

compromise which has been made, not for the reasons that Delegate Weidemeyer has stated, but because it seems to me that there has been an agreement made with the assumption that something politically will grow out of this decision, and I do not believe that anything will grow out of this decision. I believe that those who have compromised, who wanted an elective comptroller in most instances will continue, I will modify that, many of them will continue to oppose the entire constitution, regardless of how many times and how far we decide to compromise.

I speak here then simply to explain my vote. It is that I had opposed an elected comptroller. I think we have gained nothing from it, either in terms of the majesty of this document or in terms of the politics of getting it approved.

I am sorry to say that what Delegate Scanlan said earlier today, that the level of this debate has been lowered, is true, and I suggest that the reason that the level of it has been lowered is because the issue in general has been so unimportant. When we have debated major matters such as the real power of the governor, or of the courts, or of the legislature, or of the local government, our level has been very high. When we have dropped to this level of debating particular political positions, the level of the debate has dropped in accordance with the level of the problems with which we are dealing.

I am sorry to say that I will vote against the decision which has been made by people, I am sure, in great good favor.

THE CHAIRMAN: Does any Delegate desire to speak in favor of the amendment?

Delegate Sybert?

DELEGATE SYBERT: Mr. Chairman, I should like to ask the Chairman of the Committee a clarifying question.

THE CHAIRMAN: I think while there are people desiring to speak, Delegate Sybert, we will have to let them speak and then come back to the question.

Delegate James?

DELEGATE JAMES: Mr. Chairman and fellow delegates: I would like to say a word in favor of this proposal. I would like to talk about it as a matter of government theory. I certainly do not agree that the level of debate has degenerated. I think we can still talk about this as a matter of

governmental theory. Historically, the comptroller of Maryland had a pre-audit function, and that exclusively. It was not considered by the original drafters of the Constitution of 1867 that the comptroller would have a greater function than the pre-audit function. His job was to be that of a person who would see that the money flowed into the channels designated by the law, and he had that function for many years. In the late 1930's, because of certain developments, the office of comptroller was utilized for the purpose of injecting into it tax collection functions. This is an improper function for a comptroller and because of original errors, it has been magnified by adding more and more tax collection functions and other functions to this job, and deviating from the historical concept of the office of comptroller.

This compromise gives us an opportunity to place the comptroller in proper perspective, and at the same time, to do what should have been done some time ago, to create a tax collection system, called a state department of internal revenue on a logical basis. It also gives us an independent person to continue to perform functions of pre-audit, and to see that the funds of the State are properly channeled. At the same time, you avoid the question of permitting the legislature to appoint someone to the Board of Public Works.

This would give the legislature a football, which would probably not be a good thing in the long run. In all probability instead of appointing one of the presiding officers a member of this board and confusing the functions of the legislature and the executive branch, it would appoint an elective official responsible to the people to the Board of Public Works.

At the same time the executive governor will have control of the Board of Public Works, have control of his fiscal affairs and will be the master of his house, and we will have an independent pre-auditor, we will have a state treasurer who will handle funds, be the custodian and we will have a post-auditor to check the money after it has been spent, so that we will have a three-way check upon the use of funds in the State of Maryland by competent people. It is a reasonable compromise from the governmental standpoint and it will be sensible to the people.

THE CHAIRMAN: Does any other delegate desire to speak in opposition? Delegate Morgan.

DELEGATE MORGAN: Will Senator James yield.