

special sessions on its own initiative. I endorse this measure as a logical and reasonable means to strengthen legislative authority.

However, I seriously question the draft's mandate to convene each regular session of the General Assembly on the third Wednesday of January. As governor-elect, I was acutely aware that this time factor severely inhibits review of the previous Administration's budgetary recommendations and preparation of a legislative program. For all practical purposes, the draft revision — while an improvement over the existing arrangement — curtails the exercise of leadership and initiative by the governor-elect.

Two modifications of the draft proposal could correct this situation. The first would be to authorize the inauguration of the incoming governor on the first Wednesday in January; the second, to convene the regular session of the General Assembly on the first Wednesday in February. A combination of these features should facilitate adequate preparation of a legislative program, review of the budget, and encourage proper leadership by the governor-elect. Simultaneously, it would provide the newly elected General Assembly with an extra day to organize and elect its presiding officers.

Any discussion of Article IV must be prefaced by a discussion of the philosophy of the executive branch. The governor of any state is elected by a plurality of the voters. His authority stems from their mandate and he is directly responsible to the electorate. His election is presumed to imply the endorsement of his programs and policies as articulated during his gubernatorial campaign. While this mandate does not sanction unrestricted or unqualified executive action, ample constitutional safeguards against the abuse of executive authority are vested in the legislative and judicial branches. Checks and balances must exist among the three traditional branches of government to provide review of critical decisions and to prevent disproportionate exercise of authority. Yet this concept should not, I believe, be enlarged to allow checks and balances to exist within any single branch of government.

For such an extension becomes a perversion of purpose which obscures clear lines of responsibility to the electorate and impairs initiative and effectiveness by that branch.

Under the existing Constitution's provisions, executive-administrative authority is

eroded by multiplicity of elected officials and a multi-headed board lacking unequivocal line responsibility to the governor. If the executive-administrative function is to be performed as intended, these checks within the executive branch must be eliminated — or defined and limited — so as not to impede gubernatorial action. If a Governor is to be fully and exclusively responsible to the people, the administrators of the executive branch must be fully and exclusively responsible to him.

For this reason, I support the draft Constitution's provisions confining elective positions within the executive branch to a Governor and a Lieutenant Governor elected on the same ticket.

The post-audit review responsibility should be transferred from the comptroller of the treasury to the state treasurer, who would supervise this function by a state auditor under the legislative branch. The state treasurer should continue to be elected by the General Assembly. However, the comptroller, divested of post-audit responsibility, should become part of the executive branch and an appointee of the governor.

In my opinion, the Board of Public Works should be continued but reconstituted. The Board provides a forum for public scrutiny and presents an opportunity for the expression of legislative views on significant decisions. I believe the state treasurer, an adjunct of the legislative arm, should continue as the representative of the General Assembly. However, I believe that the state budget director would be a more useful and effective board member than the comptroller. The budget director, after all, plays a more active and responsible role in the implementation of board decisions. As the governor's appointee, he admittedly would tip the scales in the governor's favor. This executive branch majority is an essential and necessary measure to eliminate any check within the executive branch.

While I favor an attorney general appointed by the governor, I recognize there are sound arguments both ways. I feel obligated to point out that the incumbent attorney general has cooperated fully with my administration. Yet, it is obvious that it could easily have been otherwise.

In government, time as well as structure, is a critical factor. Section 4.16 of the draft Constitution — regulating gubernatorial consideration of bills enacted by the General Assembly does not provide sufficient time for adequate deliberation by the executive. A significant extension of the