

Mr. Chairman, Delegates Bamberger and Sollins co-sponsored this amendment with me. I understand under the rules that I would have as much as ten minutes to speak to it. If I could delegate some of that time to Delegates Bamberger and Sollins, Delegate Bamberger in particular, I would do so at this point.

*(First Vice President, James Clark, assumed the Chair.)*

DELEGATE J. CLARK (presiding): How much time for Delegate Bamberger?

DELEGATE BOTHE: He may have it all, if he likes. I do not know how much time I could yield.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Bamberger.

DELEGATE BAMBERGER: Mr. Chairman, the point of this is to strike a compromise between those who feel that the attorney general should be elected and thus more responsive to the people and those who feel that an administration should be able to select that person who will direct the legal, non-judicial legal affairs of the State.

I am sorry that by the rules of procedure of this house it comes before there is at least on the record a vote of whether the attorney general is to be elected or appointed. However, I think the vote this morning, despite the fact that it was not directed to that issue, really decided it.

This really reaches the result that is often reached. I think we all recognize that in Maryland there is traditionally the formation of a ticket of a governor, attorney general and the comptroller in the primary election and then after the primaries, the formation of a ticket again, of three candidates, who campaign together, who campaign as a coordinate and cooperative team of people.

It is at least my observation that in the past, when the successful governor and the successful attorney general had run on the same ticket then the attorney general was in fact the lawyer for the governor. And I suppose when it was not successful it had the other result, he was the governor for the lawyers. But there were really sometimes two attorneys general, one who was elected and known and one who was not elected but known.

That certainly often happened when the governor and the attorney general were of different political parties. The attorney gen-

eral's function then was primarily one of answering inquiries from state departments which likely affect any policy of the State, but when the governor wanted legal advice in the formation of his legislative program, or information of critical policy of the State, he generally had another attorney who was not elected and not even appointed, but selected and used by the governor as his counsel.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Gilchrist. For what purpose does he rise?

DELEGATE GILCHRIST: Would Delegate Bamberger yield for a question?

DELEGATE J. CLARK (presiding): Will the delegate yield?

DELEGATE BAMBERGER: With fear and trepidation.

DELEGATE J. CLARK (presiding): Delegate Gilchrist.

DELEGATE GILCHRIST: Delegate Bamberger, if two gubernatorial candidates both felt that the same person for attorney general was acceptable, would the attorney general candidate get the votes that had been cast for both gubernatorial candidates?

DELEGATE J. CLARK (presiding): Delegate Bamberger.

DELEGATE BAMBERGER: No, sir. This would be like the lieutenant governor election. They would not be able to cross-file. It is only in the general election; it is not applicable to the primary election so that cannot happen.

DELEGATE J. CLARK (presiding): Delegate Gilchrist.

DELEGATE GILCHRIST: Would this not in effect then make a straight ticket voting requirement, which Maryland has never had?

DELEGATE BAMBERGER: It makes that same straight ticket voting requirement that Maryland will now have if we adopt the provision for an elected lieutenant governor.

DELEGATE J. CLARK (presiding): Delegate Gilchrist.

DELEGATE GILCHRIST: But this is handing another office to the voter, isn't it?

DELEGATE J. CLARK (presiding): Delegate Bamberger.

DELEGATE BAMBERGER: Yes. It gives the governor the prerogative of