

headed public works board lacking unequivocal line responsibility to the Governor.

The Draft Constitution, relying upon the constitutional truism that omission produces as significant an impact as inclusion, eliminates these existing checks WITHIN the executive branch by not referring to the elective offices of Comptroller and Attorney General and not mentioning the Board of Public Works. Through omission, elective positions within the executive branch are confined to a Governor and Lieutenant Governor, an innovation I thoroughly endorse.

The post-audit review responsibility serves as a vital check upon the executive branch and functions as an essential safeguard to the public. Therefore, it should be transferred from the Comptroller of the Treasury, an adjunct of the executive branch, to the State Treasurer, an adjunct of the legislative branch. The Comptroller, divested of post-audit responsibility, should continue to administer equally important internal auditing duties with the executive branch; and serve, as all administrative department heads, as an appointee of the Governor.

While I favor an Attorney General appointed by the Governor, I recognize that there are sound arguments both ways. However, I believe that the premise which guides the Federal government and private corporate management can wisely be extended to apply to Maryland State government. This thesis, asserting that the Chief Executive is best capable of choosing his own principal legal advisor, is predicated upon the assumption that the Chief Executive alone can name that person in whose professional competence he can place unlimited confidence. For professional competence, and not political appeal, should be the primary requisite to the office; and while the incumbent Attorney General is entirely competent and has cooperated fully with my administration, it is obvious that it could have been otherwise. Were the incumbent a man determined to use his office as a springboard to further political ambitions, justice could be obstructed not only at the expense of the administration, but at the sacrifice of the Maryland public.

In my opinion, the Board of Public Works should be continued but reconstituted. Its authority should stem from statutory rather than constitutional stipulation. The Board provides a forum for public scrutiny and presents an opportunity for the expression of legislative views on significant decisions. I personally believe that the State Treasurer should continue as the most appropriate representative of the