

1 JUDGE ADKINS: The next recommendation is
2 contained on Page 4 and is somewhat duplicative of the
3 discussion of the action we have taken. We have dis-
4 cussed the other constitutional executives, or other
5 constitutional officers within the Executive Department,
6 Secretary of State, State's Attorneys, provided in the
7 Constitution, State Treasurer, Comptroller, State
8 Librarian and the Commission of the Land Office.

9 Our recommendation is that the Constitution
10 be silent as to the creation or to the appointment of
11 these offices. In other words, that no Executive
12 Department or agency shall be constitutionally created.

13 THE CHAIRMAN: May I ask you to elaborate a
14 little? Would this mean that with the office of
15 State's Attorney, for instance, that the office would
16 be created or not by the Legislature and the State's
17 Attorney would be elected or appointed as decided by
18 the Legislature?

19 JUDGE ADKINS: We think that would be as
20 provided by law. There would be no prohibition against
21 him being elected and to all intents and purposes, he