

1 that the matter intends to give to the General Assembly  
2 the creation of new powers and duties reserving to the  
3 executive the power to reassign and reallocate powers and  
4 functions and duties but not to create such new functions.

5 The last point I will make and then I will quit  
6 is reference to this term "by law".

7 There are on the books certain statutes which now  
8 assign, not create, but assign the execution of certain  
9 imposed duties to certain specified organizations within  
10 the State, such as, there are statutes, I think, directing  
11 the Commissioner of Motor Vehicles to provide for licensing  
12 of vehicles. This is a matter of statutory law. It is the  
13 opinion of the Committee that if the Governor desires to  
14 reallocate that function to some other, perhaps a Department  
15 of Transportation, that that would, in essence, be changing  
16 the existing statutory law and to that extent the executive  
17 order would be a substitute for a normally enacted statutory  
18 provision, hence the term "by law" means to one Member of  
19 the Committee at least, if the executive order changes terms  
20 insofar as the assignment of existing functions are concerned  
21 on a statute which is currently on the books, that executive