and Trust Companies," sub-title "Bank Commissioner," shall be and the same hereby is repealed and re-enacted, with amendments, so as to read as follows:

1. There shall be a Bank Commissioner for the State who shall be assigned to the Division of Financial Review and Control. He shall be appointed by the Governor, and shall not be an officer or director in any bank, State or National, savings institution or trust company. He shall not engage in any other business and shall hold office for a term of four years from the first Monday of May succeeding his appointment, and until his successor is appointed and has qualified, except that the Bank Commissioner first appointed under this Act shall be appointed on the day the Act takes effect, on which date his term shall begin, and hold office until the first Monday of May, 1924, and until his successor shall be appointed and qualify. He shall give bond in the sum of \$20,000, to be approved by the Governor, for the faithful performance of his duties, the cost of the bond to be charged as an expense of the office. He shall have his office in the City of Baltimore, the rent whereof shall be paid out of the receipts of his office. He shall receive in full compensation for his services an annual salary of \$3,600, payable in monthly installments. He may be removed by the Governor for incompetency or misconduct. The Bank Commissioner, under the supervision and direction of the Comptroller, shall have and exercise all the rights, powers, duties, obligations and functions conferred upon him by law.

(c) Upon the taking effect of this Act, Section 175 of Article 23 of the Annotated Code, title "Corporations," sub-title "Insurance Department," shall be and the same hereby is repealed and re-enacted, with amendments, so as to read as follows:

175. There shall be a department to be known as the State Insurance Department, which shall be assigned to the Division of Financial Review and Control, and which shall be charged, subject to the supervision and direction of the Comptroller, with the execution of the laws of the State in relation to insurance, the principal office for which shall be located in the City of Baltimore. The chief officer of said department shall be appointed by the Governor, for the term of four years, beginning on the first Monday of May succeeding his appointment, except that the Insurance Commissioner first appointed under this Act shall be appointed on the day the Act takes effect, on which date his term shall begin, and shall hold office until the first Monday of May, 1924, or until his successor shall be appointed and qualify. He shall be known as the State Insurance Commissioner of Maryland, and shall receive an annual salary of \$3,600, provided, however, that no person who is a director, officer or agent of, or directly or indirectly interested in any insurance company except as insured, shall be appointed as such insurance commissioner. Said State Insurance Commissioner shall hold office during the term for which he is appointed and until his successor is appointed and qualified, unless sooner removed for cause by the Governor, and shall give bond to the State of Maryland in the sum of fifty thousand dollars for the faithful performance of his duties. There shall also be a deputy insurance commissioner, who shall be appointed by the State Insurance Commissioner, and shall receive an annual salary as provided in the Budget Bill, and in the event of the death, resignation, disability or disqualification of the State Insurance Commissioner, or in case the office of insurance commissioner shall become vacant, the said deputy insurance commissioner shall have and exercise all the powers and duties vested by law in the State Insurance Commissioner. And the said deputy insurance commissioner shall give bond to the State Insurance Commissioner in a penalty to be determined by the commissioner. The State Insurance Commissioner is authorized to appoint an actuary for said insurance department at an annual salary

of five hundred dollars, in addition to the fees prescribed by Section 184 of this Article, and also to employ such clerical assistance as he may deem necessary for the proper discharge of the duties and efficiency of his department; provided, that he shall not exceed the sum of seventy-five hundred dollars per annum for the pay of such clerical assistance. The State Insurance Commissioner, under the supervision and direction of the Comptroller, shall have and exercise all the rights, powers, duties, obligations and functions conferred upon him by law.

(d) The State Tax Commission, constituted and organized as at present, shall be assigned to the Division of Financial Review and Control, and, with respect to its administrative as distinguished from its judicial or semi-judicial functions, shall be under the supervision and direction of the Comptroller, and shall have and exercise all the rights, powers, duties, obligations and functions conferred upon it by law.

(e) The Central Purchasing Bureau, constituted and organized as at present, shall be assigned to the Division of Financial Review and Control, and, under the supervision and direction of the Comptroller, shall have and exercise all the rights, powers, duties, obligations and functions conferred upon it by law.

SEC. 4. The head of the Division of Deposit and Disbursement shall be the Treasurer, exercising, as aforesaid, the rights, powers, duties, obligations and functions conferred upon him by law.

SEC. 5. The Board of Public Works, composed of the Governor, the Comptroller and the Treasurer, shall constitute the third Division of the Finance Department, and shall have and exercise the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 6. All bills or vouchers for merchandise, materials and supplies of any kind purchased by any of the departments, institutions or other governmental agencies of the State shall be forwarded promptly to the Comptroller, for such audit and review as he may deem necessary, and shall be paid by the Treasurer, upon the warrant of the Comptroller, from any appropriation standing to the credit of

such department, institution or governmental agency that may be applicable thereto; provided, however, that the Comptroller shall have the power and it shall be his duty to exempt from the operations of this section such purchases as he may, from time to time, determine should, in the public interest, be paid for by the department, institution or other governmental agency itself; and for the purpose of enabling such department, institution or other governmental agency to make prompt payment for such exempted purchases, and also for the purpose of providing it with a working cash balance, if the same be necessary, the Treasurer is authorized to advance, on the warrant of the Comptroller, from time to time, to such department, institution or other governmental agency, out of any appropriation standing to the credit thereof, such sum or sums of money as the Comptroller may find necessary for the purposes aforesaid. In all such cases, a record of such exemptions and advances, showing the reasons therefor, shall be kept in the Comptroller's office, and shall be open to public inspection. Every department, institution or governmental agency shall forward to the Comptroller the receipted bills or vouchers, or duplicates thereof, for all purchases paid for by it.

