

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: We do want to, in terms of the top policy-making boards of the State so that when the people attempt to assess the effectiveness of any administration, they can look at the behavior, the policies and implementations of one man; now there is no way to divide the responsibility so that Joe can say John did it, or John can say, No, I didn't do it; Joe did it. That is precisely the situation we suggest we are now in. That does not contribute to democratic popular control of the executive branch of the government. I think that is quite critical to our thinking and our position.

THE CHAIRMAN: Delegate Child.

DELEGATE CHILD: Did either of the former governors testify before your Committee that they did not have enough power?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: There was only one former governor who testified before our Committee, and that was former Governor McKeldin. Governor Tawes was, of course, a member of our Committee. He participated in the debate. He did not testify. Governor McKeldin testified that the State would be better managed if it had an appointed comptroller and an appointed attorney general. This was a reverse of the testimony he gave before the Commission at which time he testified he believed there should be an appointed comptroller but not an appointed attorney general. On reflection he changed his position. That was Governor McKeldin. We did have testimony from former Governor Driscoll of New Jersey, a strong executive who was responsible for rewriting the New Jersey Constitution which has since become a model. His testimony was clearly on the point that he felt this should be an executive function.

THE CHAIRMAN: Are there any further questions, Delegate Child?

DELEGATE CHILD: That is all. Thank you, Delegate Adkins.

THE CHAIRMAN: Are there any further questions of the Vice-Chairman? Delegate Hostetter.

DELEGATE HOSTETTER: On page 51 of the draft constitution commentary, neither the comptroller nor the attorney general is, in the exercise of his primary function, a policymaker. The principal qualifications in both positions are technical

ability and expertise. Of these the governor is in a better position to judge than the voters. Would you agree with that?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: I would agree with that in the main, yes. I think you would have to make some minor qualifications. To the extent that the comptroller sits in on the Board of Public Works, he is a policymaker, but as comptroller he is not.

THE CHAIRMAN: Delegate Hostetter.

DELEGATE HOSTETTER: Then who selects the governor?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: The people.

THE CHAIRMAN: Are there any further questions of the Vice-Chairman? Delegate Boyce.

DELEGATE BOYCE: Mr. Vice-Chairman, were you present in the Constitutional Commission hearing when former Governor William Preston Lane, Jr., was heard on February 24?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: Yes, I was.

THE CHAIRMAN: Delegate Boyce.

DELEGATE BOYCE: Did you hear him say, "I don't think there is any necessity for electing a comptroller. I believe the governor should appoint him"?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: I recall that testimony, and I think it is on the record.

THE CHAIRMAN: Delegate Boyce.

DELEGATE BOYCE: Were you present when Governor Tawes testified before the Constitutional Convention Commission?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: Yes.

THE CHAIRMAN: Delegate Boyce.

DELEGATE BOYCE: Were you there when he said he believed that the attorney general should be appointed and that the controller should be appointed; and his exact words were, "Well, I would say that the governor should appoint the comptroller, and he should appoint the attorney general."

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: I will in fairness say—of course, Governor Tawes is