

of Public Works be abolished. We are simply recommending that it not be a constitutional agency. Indeed, we recognize that many of the functions of the Board are of vital importance to the State, but under the committee's recommendation the decision as to the composition of the Board of Public Works, and as to its continuing existence, would be left to the General Assembly—where the decision ought to be.

For all practical purposes, all of the functions of the Board of Public Works are now statutory. Its original constitutional functions, the reasons for its originally coming into being have vanished for all practical purposes with the passage of time.

The General Assembly at its next session could create a board of fiscal management, provide for a composition of such board entirely different from that of the Board of Public Works, and transfer all of the existing powers of the Board of Public Works to the new board.

Indeed, under the reorganization authority the Committee proposes to give to the governor in section 4.19 of the executive article, subject to the approval of the General Assembly, he could transfer all of the functions of the Board of Public Works to a new board.

So the issue of whether the Board of Public Works should be a constitutional agency or not is from the standpoint of state policy, in our opinion, insignificant. We really cannot understand what the controversy is over in this item. The functions of the board are now almost completely under legislative control. Those functions can be changed, transferred to another agency, or indeed, abolished. The Committee was of the opinion that the composition of the Board and its continued existence should be under the control of the General Assembly.

The Board of Public Works is created by Article XII of the present Constitution and is composed of the governor, the comptroller, and the treasurer. Under the present Constitution the comptroller is elected by the people, and the treasurer is appointed by the General Assembly. Thus, neither of these two officials is responsible to the governor or in any manner under his control.

The Board of Public Works has, through the process of statutory accretion, acquired substantial responsibilities.

It has been assigned power by law to fix interest rates on and to sell state bonds,

determine the conditions thereof in advertising the sale of bonds, and approves all contractors for expenditures from the proceeds of any loans authorized by the General Assembly.

Similarly, it supervises expenditures of all sums appropriated for the acquisition of land, buildings, equipment, new construction, and other capital expenditures, except those in connection with state roads and bridges. It has broad authority over all state property or rights, having the power of transfer and disposal of state real or personal property.

The board has the power to borrow on the credit of the State, and to issue tax anticipation notes within legally specified limits.

The Board supervises the administration of the general emergency fund.

The Board establishes the state property tax rate.

The Committee believes that the vesting of these powers in a three-man board not responsible to the governor, the majority of which is not even appointed by the governor, is an unwarranted dilution of the governor's executive authority and responsibility. It has been argued before the Committee that over the last twenty years the Board has seldom had a vote, and therefore, the Board has not interfered with the governor's decision-making prerogative. Maryland has indeed been fortunate in having had responsible public officials who have resisted the temptation to use the Board as an arena of internecine warfare, but the Committee believes it imperative to assure that all decisions of the Board are in keeping with the governor's views and policies and not the result of compromise with other officials who have no responsibility to the governor.

The removal of the Board of Public Works from the constitution will not disturb the power of the General Assembly or of the governor through his reorganization authority to allocate the Board's present powers, functions, and duties. It should be noted that the president of the Board is called upon to give approval to literally thousands of small, routine transactions.

For example, the Board approves such matters as travel expenses, write-off of equipment.

John Leutkemeyer, the state treasurer, has indicated these transactions could better be handled by certification by the proper