

the cost of government continues to spiral, and the pace of life grows more rapid.

We, therefore, respectfully urge the Convention to retain the Board of Public Works—increasing its membership to five and recommending to the General Assembly that its duties be streamlined.

THE CHAIRMAN: Are there any questions of the minority spokesman for purposes of clarification?

Delegate Raley.

DELEGATE RALEY: Mr. Chairman and Judge Dorsey, the Committee Chairman said that the Board of Public Works could be set up by the General Assembly, that the article as submitted here would not prohibit it. I have not, of course, had the opportunity of the study and research that all of you on the Committee have had, but it did seem to me that section 4.18 clearly prohibits the General Assembly from setting up the Board of Public Works because it says "All powers and duties shall be put into twenty principal departments." If I understand it correctly, 20 principal departments would certainly not include the Board of Public Works. Therefore, this section, it seems to me, would prohibit the General Assembly from setting up a Board of Public Works.

THE CHAIRMAN: Delegate Dorsey.

DELEGATE DORSEY: I am inclined to agree with you that it would. I would rather you take it up with some members after the Convention. However, I say to you, and I say to this Convention, that the Board of Public Works has always acted for the benefit of the people of this State and should be retained in the constitution, and discretion should not be given to the legislature.

THE CHAIRMAN: Are there any further questions of the minority spokesman? Delegate Henderson.

DELEGATE HENDERSON: Judge Dorsey, is it not true that all of the powers enjoyed by the Board of Public Works at the present time are legislative rather than constitutional in origin?

THE CHAIRMAN: Delegate Dorsey.

DELEGATE DORSEY: That is true and so far as the minority is concerned, we are perfectly willing that the legislature prescribe their duties. However, the composition of the Board of Public Works is described in the Constitution in Maryland and the legislature is given leeway to pre-

scribe its duties. All we ask is that it be retained in the constitution.

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: Why is it necessary to retain it in the constitution if all of the powers it now exercises are legislative in origin as you have just said?

THE CHAIRMAN: Delegate Dorsey.

DELEGATE DORSEY: Suppose the legislature decides to abolish it. If it is not written in the constitution, what is to stop the legislature from abolishing it?

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: Are you asking me the question? I would say in answer to your question, if all its powers are legislative the legislature could abolish those powers and withdraw them tomorrow.

THE CHAIRMAN: Delegate Dorsey.

DELEGATE DORSEY: As long as the Board of Public Works remains in the constitution there will never be a legislature in history that will have the nerve to take away its duties. But take it out of the constitution, and the legislature might not hesitate to do so. Does that answer your question?

THE CHAIRMAN: Are there any further questions?

*(There was no response.)*

If there are no further questions, we could proceed to a consideration in accordance with the debate schedule.

Under the debate schedule Delegate Dorsey has twenty minutes of controlled time and Delegate Morgan twenty minutes of controlled time and there is thirty minutes of uncontrolled but limited time.

The Chair recognizes Delegate Dorsey.

DELEGATE DORSEY: At this time I would like to allot three minutes to Delegate Bushong.

THE CHAIRMAN: Delegate Bushong.

DELEGATE BUSHONG: I was home in a county of a little over 100,000 people this weekend and I talked to many of the people about the proposition of the Board of Public Works, the attorney general, the comptroller and the rights of the governor which will exist in the State of Maryland regardless of what we do here.

It was almost unanimous that they do not understand why this constitution wants