

among lawyers will participate in their selection. I urge you to seek alternative constitutional safeguards which might more effectively and realistically and rigorously achieve an independent judicial branch.

Article VI properly authorizes strong executive leadership in the preparation and presentation of the state budget. Of particular interest is the controversial matter of whether or not the present time limit on state indebtedness should be increased beyond 15 years. For most purposes, a pay-as-you-go is a commendable objective and one which I have consistently supported. The inclusion of \$10 million as a current payment on capital improvements in the fiscal 1968 budget attests to this fact.

Respected and experienced state fiscal experts are concerned about the impact of any bond period extension on the state's credit rating. I share their concern should such a privilege be uncontrolled and abused. However, we face a need to implement unusual and massive programs to purify our air and waters, to provide modern transportation systems, to meet the challenge to public safety.

These cannot be amortized over a 15-year period without a dramatic increase in the current tax burden. More importantly, because of the beneficial life of these improvements, they probably should be liquidated over a longer period.

Because of the complexity of this subject, I will later submit to this Convention a separate memorandum specifying my views and suggesting certain changes in the draft provisions.

Section 6.05, is perhaps the most politically sensitive provision in the entire draft Constitution. As an administrator who can proudly point to significant accomplishments in increasing state financial aid to all facets of public education, I am compelled to speak out forthrightly on this measure.

While I support the provisions of section 6.05 requiring the mandatory inclusion of budgetary requests from the legislative and judicial branches of state government, I contend that the executive and legislative branches should have the authority to review and revise the education budget. Education is a part of the executive responsibility and while I do not deny its prominence in program priority, its budgetary provisions should not be excepted any more than those of the departments responsible for securing our citizens' health and public

safety. The Governor and General Assembly, who in the last analysis are responsible for raising funds to support all state programs, and who are held directly responsible by the electorate for any increase in the tax burden must be permitted the right to exercise discretionary powers commensurate with this responsibility. There is no reason to justify the obvious want of confidence in the executive and legislative branches that this section implies.

The exception of budgetary control over education is inconsistent with the constitutional concept requiring checks and balances to exist among and not within any single branch of government. In fact, this exception violates that constitutional principle in two of our three branches.

Similar logic must be applied in your consideration of section 6.08. If the provisions of section 6.05 require legislative and judicial budgets to be transmitted as requested, it is my belief that the governor shall have the right to exercise line item veto over these appropriations as enacted by the General Assembly. Without this right of executive review, the electorate is bereft of safeguards limiting legislative expenses.

Article VII dealing with the powers assigned or reserved to local government demands careful review. While I strongly endorse the principles of home rule, I believe any mandatory or implied shift of powers to the county governments should be considered with care. I have grave reservations over any partial or ambiguous grant of authority that is not exactly balanced by a direct line of accountable responsibility to the electorate.

Sections 7.08 and 7.09 are sought to reform existing legislative practices that have been subject on isolated occasions to deliberate political manipulation and abuse. However, I do not believe that the classification system is the absolute or ultimate solution to this problem. Other alternatives should be explored to protect the counties without freezing them into rigid, restrictive categories.

Since a constitution is designed not only to serve the present but to anticipate the future, it is vital that provisions to facilitate regional government be included for that time — no matter how distant — when local governments desire to unite in some or several cooperative ventures.

Before concluding this testimony, I wish to note that this message has been inten-