

in this nation, and that is the Honorable J. Millard Tawes, the Honorary President of this Convention, and he says that in his opinion the Board of Public Works should be retained in the Constitution for the protection of the people of this State.

At the present time the Board is composed of only three members: The governor, the state comptroller, and the state treasurer. It meets formally each month and passes on three separate agenda, one submitted by its secretary, one by the budget director, and one by the director of the Department of Public Improvements.

We believe that the Board exercises an immensely important function in state government, and that it should continue to be provided for in the constitution.

At the same time we recommend that the size of the Board be increased to five, the addition to be appointees of the governor, possibly the budget director and the director of the Department of Public Improvements.

We also feel that the General Assembly should specify the duties of this Board so that it is concerned with matters of only the most important public consequence, permitting the Board to delegate minutia to appropriate departments.

The majority's only important argument for the abolition of this board is that since the comptroller and treasurer are not responsible to the governor, he cannot control the action of the Board, and consequently the Board may be used as an arena for internecine warfare.

This contention is in no way supported by fact. Indeed, the Board's history over the last 45 years has been one of harmony and cooperation, and no evidence has been presented to our committee that the comptroller and the treasurer have ever been contrary to the gubernatorial policy.

Their presence on the Board has, however, provided our State with a vital system of checks and balances in the area of state finance on a day-to-day basis. And with the continuity of government within the executive branch, moreover, as truly independent elected officials, their membership on this board insures that the public may be aware of all the facts inherent in any important executive decision; and in these sensitive areas we believe that the continued existence of the Board of Public Works with these two independent elected officials, one representing the public directly and the other representing the legislature,

is absolutely necessary to the preservation of the checks and balances and for the fullest protection of the public.

Were these officials not to sit on the board, checks and balances would be necessarily withdrawn, and public meetings could and might well be nothing more than meetings to announce decisions already made behind closed doors.

In effect, this would be merely a history lesson, the accuracy of which might or might not be determined at a much later date by post-audit.

Moreover, the majority admits recommending the elimination of existing constitutional checks within the executive branch, even though the constitution provides for such checks within the legislative and judicial branches.

They believe that legislative post-audit will be a sufficient replacement.

In our opinion, legislative post-audit, important though it is, does not in any way provide the same type of check. Legislative post-audit operates after the fact, and has no control over or access to the day-to-day operation of sensitive state business.

We believe that the governor should be in position to exercise control over the actions of the Board. Consequently, we recommend that he be given the power to appoint two of the members. Such a provision would permit the governor to have a controlling vote on the important issues while enabling the comptroller and treasurer publicly to analyze and present objections to any of the actions of the majority which they feel might be against the best interests of the state.

Furthermore, their minority membership would provide the governor with advice and counsel born of long experience in state government.

We feel that the office of governor should be strengthened and streamlined just as we support improvements in the legislative and judicial branches. These changes must be made, however, with prudence and care, making government more efficient while continuing important protections against unwise, unfair or precipitous actions not in the best interests of our citizens. The Board of Public Works has served our state well, and it has a vitally important role to play in the challenging times ahead.

The protections which it affords our citizens must be guaranteed in a new constitution as problems become more complex,