

DELEGATE JAMES: It is possible to hold three sometimes. I am a lawyer and politician and a farmer.

DELEGATE BOTHE: Would the treasurer you ask us to retain in the constitution also be a part-time employee of the State?

DELEGATE JAMES: I would say he could be. Constitutional officers, generally speaking, are not barred from having other occupations and I should say that he probably could have. The alternative, of course, is to get someone who is political in nature and who needs the job, has to have it because he has to have a certain salary to maintain a certain standard of living and you get an entirely different type of individual when you go to that.

DELEGATE BOTHE: Do you not think that having an individual in this kind of office where he simultaneously and officially engages in activities of a profit-making nature is an invitation to conflict of interest?

DELEGATE JAMES: I think everyone in public life has that problem of conflict of interest.

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: In your capacity as president of the Maryland Senate, with what frequency during the last few years have you had occasion to consult with or to be queried by or to ask questions of the state treasurer?

DELEGATE JAMES: I would say about twice a month.

DELEGATE ADKINS: Is this at your initiative or at his?

DELEGATE JAMES: I would say it would be about fifty-fifty.

DELEGATE ADKINS: Are these consultations based upon the proper exercise of his job?

DELEGATE JAMES: It is hard to answer. I assume so.

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: I think I quote the record, the treasurer testified that he considered himself a completely independent official responsible to no one.

Would you agree that is the case?

DELEGATE JAMES: I would say legally.

DELEGATE ADKINS: Do you think it is wise to have an elective official with the

power of the existing treasurer responsible to no one?

DELEGATE JAMES: I think it has certain advantages.

DELEGATE ADKINS: Let me ask you a final question. If the Treasurer is not a member of the Board of Public Works, do you consider that the safekeeping of the money which is basically the treasurer's function is sufficiently important to require constitutional-elected status?

DELEGATE JAMES: Yes, yes, my answer is yes.

DELEGATE ADKINS: Despite the fact he would not be a member of the Board of Public Works?

DELEGATE JAMES: When you put the two together, it makes it much stronger. The system has produced honorable people over a period of years. The slightest question of state funds being handled in an honorable manner is sufficient to justify continuation of the system.

DELEGATE ADKINS: Do you also feel that it is necessary to have the present procedure for the issuance of state vouchers? Do you feel that we have to have two signatures on the check in order to keep the comptroller and treasurer honest?

DELEGATE JAMES: I think it is a good idea.

THE CHAIRMAN: Are there any further questions of the minority spokesman?

DELEGATE PULLEN: Mr. Chairman, I would like to ask you if you do not think it wise that someone, either in the majority or minority committee report to this Convention discuss the power of the governor over the state finances. We have talked about division of power for some time and yet no one has made a definitive statement of the exact duties, power and authority of the governor with respect to all funds.

It seems to me that that should be the point of departure when we talk about the duties and responsibilities of comptrollers and treasurers and so on.

Frankly, I agree with your point of view, but I do believe you would clarify things and help us if someone would spell it out.

DELEGATE JAMES: We are going into state finances very shortly. At that time this Convention is going to be educated concerning the powers of the govern-