SEC. 7. Every department, institution or other governmental agency shall monthly account for to the Comptroller and pay to the Treasurer all fees, revenues, collections and income of every kind received by it, and the same shall be credited by the Comptroller, in a special account, to such department, institution or governmental agency, unless a special account is already by law prescribed for such receipts; and such receipts shall become available to and be used by such department, institution or governmental agency, only upon warrant of the Comptroller, in accordance with law, and if not so used, or if not otherwise dedicated by law, the same shall revert in due course to the general treasury; provided, however, that the Comptroller, with the approval of the Governor, shall have the power and it shall be his duty to exempt from the operation of this section such fees, revenues, collections and income of any department, institution or other governmental agency as he may, from time to time, determine should, in the public interest, be so exempted. In all such cases, a record of such exemptions, showing the reasons therefor, shall be kept in the Comptroller's office, and shall be open to public inspection. The Comptroller's shall

have the power, from time to time, with the Governor's approval, to cancel such exemptions.

III.

The Department of Law.

SECTION 1. The head of the Department of Law shall be the Attorney General, exercising the rights, powers, duties, obligations and functions now or hereafter conferred by law upon him or upon his department.

SEC. 2. On and after the taking effect of this Act, Section 4 of Article 32A of the Annotated Code of Maryland, Volume IV, is hereby repealed and re-enacted with amendments, so as to read as follows:

Section 4. The Attorney General shall receive a salary of five thousand dollars (\$5,000) per annum. He is authorized to appoint not exceeding four assistants, who shall be known as Assistant Attorneys General, all of whom shall be practicing lawyers of the State of Maryland in good standing, and each of whom shall hold his respective office during the pleasure of the Attorney General. The salary of each of the Assistant Attorneys General shall be two thousand five hundred dollars (\$2,500) per annum. The said assistants shall each perform such duties as the Attorney General may, from time to time, assign to them, and the Attorney General is hereby authorized to assign to them and each of them the performance, subject to his direction and control, of any of the duties required of him by law, including the collection of all unsettled balances due the State, in place of the attorneys provided for by Sections 37 and 38 of Article 19 of the Annotated Code of Maryland.

IV.

The Department of Education.

SECTION 1. The head of the Department of Education shall be the State Board of Education, constituted and organized as at present; and all the rights, powers, duties, obligations and functions conferred by Annotated Code, Article 77, title "Public Education," or by any other provisions of law relating to the public school system of the State, upon the said State Board of Education, or upon any other boards,

trustees, superintendents, principals, teachers or other officials or employees therein mentioned, shall continue unaffected by this Act, except as herein provided; it being the intention that this Act shall in no way affect any of the provisions of said Article 77 of the Annotated Code, or any other provisions of law relating to the public school system of the State or the administration thereof, save only as herein provided.

SEC. 2. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the Maryland Public Library Commission, as the same are set forth in Sections 100 to 120, inc., of Article 77 of the Annotated Code, title "Public Education," Chapter 15, sub-title "Public Libraries," and in any other provisions of law, shall be transferred to and thereafter be exercised and performed by the State Superintendent of Schools, as the lawful successor to said Maryland Public Library Commission, to the same extent and effect as if the said State Superintendent of Schools had been named in said provisions of the law as the official upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the terms of office of the members of the said Maryland Public Library Commission shall cease and be at an end and the said Commission shall be and stand abolished.

SEC. 3. On the taking effect of this Act, Sections 100 and 101 of Article 77 of the Annotated Code, title "Public Education," Chapter 15, sub-title "Public Libraries," are respectively repealed and re-enacted with amendments so as to read, respectively, as follows:

100. The Governor shall biennially appoint five persons, at least two of whom shall be women, who, with the State Librarian and the Librarian of the Enoch Pratt Free Library, shall constitute the Maryland Public Library Advisory Commission. The members first appointed under this Act shall be appointed on the taking effect of this Act, and hold office until the first Monday of May, 1924, and until their successors shall qualify.

101. Said commission shall annually elect from their own number a President and a Secretary, who, with the other members of the commission, shall serve without pay, but the necessary traveling expenses of the Commissioners in

attending upon the meetings of the commission or its business away from their homes, may be paid out of any appropriation available for the purpose. The secretary shall also act as treasurer of the commission and shall give bond with approved security for the proper performance of his duties. It shall be the duty of the Commission, from time to time, to advise and counsel with and to aid the State Superintendent of Schools with respect to the performance of his duties under Sections 100 to 120, inc., of this sub-title.

SEC. 4. The Maryland School for the Deaf, incorporated under the Acts of 1867, Chapter 247, the Maryland Training School for Boys, organized under authority of the Acts of 1918, Chapter 300, and the Maryland Industrial Training School for Girls, organized under authority of the Acts of 1918, Chapter 303, are each, on the taking effect of this Act, placed in and shall thereafter exercise their functions as parts of the Department of Education. Each of said institutions shall continue under the management of their respective Boards of Visitors, Managers, or Trustees, constituted as now by law provided, and having and continuing to exercise the same rights, powers, duties, obligations and functions, except that the same shall be exercised by said Boards, respectively, under the general supervision of the State Superintendent of Schools.

