

bureau head and approval by the state auditor.

Comptroller Goldstein left with the Committee the minutes of the Board of Public Works for five months, and I believe those minutes add up to, in toto, some 270 pages, which is better than fifty a month.

Furthermore, section 4.18 of the executive article proposed by the Committee in Committee Recommendation EB-1 will remove the need for many of the Board's activities.

Over the years the Board has become responsible for the administration and supervision of more than 30 activities not otherwise allocated to agencies in the executive branch, according to the Curlett Commission Report.

Since section 4.18 of the proposed executive article mandates that these activities be allocated within principal departments of the executive branch, a department head will be available to act as administrator and supervisor.

Although the Committee feels that many of the Board of Public Works' functions should be exercised at a lower administrative level, it fully recognizes that many of the Board's decisions are of vital importance to the State and should be made in the open at public meetings where minutes are kept.

The Committee wishes to emphasize that the General Assembly will still have the authority to provide that each decision of the Board of Public Works must be made in public, the minutes must be kept and must be made only with the approval of the Board of Public Works or some other board that the General Assembly establishes.

The Committee acknowledges that under the proposed executive article the existing constitutional checks within the executive branch have been eliminated. But it has left undisturbed—and this Convention is indeed strengthening—the checks between the executive, legislative, and judicial branches. By far the best check within any branch is the requirement that can be imposed by the General Assembly that all its decisions be openly worked out in public.

In the area of fiscal management the General Assembly will, through the post-audit authority the Convention specifically provided for, be able to provide an extremely effective check. Moreover, the General Assembly could assign by law to the Board of Public Works or some other board

major decisions relating to budget execution, and the creation of state debt. It would require that this decision be made at public meetings where hearings are held and minutes are kept.

Under the Committee Recommendation EB-1, any such board would be directly responsible to the governor.

For the reasons stated, the Committee on the Executive Branch respectfully submits that the Board of Public Works should not be constitutionally created.

THE CHAIRMAN: Are there any questions of the Committee Chairman for purposes of clarification?

*(There was no response.)*

THE CHAIRMAN: Apparently there are no questions.

The Chair calls on Delegate Dorsey.

DELEGATE DORSEY: Ladies and gentlemen of the Convention: At the outset let me express the same sentiment that my good friend Gerald Morgan has expressed for the Committee on the Executive Branch. I have never served with a finer group than the twenty members who composed this Committee. And let me say that I have never known a finer Chairman than Delegate Gerald Morgan. He is a real soldier under fire. During the heat of debate he never changed his mind. While I always voted with the minority—I never had the pleasure of voting with the majority—I have the highest admiration for the men and women who composed this Committee.

Now, speaking for the minority, we offer a minority report that the Board of Public Works be retained in the constitution of Maryland. For 100 years this has been in the constitution of Maryland, and for 100 years it has been a check on the executive of this State.

We propose that the Board of Public Works be retained as it is now composed, with an elected comptroller, and a treasurer elected by the General Assembly.

We are perfectly willing that this be amended so as to give the governor complete control by including in the Board of Public Works a budget director appointed by the governor, and a superintendent of public works appointed by the governor, which would always give the governor a majority on the Board. But we feel that for the protection of the people of Maryland this Board should be retained in the constitution. A Board of Public Works per-