

mittee consisting of the Comptroller, the President of the Senate and Speaker of the House, and the minority and majority floor leaders. This bill would have no effect during my term of office, but I believe it is a most unwise departure from the recognized constitutional separation of legislative and executive powers. Except for constitutional provision, such as that for the election of the State Treasurer, I know of no statutory provision for appointments to office by the legislative branch of the government. The constitution does recognize the right of the Senate to require approval of executive appointees, and there is no quarrel with this proposition.

In my opinion, the State Auditor is a branch of the executive department of government, as much as any other department head, for whom the Chief Executive should and does bear full responsibility in exercising the appointive powers. I see no public benefit nor any valid reason for the change. The system has functioned well for generations and through successive administrations the office of State Auditor is one which has remained essentially non-political in character. Furthermore, if the appointive power in such matters cannot constitutionally be foisted upon the judiciary, as decisions of our Court of Appeals have held, it would seem equally questionable that the Legislature could arrogate such power to itself.

I am therefore returning House Bill 556 without my signature.

Respectfully,

(s) THEODORE R. MCKELDIN,

Governor.

TRMcK/tk

### House Bill No. 641—Earth Removal Equipment on Roads

AN ACT to repeal and re-enact, with amendment, Section 273 (a) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Operation of Vehicles Upon Highways", specifying the permissible width, without permit, of ~~vehicles operated by contractors of earth removal equipment~~ EARTH REMOVAL EQUIPMENT AND VEHICLES TRANSPORTING SUCH EQUIPMENT.

April 15, 1957.

Hon. John C. Luber  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland

Dear Mr. Speaker:

House Bill 641 would remove the present 96 inch vehicle limitation solely to allow the transportation of earth moving equipment up to 114 inches in width.

Under proper safeguards and restrictive routing, such equipment can presently be moved upon permits from the State Roads Commission. Not only would this bill remove the necessity for obtaining a permit and the safeguards thus provided, but it might well be an opening wedge to a demand for greater authorized widths for all other