V.

The State Board of Agriculture and the Regents of the University of Maryland.

SECTION 1. The heads of this department shall be the State Board of Agriculture and the Regents of the University of Maryland, constituted and organized as at present; and all the rights, powers, duties, obligations and functions conferred by any and every provision of law upon said Board or upon the said Regents, or upon both or either, shall continue unaffected by this Act; it being the intention that this Act shall in no way affect any of the provisions of law relating to the said Board or the said Regents, or both, except as herein provided.

SEC. 2. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the State Board of Forestry, as the same are set forth in Article 39A of the

Annotated Code, Volumes I, III and IV, title "Forestry," or in any other provisions of law, shall be transferred to and thereafter be exercised and performed by the Regents of the University of Maryland, as the lawful successors to said State Board of Forestry, to the same extent and effect as if the said Regents of the University of Maryland had been named in the provisions of said Article or other provisions of law as the body upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the terms of office of the members of the said State Board of Forestry shall cease and be at an end and the said Board shall be and stand abolished.

SEC. 3. On the taking effect of this Act, Section 1 of Article 39A of the Annotated Code, Volume I, and Section 2 of said Article 39A of said Code, Volume III, title "Forestry," are respectively repealed and re-enacted with amendments so as to read, respectively, as follows:

1. There shall be established at the University of Maryland, at College Park, a Department of Forestry. Said department shall have the aid, counsel and advice, from time to time, of an advisory Board of Forestry, consisting of five members, the President of Johns Hopkins University, the State Geologist, two citizens of the State known to be interested in the advancement of forestry, and one practical lumberman engaged in the manufacture of lumber within the State, who shall be appointed by the Governor, to serve for a term of two years, the same commencing on the first Monday of May next ensuing their appointment; except that the members first appointed under this Act shall be appointed on the taking effect of this Act, and hold office until the first Monday of May, 1924, and until their successors shall qualify.

2. There shall be appointed by the Regents of the University of Maryland a State Forester, who shall be a technically trained forester of not less than two years' experience in professional forestry work; his compensation shall be such as the budget provides, and he shall be allowed reasonable traveling and field expenses incurred in the performance of his official duties. He shall be the head of the Department of Forestry of the University of Maryland, and shall under general supervision of the Regents of the University of Maryland have direction of all forest interests

and all matters pertaining to forestry and the forest reserves within the jurisdiction of the State. He shall appoint, subject to the approval and confirmation of the Regents of the University of Maryland, such assistants and employees as may be necessary in executing the duties of his office and the purposes of the Regents. He shall have charge of all Forest Wardens in the State and aid and direct them in their work; take such action as is authorized by law to prevent and extinguish forest fires, enforce all laws pertaining to forest and woodland, and prosecute for any violations of such laws; collect data relative to forest destruction and conditions; direct the protection and improvement of State parks and forest reserves and co-operate with landowners as described in Section 4 of this Article. He shall annually deliver a course of lectures at the University of Maryland, College Park, bearing upon forestry and agriculture, subject to the approval of the Regents of said University, and as far as his duties as State Forester will permit, carry on an educational course of lectures on forestry at the Farmers' Institutes and similar meetings within the State. He shall prepare for the Regents annually a report on the progress and condition of State Forest work and recommend therein plans for improving the State system of forest protection, management and replacement.

SEC. 4. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the State Geological and Economic Survey Commission, as the same are set forth in sections 10 to 24 inc. of Article 91 of the Annotated Code, title "Surveyor and State Survey," sub-title "State Geological and Economic Survey," and in any other provisions of law, shall be transferred to and thereafter be exercised and performed by the Regents of the University of Maryland, as the lawful successors to said State Geological and Economic Survey Commission, to the same extent and effect as if the said Regents of the University of Maryland had been named in said provisions of the law as the body upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the terms of office of the members of the said State Geological and Economic Survey Commission shall cease and be at an end and the said Commission shall be and stand abolished.

SEC. 5. On the taking effect of this Act, section 19 of Article 91 of the Annotated Code, title "Surveyor and State

Survey," sub-title "State Geological and Economic Survey," shall be repealed and re-enacted with amendments so as to read as follows:

19. There is established a state geological and economic survey, which shall be under the direction of the Regents of the University of Maryland, who shall have general charge of the survey and shall appoint as superintendent of the same a geologist of established reputation, and, upon his nomination, such assistants and employees as they may deem necessary; and they shall also determine the compensation of all persons employed by the survey, subject to the provisions of the Budget, and may remove them at pleasure. There is also established a State Geological and Economic Survey Advisory Commission, composed of the President of the Johns Hopkins University and two other members, appointed by the Governor biennially, except that the two members first appointed under this Act shall be appointed on the taking effect of this Act, and hold office until the first Monday of May, 1924, and until their successors shall qualify. It shall be the duty of said Commission from time to time, to advise and counsel and to aid in connection with the said survey.

