

created nearly 200 years ago with a strong executive, who has the authority and the power to appoint his own chief legal officer as well as his own chief fiscal officer, has grown into the greatest nation in the history of the world, and I say, too, it has grown into the greatest democracy that the world has ever known.

We have a chief executive who is elected by the people and responsible to the people, and I disagree with the voice yesterday which said he would rather see the governor appointed than the comptroller.

The governor should be elected by the people and responsible to the people, and I suggest that he should have the authority to carry out the purpose of his administration.

I have heard a lot here about checks and balances but if this State is to be strong, if we are to get back into the ball game in the federal system, I think what we are doing if we provide a continued division in the executive branch is to achieve a check in the executive branch without proper balance in our state government. I urge defeat of the amendment.

THE CHAIRMAN: Delegate Willis.

DELEGATE WILLIS: Mr. Chairman, and members of the Committee of the Whole:

I would like to add my voice to the voices of those who urge that we retain the attorney general as an elective constitutional office. In a case like this where major change is being considered, it seems to me that there are only two main issues: Is the present system of selection unsatisfactory; and is the same problem being handled elsewhere?

We heard much evidence this morning that the present system is working satisfactorily, and we have had no evidence that there is a better method of selection elsewhere. I believe the figures given to us are that 40 states have this as a constitutional officer and two others have it by statute as an elective office.

I am not an attorney, and in this group that makes me part of a minority group. Delegate Boyce said a little while ago that we were over-shadowed by attorneys and that they should probably disqualify themselves. I do not believe that. I worked for Maryland in the field of education for the last 28 years. On numerous occasions I had to call for assistance from the office of the attorney general. I can remember in

no instance when the attorney general's advice, guidance and assistance was denied to me. I can recall no occasion when the advice or the opinion of the attorney general was ever tinged with political or selfish considerations.

I believe that my own experience with the attorney general's office has been shared by all others who have participated in this state's educational system, and could be duplicated by any other governmental department of the State.

It is no reflection on our present, or any future governor, to say that I view an appointed attorney general with apprehension. I know what our relationship has been with a succession of elected attorney generals. I have no way of knowing what to expect from an appointed attorney general.

Would this appointed officer, in dealing with matters of the importance of education, feel constrained to consult with the governor on purely legal questions? Might not an appointed attorney general be bound by very human and real considerations to have his views coincide with those of the governor who appointed him and at whose pleasure he is serving? Would not these very real dangers be magnified if Maryland had a governor who was not himself a lawyer, who did not understand the labyrinths of the law and who might, in all good conscience, insist on courses of action contrary to the law which he did not understand?

We have, as has been noted previously, an attorney general responsible to the electorate of Maryland. We have a system wherein the attorney general has served as a lawyer not only for the governor, but for every department and agency of the state government, serving all with equal vigor and independence.

I see no reason to depart from a well established and extremely successful practice. I, therefore, Mr. President, will support the amendment before us. I sincerely hope that we will continue to have an attorney general elected by the people, and responsible to the people, who will serve them and every branch of the government with complete independence.

Thank you.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: I rise to make no criticism of the attorney general's office. I believe it has functioned well over the