

the General Assembly passed Senate joint resolution 10 requesting a study by the Department of Legislative Reference of the board's responsibilities. The resolution called attention to the considerable expansion in the board's duties since 1864 and concluded that by reason of that expansion the board's agenda "is so lengthy and complex it is difficult for sufficient time to be given to the many major decisions which the board is required to make." Perhaps unaware of the various studies already made, from the Sobeloff-Stockbridge Commission in 1952 through the ad hoc committee only a month or two earlier, the resolution also recited, as a reason for undertaking yet another study, that "there has been no overall study or review of the responsibilities of the Board of Public Works."¹⁰

The study authorized by the resolution was conducted by the Department of Fiscal Services, an arm of the legislature, and centered on a computer search of all references to the board in the state code (1,068 spread among 161 sections) and an analysis of four actual board meetings. The report was made to the Joint Budget and Audit Committee, which then sought comments on it from a variety of state officials. Not surprisingly, the consensus of their comments was very much in accord with what the previous investigative groups had recommended. Still no action was taken, either legislatively or administratively. This failure was given critical comment in the legislative auditor's 1976 report.¹¹

It was in the 1976 legislative session that the seeds of substantial revision were finally planted, although it took five years for them to germinate. The impetus was a bill by a freshman delegate to abolish the board and to transfer its functions to the various cabinet departments. The bill never emerged from the Committee on Constitutional and Administrative Law to which it had been referred, but it produced enough interest to generate House joint resolution 145 calling for a broader study of the board's functions. That study, undertaken by a gubernatorial task force created pursuant to the resolution, produced a comprehensive report in October 1977 that (1) collected and summarized all of the board's constitutional and statutory duties, (2) made a series of twenty-three specific recommendations to delegate certain of those duties to other agencies and to "clean up" obsolete and inconsistent code references to the board, and (3) proposed a new management plan to improve the administrative efficiency of board operations.¹²

Some legislative changes, minor in nature, were made in the 1978 session of the General Assembly along the lines suggested in the task force report, but the major recommendations were not immediately implemented. Pressure was building, however, and it soon was joined into a confluence with demands from other quarters for revisions in the law and procedure governing state procurement and contracting. The result was the enactment in 1980 of a comprehensive new law on state procurement of supplies, services, and construction. This act, having a one-year delayed effective date, made or authorized a number of substantial changes in procurement practices generally and board procedures in particular, and that prompted yet another study.¹³

This final study to date, ordered by the governor in December 1980, was undertaken in light of the new law and was completed in March 1981.¹⁴ It dealt primarily with the delegation, mostly conditional or partial, of board authority over low-cost or routine items that, for the first time, was authorized by statute. A more detailed

10. The resolution appears as joint res. 18 in the Acts of 1974.

11. Department of Fiscal Services, *Study of the Board of Public Works* (Annapolis, 9 July 1974), p. 17; Department of Fiscal Services, *1976 Audit Report, Board of Public Works* (Annapolis, March 1976), State Department of Legislative Reference, Annapolis.

12. *H. Jour.* (1976), p. 587; *Report of the Task Force to Study the Functions of the Board of Public Works* (Annapolis, October 1977), MdHR 789550.

13. Acts of 1980, ch. 775.

14. Governor's Task Force on State Procurement Regulations, Subcommittee on Delegation of Board of Public Works Authority, "Report of Findings, Conclusions and Recommendations," 6 March 1981, State Department of Legislative Reference, (hereafter Governor's Task Force on Procurement Report).