SEC. 6. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the Board of Government provided for the state Weather Service by Sections 1 to 4, inc., of Article 96A of the Annotated Code, title "Weather Service—State," said Board being composed of the President of the Johns Hopkins University, the President of the University of Maryland and the Chief of the United States Weather Bureau, shall be transferred to and thereafter be exercised and performed by the Regents of the University of Maryland, through the State Geologist, as the lawful successors to said Board of Government, to the same extent and effect as if the said Regents of the University of Maryland had been named in said sections of the law as the body upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the said Board of Government shall cease and be at an end.

VI.

The Department of Militia.

SECTION 1. The head of the Department of Militia shall be the Adjutant General of the State, having and exercising

the rights, powers, duties, obligations and functions now or hereafter conferred by law.

VII.

The Department of Welfare.

SECTION 1. The Department of Welfare is hereby established. The head of this Department shall be the Board of Welfare, consisting of the Director of the Department, who shall serve as the Chairman of the Board, and four associate members, who shall be appointed without regard to political affiliation, who shall each be not less than thirty years of age, interested and, preferably, experienced in social welfare, and at least one associate member shall be a woman. The Director and Chairman of the Board, and the associate members thereof, shall all be appointed by the Governor, with the advice and consent of the Senate, except that the appointments first made hereunder shall be made by the Governor alone on the taking effect of this Act, and these terms of office shall begin then. The Director first appointed shall hold office until the first Monday of May, 1924, and until his successor shall have been appointed and qualify, and thereafter the term of the Director shall be four years. The associate members first appointed shall be so classed by the Governor that the terms of office of two shall expire on the first Monday of May, 1924, the terms of office of two on the first Monday of May, 1926, and the terms of office of two on the first Monday of May, 1928, and thereafter in each case the Governor, with the advice and consent of the Senate, shall appoint two associate members in the place of the two whose terms shall so expire, and thereafter the terms of the associate members shall be six years, respectively. Vacancies in said Board shall be filled by the Governor for the unexpired term, by and with the advice and consent of the Senate. The Governor may remove any member of said Board for inefficiency, neglect of duty or misconduct in office, giving to such member a copy of the charges preferred, and the opportunity of being first publicly heard in person or by counsel. If such member shall be removed, the Governor shall file in the office of the Secretary of State a complete statement of all charges made against such member, and his findings thereon, together with a complete record of the proceedings. The salary of the Director and Chairman shall be

\$4,000 per annum, and the associate members shall serve without pay.

SEC. 2. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the State Board of Prison Control, as the same are set forth in Article 27 of the Annotated Code, title "Crimes and Punishment," or in any other provisions of law, shall be transferred to and thereafter be exercised and performed by the said Board of Welfare, as the lawful successor to said State Board of Prison Control, to the same extent and effect as if the said Board of Welfare had been named in said provisions of law as the body upon which the said rights, powers, duties, obligations and functions were conferred. Thereupon the terms of office of the members of the said State Board of Prison Control shall cease and be at an end, and the said Board shall be and stand abolished.

SEC. 3. The Springfield State Hospital, the Spring Grove State Hospital, the Eastern Shore State Hospital, the Crownsville State Hospital and the Rosewood State Training School, are each, on the taking effect of this Act, placed in and shall thereafter exercise their functions as part of the Department of Welfare, and shall prepare and submit to the Director of Welfare quarterly statements of the receipts and expenditures as well as statements containing full information of the number of inmates, their classification, the per capita cost, the needs of the institution, proposed changes and the estimate of the cost thereof. Each of said institutions shall continue under the management of their respective Boards of Managers or Trustees, constituted as now by law provided, and having and continuing to exercise the same rights, powers, duties, obligations and functions. It shall, however, be the duty of the Director of Welfare to inspect frequently conditions at each of said institutions, and subject to the approval of the Governor, to direct such change or changes therein as he may deem desirable, which change or changes shall thereupon be put into effect.

SEC. 4. There shall be a Board of Mental Hygiene, consisting of the Commissioner of Mental Hygiene, who shall serve as the Chairman of the Board, and six associate members. Three at least of said Board shall be appointed from the City of Baltimore, four at least of said Board shall be

physicians and graduates of some legally authorized medical college, and must also have been in the actual practise of their profession at least five years consecutively just preceding their appointment; one of said physicians so chosen shall have had at least five years' experience in the treatment of the insane; and one at least of said Board shall be a woman. All of the associate members shall be appointed by the Governor with the advice and consent of the Senate, except that the associate members first appointed under this Act shall be appointed by the Governor alone and their terms of office shall begin on the taking effect of this Act. The associate members of said Board shall hold office for six years, provided that those first appointed under this Act shall be so classed by the Governor that the terms of office of two shall expire on the first Monday of May, 1924, the terms of office of two on the first Monday of May, 1926, and the terms of office of two on the first Monday of May, 1928, and thereafter in each case the Governor, with the advice and consent of the Senate, shall appoint two members in the place of the two whose terms shall so expire. All vacancies shall be filled by the Governor, with the advice and consent of the Senate.

The Commissioner of Mental Hygiene shall be a qualified physician who at the time of his appointment has had at least five years' actual experience in the treatment of mental diseases. He shall be appointed as follows: On the taking effect of this Act, the associate members of the Board, or a majority of them, shall designate and nominate to the Governor the man in their judgment best fitted for the position, and the Governor shall thereupon appoint such nominee Commissioner of Mental Hygiene. The Commissioner shall hold such office as long as he shall faithfully and efficiently discharge the duties thereof. He may be removed by the Governor for cause, after an opportunity for a hearing, and any vacancy occurring in the office shall be filled in the manner hereinbefore provided.

