

MARYLAND GOVERNMENT

The government of Maryland is based on a written compact known as the Constitution of Maryland. The Constitution of Maryland, consisting of a bill of rights, the operational sections of the Constitution proper, and those amendments ratified to date, was adopted in 1867. It is the fourth constitution Maryland has had since the first was adopted in 1777 during the War for American Independence.

As Article 1 of the Declaration of Rights makes clear, the source of all power and authority for governing the state of Maryland is its citizens. The article states that "all Government of right originates from the People, is founded in compact only, and is instituted solely for the good of the whole; and they have, at all times, the inalienable right to alter, reform or abolish their Form of Government in such manner as they may deem expedient." Thus, although the responsibility for furthering the best interests of the citizens of Maryland is vested in specific officers and offices of state government, actual governing authority remains with the registered voters of Maryland. To be a registered voter, a person must be eighteen years of age or older, a citizen of the United States, and a resident of Maryland thirty days prior to the date of an election.

Recognizing that it would be too cumbersome for all persons to participate directly in the operation of government, the framers of Maryland's Constitution of 1867 followed the precedent established in earlier Maryland constitutions by providing for the delegation of power to elected representatives. To further guarantee the people's liberty, the Constitution of 1867 provided for the separation of powers of government into three distinct branches—the executive, the legislative, and the judicial—which exercise certain checks and balances on each other.

The *Executive Department*, consisting of various constitutional officers and agencies, is responsible for statewide implementation and enforcement of Maryland's laws and for providing executive direction and centralized administrative services. The chief executive officer is the governor, elected by the voters for a four-year term each even-numbered year that is not a presidential election year. The governor is responsible for ensuring that Maryland's laws are effectively executed, that certain appointments as provided by the Constitution or by law are made, that a budget is presented annually to the legislature, and as commander in chief of the military that the armed forces of the

state are able to meet whatever emergency might arise. The governor may veto legislation passed by the legislature, and it is he who appoints judges to the state judiciary. The governor is assisted by the lieutenant governor, who runs for election on a joint ballot with the candidate for governor. Duties of the lieutenant governor are limited to those assigned him by the governor. The governor and lieutenant governor must each be at least thirty years old and a resident and voter of Maryland for the five years immediately preceding their election.

Other statewide executive officers are also provided for in the Constitution. The comptroller is charged with the general superintendence of the fiscal affairs of the state. The treasurer is responsible for accounting for all deposits and disbursements to or from the state treasury. The secretary of state attests to the governor's signature on all public documents and oversees all executive orders, commissions, and appointments. The attorney general serves as legal counsel to the governor, the legislature, and all state departments, boards, and most commissions. Each of these executive officers serves a four-year term. The people elect the comptroller and attorney general. The treasurer is selected by joint ballot of both houses of the General Assembly, and the secretary of state is appointed by the governor. An important agency of the executive department is the Board of Public Works, composed of the governor, the comptroller, and the treasurer, which is responsible for approving all sums expended through state loans, most capital improvements, and the sale, lease, or transfer of all real property owned by the state.

Until recently, Maryland, like most other states in the union, had experienced a steady proliferation of agencies, boards, and commissions within the executive department as the need for public services increased. Between 1969 and 1972 the General Assembly passed legislation creating twelve new cabinet-level departments, encompassing within them nearly 250 separate governmental entities. In order of their creation, the twelve departments are: Health and Mental Hygiene, Budget and Fiscal Planning, Natural Resources, State Planning, Personnel, General Services, Human Resources, Public Safety and Correctional Services, Licensing and Regulation, Economic and Community Development, Transportation, and Agriculture. The Department of Education was made a principal department in 1976, and in 1983 the Department of Employment and Training was created as the fourteenth department within the executive branch.