

judges as founders of this nation and as exponents of two distinct political philosophies.

However, may I point out that as I recall, Thomas Jefferson was elected President in 1800, that he served as a strong executive, that at no time did he suggest that the constitution be amended so as to provide a plural executive, nor even that Congress, which was largely under his control, should create an independent fiscal officer to share his powers and responsibilities.

I suggest, ladies and gentlemen, that the actions of a strong executive, Thomas Jefferson, the first of a long line of strong executives, including Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, and Franklin D. Roosevelt, speak louder than his words.

In point of fact, I know of no place in the writings of Thomas Jefferson where he ever suggested that there should be a plural executive. The executive power we heard yesterday several times should be vested in the government and we should take care that the laws be faithfully executed.

How can you vest the executive power in the government and then divide that power among two or three executives? A plural executive is rarely very effective. We heard it yesterday and have heard for many days about checks and balances in the government. It is an old and respected tenet of American political theory, but the checks and balance system was never intended to prevent one branch of government from prevailing over another branch. It was never intended to provide an overriding of the head of a branch of government by someone within that branch.

What we need in the fiscal affairs of this State, it would seem to me, is something like the United States Comptroller General who would be responsible to the legislature and a fiscal officer who would be responsible to the governor.

(First Vice-President James Clark assumed the Chair).

DELEGATE J. CLARK (presiding):
The Chair recognizes Delegate Sybert.

DELEGATE SYBERT: I should like to yield three minutes to Delegate Finch.

DELEGATE J. CLARK (presiding):
The Chair recognizes Delegate Finch.

DELEGATE FINCH: Mr. Chairman and fellow delegates: Traditionally there are

three branches of government—executive, legislative and judicial. As the affairs of government, particularly local government, become more complex, it becomes more imperative that certain phases of governmental function be entirely separate and free of partisan control.

One phase of government which separates readily from the other functions is the highly specialized area of finance. The establishment of this vital and divisible function as a separate branch of the government system would be recognition of the need for specialized, non-partisan control of the growth of our state purse.

Considering that the financial affairs of the State, which would be under the auspices of the office of the comptroller, are matters as technical and complex as they are crucial, they should, from necessity, be managed by professionals of the highest expertise and competency, unfettered by executive or partisan control of the purse-strings beyond the apportionment level.

It is not suggested that any of the presently created branches, executive, legislative or judicial, would suffer from the creation of this separate office. The legislature will still legislate and control the overall budget and various apportionments; the governor will remain the political chieftain and foremost individual policy maker of the state: the judiciary will still preside over the realm of law through case decisions. With the office of comptroller in the constitution as an elective office, the other branches would be free of great technical burdens which tend to be somewhat abused when lumped in with the various other functions of this already independent office.

As to the method of selecting the proper officer to head this branch of local government, it would be conducive to the independent functioning of this office, that this officer, the comptroller, be elected to serve through the general election route. If this office is to be appointive, who would do the appointing? The governor? If the governor holds the power of appointment and/or dismissal over this office, the governor would, likewise, hold an overriding measure of control over this supposedly independent branch of government.

However, if a separate finance branch is headed by an elected officer, then this office will be controlled and managed by an official directly responsible to the people. The comptroller will "run on his record". This is as it should be; that heads of major branches of government be responsible and responsive directly to the will of the people.