The Commissioner of Mental Hygiene shall receive a salary of \$3,600 per annum, and the associate members of the Board of Mental Hygiene shall serve without pay.

SEC. 5. On the taking effect of this Act, all the rights, powers, duties, obligations and functions conferred by any of the sections of Article 59 of the Annotated Code, title

“Lunatics and Insane,” or by any other provisions of law, upon the Lunacy Commission, shall be transferred to and thereafter be exercised and performed by the Board of Mental Hygiene, as the lawful successor to said Lunacy Commission, and all rights, powers, duties, obligations and functions conferred by any provisions of law upon the Secretary of the Lunacy Commission, shall, on the aforesaid date, be transferred to and thereafter be exercised and performed by the Commissioner of Mental Hygiene, as the lawful successor to the said Secretary, to the same extent and effect as if the Board of Mental Hygiene, in the former case, and the Commissioner of Mental Hygiene, in the latter case, had been the body or the official upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the Lunacy Commission and the position of Secretary thereto shall each cease and be abolished.

SEC. 6. The Director of Welfare shall be entitled to and shall receive the advice, counsel and assistance of the Commissioner of Mental Hygiene and of the Board of Mental Hygiene, or any member thereof, in the performance of any of his duties.

VIII.

The Department of Charities.

SECTION 1. The head of the Department of Charities shall be the Board of State Aid and Charities, constituted and organized as at present, and having and exercising the rights, powers, duties, obligations and functions now or hereafter conferred by law. The Chairman of the said Board shall be known as the Director of Charities.

SEC. 2. The Maryland Tuberculosis Sanatorium Commission and the Pine Bluff Sanatorium, continuing under their present forms of management, with the same rights, powers, duties, obligations and functions, shall annually submit their financial reports to the Department of Charities.

IX.

The Department of Health.

SECTION 1. The head of the Department of Health shall be the State Board of Health, constituted and organized as at present, except as hereinafter provided, and having and

exercising the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 2. On the taking effect of this Act, Section 1 of Article 43 of the Annotated Code, title "Health," sub-title "State Board of Health," shall be repealed and re-enacted with amendments so as to read as follows:

It shall consist of eight members as follows: one shall be an experienced civil engineer, another an experienced certified pharmacist and four shall be experienced physicians, all to be appointed by the Governor, with the advice and consent of the Senate; and the Governor shall designate one of the four experienced physicians as the Chairman; the remaining members of the Board shall consist of the Attorney General of the State and the Commissioner of Health of the City of Baltimore. The persons so appointed by the Governor shall hold office for six years, provided that those first appointed under this Act shall be so classed by the Governor that the terms of office of two shall expire on the first Monday of May, 1924, the terms of office of two on the first Monday of May, 1926, and the terms of office of two on the first Monday of May, 1928, and thereafter in each case the Governor, with the advice and consent of the Senate, shall appoint two members in the place of the two whose terms shall so expire. All vacancies among said members shall be filled by the Governor with the advice and consent of the Senate. The physician designated as Chairman shall be skilled in public health and hygiene.

SEC. 3. On the taking effect of this Act, Chapter 104 of the Acts of 1920, entitled "An Act to authorize and direct the Governor to appoint an additional member of the State Board of Health, and to provide for the qualifications of such member," shall be and stand repealed.

SEC. 4. On the taking effect of this Act, a new section shall be added to Article 43 of the Annotated Code, title "Health," said new section to follow immediately after Section 1 of said Article, to be known as Section 1A, and to read as follows:

1A. The Chairman of the Board shall be known as the Director of Health. He shall be the executive officer of the Board, and shall receive such compensation as may be allowed in the Budget. On the taking effect of this Act, all

the rights, powers, duties, obligations and functions conferred by Article 43 of the Annotated Code, title "Health," and any sections or provisions thereof, or by any other provisions of law, upon the Secretary of the State Board of Health, shall be transferred to and thereafter be exercised and performed by the said Chairman of the Board, as the lawful successor to the said Secretary, to the same extent and effect as if the said Chairman had been named in said provisions of the law as the official upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the office of Secretary of the Board shall cease and be abolished.

X.

The Department of Public Works.

SECTION 1. The head of the Department of Public Works shall be the State Roads Commission, constituted and organized as at present, except as hereinafter provided, and having and exercising all the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 2. On the taking effect of this Act, Section 33 of Article 91 of the Annotated Code, title "Surveyor and State Survey," sub-title "Public Roads," shall be repealed and re-enacted, with amendments, so as to read as follows:

33. The Governor is hereby authorized and directed to appoint three competent persons, citizens and residents of this State, who shall constitute a special commission, to be known as the "State Roads Commission." In making appointments to and selection for members of the State Roads Commission, the Governor shall always so make his selection and appointments, that at least one member of the State Roads Commission shall bona fide belong to or be affiliated with that one of the two leading political parties in the State opposite to the Governor's own political party. The Governor shall have the power, in his discretion, to remove any member of said Commission at any time, and to appoint another person in his stead, and to fill any vacancy in said Commission occasioned by the resignation, removal, death, incapacity, permanent absence from this State, of any member of said Commission, or by reason of any other cause creating a vacancy. One member of said Commission shall receive a salary of two thousand, five hundred dollars

