

hold its meetings in public or otherwise act in such manner and have such powers as the General Assembly may prescribe by law.”⁵

It is idle to speculate as to what the effect of those decisions might have been, for on 14 May 1968 it all came to naught. On that day the electorate extended the existing board’s constitutional lease on life by rejecting the new constitution 367,101 to 284,033.

Continuance of the board in its current form as a constitutional entity was not a major issue in the ratification debate, and rejection of the new charter did not abate the call for some revision in board functions. The Sobeloff–Stockbridge Commission recommendations of 1952 were repeated with even greater force by the Governor’s Operating Economy Survey, a task force of business and political leaders created by gubernatorial executive order for the purpose of conducting a comprehensive review of the operations, practices, and procedures of state government. In its 1969 report, the survey stated with respect to the Board of Public Works:

The growth of the State in size and complexity over the years indicates the need for a complete overhaul of the objectives and operations of the Board of Public Works through legislation. . . . It is apparent from reading the minutes of any meeting that the board is required to supervise, regulate and/or approve a myriad of details which should be delegated. It is absolutely essential to reduce the administrative burden of the three top officials in the State as their duties relate to the Board of Public Works.⁶

The same conclusion was reached four years later by an ad hoc committee created by the Board of Public Works itself. Consisting of personnel from the three agencies actually presenting agendas to the board and thus most intimately involved with its workings (i.e., the Department of Budget and Fiscal Planning, the Department of General Services, and the secretary to the board), the committee, in a memorandum to the board dated 7 December 1973, observed that:

Over the past several years, there has been a marked proliferation of items on the agenda presented to the Board of Public Works at its monthly meetings for review and approval. This increase has been proportionate to the growth of State Government, but has reached a magnitude which has impaired the effectiveness of the board in fulfilling its constitutional duties.⁷

The committee made a number of specific recommendations to alleviate the agenda congestion, mostly involving a delegation of approval authority over routine items concerning personnel, procurement, leasing, and property disposition. Specifically, it was suggested that the board delegate to the secretary of personnel the authority to extend sick leave and to purchase training for state employees, and delegate to the secretary of general services: (1) approval of construction, renovation, maintenance, and repair contracts of less than \$50,000, except those for which there was a single bid; (2) approval of invoices for appraisal and title examination fees of less than \$5,000, pursuant to a schedule adopted by the board; (3) authority to award architect–engineering contracts of less than \$10,000 and survey contracts of less than \$5,000; (4) approval of all leases and lease renewals; (5) approval of all property dispositions, pursuant to board guidelines; (6) approval of capital equipment purchases except bid solicitations resulting in less than two bids; and (7) approval of all capital improvement change orders under \$25,000 not exceeding 10 percent of the original contract amount.⁸

Most of those recommendations, according to the attorney general,⁹ would require legislation to implement, but no such legislation was enacted, or apparently requested, in the 1974 session. Instead, at the urging of its Joint Budget and Audit Committee,

5. *Comparison of Present Constitution and Constitution Proposed by Convention* (Annapolis, 1968), p. 160.

6. Governor’s Operating Economy Survey, *Report on Constitutional Offices* (Baltimore, July 1969), recommendation CO–29, p. 23, MdHR 806292.

7. Notes in the possession of the author.

8. *Ibid.*

9. According to the committee’s memorandum to the board, each of the recommendations was reviewed with the attorney general as to its legality under existing law.