

that that board of review shall have such powers as the General Assembly shall prescribe by law.

Now, it has been explained to me that the reason that this deviates from what this transitional legislation is supposed to be in this connection, is that the Board of Public Works has such great powers, particularly in the bond field, that if there is any chance that the General Assembly would not act to grant these powers to the board of review when it is created, why then our financial situation would be chaotic to say the least. When we have three legislative sessions by which the General Assembly can act, it seems to me that this fear is almost like building a scarecrow to tear down because obviously the General Assembly has to act responsibly in a number of areas, day in and day out. They have to pass appropriations; they do it. If they did not do it, chaos would result. What I want to do is to bring to everybody's attention that here is an instance where you have a transfer of power to a new board which is not justified by the definition of what transitional legislation should be. It is not in the criteria. It is outside of it. Somebody may raise the question, well, since the board is to have such powers as the General Assembly is going to prescribe, what is wrong with transferring it in this transitional legislation and then June or July 1, 1968, if they want to change it, let them change it.

The difference is that in order to get a real change they would have to, if these powers are to be transferred, get a law approved by the governor, and if the governor decided to veto that change, they would have to have the votes to override the veto. This is a different matter from carrying out what is in the constitution.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, there is no question but what the Board of Public Works has a great deal of very insignificant duties.

If you look at the agenda of the Board of Public Works you will find the most insignificant items on it such as whether the volunteer fire department of Annapolis, Maryland, shall be granted the use of some ground for its annual picnic. I certainly agree with Delegate Gleason that the General Assembly ought to look very carefully at the powers that have been given to the Board of Public Works which are transferred to the board of review.

That was brought out in the debate on the executive article when the executive article was on the floor, and I am heartily in favor of the General Assembly going into the powers they have given to the Board of Public Works very, very carefully. I really think, however, it would be a chaotic condition if we did not transfer to the new board of review all of the existing powers of the Board of Public Works and give the General Assembly time to review all of the powers that the Board of Public Works has had, and decide which ones are important and which ones are unimportant, which ones should be exercised and which ones should not be exercised.

I hope this amendment is defeated, Mr. Chairman.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: I hope this amendment is defeated. There is one place where really we ought to tread so lightly and so carefully and know what we are doing, and this is in the field where the state's credit and the state's bond issues already outstanding, and those yet to be created, are concerned.

Now, we have already approved by section 14 that the rights, powers, and duties of the Board of Public Works continue as so vested until January 6, 1971, but if we do not pass this present new section 14 transferring all of the powers of the Board of Public Works to the board of review, we are really heading, and I adopt Delegate Adkins and Delegate Morgan's words, a chaotic situation.

Let me give you just one example. Every year the Board of Public Works must set the real estate tax of Maryland based on statutes already passed dealing with bond issues already outstanding. It is easy to say, of course, that the legislature is going to act, but just suppose there is an error, just suppose they do not act. You know you cannot ever get back a credit that you have established that you slip up on.

Now, I understand Delegate Gleason's motive and I understand the problem that concerns him. I am sure that he would much rather have the legislature, since it is vested with this power, able to act without the possibility of veto by the governor, but there has not been anything that we have said or done in this constitution; when we say as prescribed by law, that does not mean a statute which the governor may veto. You cannot do this by a