(\$2,500) per annum, and shall be named by the Governor as Chairman of said Commission and be known as the Director of the Department; the two associate members of said Commission shall each serve without pay. A majority of the members of said Commission shall be a lawful quorum for the transaction of business. The Chairman of said Commission shall preside over its meetings, and perform such other duties as are imposed on him by law, or as may be assigned to him by said Commission. The Commissioners shall take the oath prescribed by Article 1, Section 6 of the Constitution of the State. As soon as the members of said Commission shall have met and qualified, they shall organize by the election of a secretary, not a member of said Commission, who shall be removable at the pleasure of said Commission, and who shall receive such compensation as the Commission may determine, and as may be provided in the Budget. He shall enter in the journal of said Commission and shall carefully preserve neat, legible, full and accurate minutes of all meetings and records of all proceedings of said Commission, and make true copies of all notices directed by said Commission to be published, and of the certificates of publication thereof, and shall perform such other duties as shall appertain to the office of secretary of a private corporation, or as are imposed on him by law, or as may be assigned to him by said Commission. All records of said Commission shall be public records, and the Commission shall, annually, make to the Governor a detailed report of its official transactions, and of all its expenditures and of all liabilities incurred by it. The said Commission may employ such chief engineer, assistant engineer, professional or technical experts, surveyors, agents, assistants, clerks, employes and laborers, skilled and unskilled, and also such advisers and consultants as it may deem requisite for the performance and execution of the powers and duties imposed and conferred by law, and shall fix their respective compensations. Said Commissioners shall have power to exact from any person employed by it such indemnity bond for the faithful performance of duty as the Commission may deem proper, and said Commissioners may remove any of said persons from their positions, but only in the manner hereinafter provided. And said Commission may also rent or lease all proper and necessary offices and other places which it may deem proper and necessary for the performance of its

duties and the purposes of law. The said Commission shall keep a journal in which shall be entered all its proceedings in detail, the correctness of the same to be attested at each succeeding meeting by the President and Secretary of the Commission. Said Commission shall also keep books showing in detail all expenditures of money in every County of the State in connection with the establishment, improvement or maintenance of roads, and in connection with all work whatsoever of the Commission which books and records shall be open to the inspection of any taxpayer of the State, at any time. No member of said Commission shall become pecuniarily interested in any contract for work done or materials provided in connection with any of the work of said Commission. The Commission shall at the time of its organization, as aforesaid, and thereafter from time to time, adopt such by-laws and rules of procedure for the conduct of its business as it may deem necessary. It shall annually compile and publish maps and statistics relating to the public roads of the State and showing the progress and status of the work done or entered upon by it and separately for the several counties. All maps, plans and statistics made, collected and compiled under its direction shall be preserved in its office and shall be open to the inspection of any taxpayer of the State. All bills or claims on account of any of the work of the said Commission or in any way relating to its duties or transactions shall be passed upon by the Commission at a meeting of its members, and no claim involving the expenditure of more than fifty dollars, and no contract involving a larger expenditure than fifty dollars, shall be allowed or made except by a majority vote of all members of the Commission at a meeting thereof; all contracts, agreements, grants, licenses, made or entered into by the Commission shall be recorded in books kept for that purpose, which shall always be open to the inspection of the public. It shall be the duty of the members of the Commission to travel over and personally inspect the public highways in the several parts of the State and the work being done on the same, in order that they may have, as far as possible, personal knowledge of the requirements of the several sections of the State in reference to the matter of roads as well as of the progress from time to time of the work of said Commission.

XI.

The Commissioner of Motor Vehicles.

SECTION 1. The Commissioner of Motor Vehicles shall continue to have and exercise all the rights, powers, duties, obligations and functions now or hereafter conferred by law.

XII.

The Conservation Department.

SECTION 1. The terms of office of the members of the Conservation Commission shall continue or be extended, as the case may be, until the taking effect of this Act, whereupon the same shall cease and be at an end and the said Commission shall be and stand abolished.

SEC. 2. On the taking effect of this Act, Section 1 of Article 39A of the Annotated Code of Maryland, Volume IV, title "Conservation of Natural Resources," is hereby repealed and re-enacted with amendments, so as to read as follows:

1. The Conservation Department is hereby created and established. The head of this Department shall be the Conservation Commissioner, who, as far as practicable, shall be specially informed in the following subjects: oysters, clams, fish, crabs, terrapin, wild fowl, birds, game and fur-bearing animals. The Commissioner shall be appointed by the Governor. The term of the Commissioner shall be four years from the first Monday in May succeeding his appointment, except that the Commissioner first appointed under this Act shall be appointed and his term shall begin on the taking effect of this Act, and he shall hold office until the first Monday of May, 1924, and until his successor shall qualify. The Governor shall have power of removal for cause and he shall fill any vacancy however occurring. The salary of the Commissioner shall be \$4,000 a year, and he shall be entitled to receive in addition thereto the necessary traveling expenses and disbursements incurred by him in the discharge of his official duties. The Commissioner shall from time to time adopt such by-laws and rules of procedure for the conduct of his Department as he may deem necessary.

