

1 THE CHAIRMAN: So that to direct it to
2 Mr. Case's question, the independent boards like the
3 Public Service Commission or the Racing Commission
4 could, by law, be headed by either elected or appointed
5 officials and the Legislature could provide if appointed
6 that the appointment was subject to confirmation by the
7 Senate?

8 MR. POWER: That would be right, depending,
9 of course, on how our broad language was drafted dealing
10 with the departments, that the heads of principal
11 departments be appointed by the Governor.

12 JUDGE ADKINS: I might say as far as the
13 question of regulatory agencies, this is very troublesome,
14 as indeed are questions ^{of} independent boards, such as
15 boards in the educational fields and the boards in some
16 of the other fields. The whole question of whether such
17 boards should have tenure and if they have tenure
18 whether the executive directors of the departments which
19 they head should be responsive to the board or to the
20 Governor, are very difficult questions. They are questions
21 that we are wrestling with right now. I hope in our