SEC. 3. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the Conserva-

tion Commission, under any provisions of law, shall be transferred to and thereafter be exercised and performed by the said Conservation Commissioner, who shall be the lawful successor of the said Commission, to the same extent and effect as if the said Conservation Commissioner had been named in said provisions of law as the official upon whom the said rights, powers, duties, obligations and functions were conferred.

XIII.

Department of Public Utilities.

SECTION 1. The head of the Department of Public Utilities shall be the Public Service Commission, constituted and organized as at present, and having and exercising the rights, powers, duties, obligations and functions now or hereafter conferred by law.

SEC. 2. On the taking effect of this Act, the Governor is authorized to appoint, and remove at pleasure, an experienced and qualified attorney at law of this State to be known as People's Counsel; and thereupon all the rights, powers, duties, obligations and functions now conferred by law upon the Assistant General Counsel of the Public Service Commission shall be transferred to and thereafter be exercised and performed by said People's Counsel, who shall be the lawful successor of said Assistant General Counsel, to the same extent as if the said People's Counsel had been named in said provisions of law as the official upon whom the said rights, powers, duties, obligations and functions were conferred; and thereupon the position of Assistant General Counsel of the Public Service Commission shall cease and be at an end.

XIV.

The State Industrial Accident Commission.

SECTION 1. The State Industrial Accident Commission, constituted and organized as at present, and having and exercising the rights, powers, duties, obligations and functions now or hereafter conferred by law, shall constitute a separate Department of the State Government.

XV.

Commissioner of Labor and Statistics.

SECTION 1. The terms of office of the members of the State Board of Labor and Statistics shall continue or be extended, as the case may be, until the taking effect of this Act, whereupon the same shall cease and be at an end and the said Board shall be and stand abolished.

SEC. 2. On the taking effect of this Act, Section 1 of Article 89 of the Annotated Code, Volume IV, title "Statistics and Information as to Branches of Industry," is hereby repealed and re-enacted with amendments, so as to read as follows:

1. The office of Commissioner of Labor and Statistics is hereby created. The term of office of said Commissioner shall be two years, and until his successor shall be appointed and shall have qualified, said term beginning on the first Monday of May succeeding his appointment, except that the Commissioner first appointed under this Act shall be appointed on the taking effect of this Act, and hold office until the first Monday of May, 1924, and until his successor shall qualify. Any vacancy shall be filled by the Governor for the unexpired term. The Governor may at any time remove the Commissioner from office for inefficiency, neglect of duty or malfeasance in office. The salary of the Commissioner shall be \$3,000 per annum. The said Commissioner shall be allowed for actual and necessary expenses incurred in the discharge of his duties.

The Commissioner of Labor and Statistics is authorized and empowered to appoint or employ such deputies, inspectors, assistants and employes of every kind as may be necessary for the performance of the duties now or hereafter imposed upon him by this or any other law; provided, however, that such appointments and employments, and the compensation to be allowed therefor, shall in each and every case be subject to the approval of the Governor.

SEC. 3. On the taking effect of this Act, all the rights, powers, duties, obligations and functions of the State Board of Labor and Statistics, under any provisions of law, including all the powers and duties transferred to and imposed and devolved upon said Board by the Acts of 1916, Chapter 406, shall be transferred to and thereafter be exercised and

performed by the said Commissioner of Labor and Statistics, who shall be the lawful successor of the said State Board of Labor and Statistics to the same extent as if the said Commissioner had been named in said provisions of law as the official upon whom the said rights, powers, duties, obligations and functions were conferred.

XVI.

The Department of State Employment and Registration.

SECTION 1. The Department of State Employment and Registration is hereby established. The head of this Department shall be the State Employment Commissioner, who, appointed as at present, shall have and exercise all the rights, powers, duties, obligations and functions now or hereafter conferred by law. The said State Employment Commissioner shall be known hereafter as the Commissioner of State Employment and Registration, and shall devote all of his time to the duties of his office, including the duties heretofore performed by the Secretary and Chief Examiner as designated in the budget.

SEC. 2. The following boards and agencies shall be assigned to the Department of Employment and Registration:

- State Employment Commissioner
- State Board of Barber Examiners
- State Board of Chiropody Examiners
- State Board of Chiropractic Examiners
- State Board of Dental Examiners
- Board of Examining Engineers
- Board of Electrical Examiners and Supervisors
- Board of Examiners of Horseshoers
- State Board of Law Examiners
- Medical Examiners
- Board of Examining Moving Picture Machine Operators
- State Board of Examiners of Nurses
- State Board of Examiners in Optometry
- State Board of Osteopathic Examiners
- Maryland Board of Pharmacy
- State Board of Commissioners of Practical Plumbing
- State Board of Examiners of Public Accountants
- State Board of Undertakers
- State Veterinary Medical Board.

SEC. 3. Upon the taking effect of this Act, and annually thereafter, and also from time to time as may be necessary, each of the boards and agencies mentioned in Section 2 hereof shall submit to the Board of Public Works an itemized estimate of the amount of fees and other income which it will receive during the ensuing year, and also an itemized estimate of its expenses and disbursements during the ensuing year. The Board of Public Works shall approve all or such portion of said estimated expenses and disbursements as it deems proper, and each of said boards and agencies shall make no expenditures except for purposes so approved by the Board of Public Works, which shall in each case determine the time for such annual estimates to be submitted.

SEC. 4. All moneys remaining in the hands of any of said boards and agencies at the close of each year, after the payment of the expenditures authorized and approved under the preceding section hereof, shall be annually accounted for and paid into the general treasury of the State. The Board of Public Works shall determine the time or times for such annual accounting in each case, and, if they find it necessary, the said Board may authorize a working cash balance to be carried over to the credit of any of said boards or agencies.

SEC. 5. Upon the taking effect of this Act, the Board of Public Works shall determine which of the boards and agencies mentioned in Section 2 can discharge its duties, or part of its duties, with equal or greater efficiency and greater economy at the office of the Commissioner of State Employment and Registration, and thereupon, after such notice as the said Board may find necessary, it shall be the duty of each such board or agency so notified thereafter to maintain its office and discharge its duties, or to discharge such part of its duties as the Board of Public Works may so determine, at the office of the said Commissioner of State Employment and Registration; and the said Commissioner shall provide the necessary quarters, means, facilities, paraphernalia and clerical assistance therefor.

SEC. 6. The position of any secretary or other employee of any such board or agency which the Board of Public Works may determine to be unnecessary because of the carrying out of the provisions hereof, shall be and stand abolished; and the Board of Public Works shall cause the necessary steps to be taken for the termination, as soon as prac-

licable, of any lease of any office or office space which, because of the carrying out of the provisions hereof, the said Board may determine is no longer necessary.

SEC. 7. Except as herein otherwise provided, the rights, powers, duties, obligations and functions of the boards and agencies mentioned in Section 2 hereof shall in no way be affected by the terms of this Act.

SEC. 8. In addition to the boards and agencies mentioned in Section 2 hereof, any and all other boards and agencies, whose duty or part of whose duty it is to examine or license applicants for admission to practise or engage in any profession, trade or calling, and which may be created at this or any subsequent session of the General Assembly, shall be subject to the provisions of this Act, to the same extent as if the same had been specifically mentioned in Section 2.

XVII.

The Inspector of Tobacco.

SECTION 1. The Inspector of Tobacco, and the rights, powers, duties, obligations and functions now or hereafter provided for him by law, shall not be affected by the terms of this Act.

XVIII.

The Maryland State Board of Censors.

SECTION 1. The Maryland State Board of Censors shall continue to have and exercise all the rights, powers, duties, obligations and functions now or hereafter conferred by law.

XIX.

Maryland Racing Commission.

SECTION 1. The Maryland Racing Commission, and the rights, powers, duties, obligations and functions now or hereafter provided for it by law, shall not be affected by the terms of this Act.

PART III.

Governor's Advisory Council.

SECTION 1. For the purpose of promoting co-ordination and effective supervision over the conduct of the State Gov-

ernment, the following shall constitute an Advisory Council for the Governor:

The State Comptroller
The State Treasurer
The Attorney General
The Chairman of the State Board of Education
The President of the State Board of Agriculture and of the University of Maryland
The Director of Welfare
The Director of Charities
The Director of Health
The Director of Public Works
The Commissioner of Motor Vehicles
The Police Commissioner of Baltimore City
The Conservation Commissioner
The Commissioner of State Employment and Registration.

The said Advisory Council shall meet with the Governor, from time to time, for the consideration of general State policies, finances, departmental and institutional work and conditions.

General Repeal and Effective Clauses.

SEC. 2. *And be it further enacted,* That all laws and parts of laws conflicting or inconsistent with the provisions of this Act are hereby repealed.

SEC. 3. *And be it further enacted,* That this Act shall take effect on and after the first day of January, 1923.

Approved March 1st, 1922.

CONSTITUTIONAL AMENDMENT RE COMPTROLLER
AND TREASURER.

ACT 1922, CHAPTER 141.

Adopted at November Election, 1922.

AN ACT to propose an amendment to Section 1 of Article 6, title "Treasury Department," of the Constitution of Maryland, prescribing the salary of the Comptroller and the terms of office of the Comptroller and the Treasurer; and providing for the submission of said amendment to the qualified voters of the State for adoption or rejection.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, three-fifths of all the members of each of the two Houses concurring, that the following be and the same hereby is proposed as an amendment to Section 1 or Article 6, title "Treasury Department," of the Constitution of Maryland, the same if adopted by the legally qualified voters of the State, as herein provided, to become Section 1 of Article 6 of the Constitution.

SECTION 1. There shall be a Treasury Department, consisting of a Comptroller chosen by the qualified electors of the State, at each general election at which the Governor is chosen, who shall receive such salary as may be fixed by law; and a Treasurer, to be appointed by the two Houses of the Legislature, at each regular session thereof, in which begins the term of the Governor, on joint ballot, who shall receive an annual salary of two thousand five hundred dollars; and the terms of office of the said Comptroller and Treasurer shall be for four years, and until their successors shall qualify; and neither of the said officers shall be allowed, or receive any fees, commissions or perquisites of any kind in addition to his salary for the performance of any duty or services whatsoever. In case of a vacancy in either of the offices by death or otherwise, the Governor, by and with the advice and consent of the Senate, shall fill such vacancy by appointment, to continue until another election or a choice by the Legislature, as the case may be, and until the qualification of the successor. The Comptroller and the Treasurer shall keep their offices at the seat of government, and shall take such oath, and enter into such bonds for the faithful discharge of their duties as are now, or may hereafter be prescribed by law.