

making boards and commissions. Therefore, this section merely provides that the terms of office of such board members shall be so set that the governor upon taking office will be able to appoint at least one-half of the board members. This guarantees that the board will be responsive to the governor's policy suggestions but permits continuity.

The governing boards of institutions of higher education and of the state public schools system, and the heads or chief administrative officers serving under such boards are exempted from the provisions of this section.

Section 4.23 complements sections 4.21 and 4.22. It restates the power of the General Assembly to determine the method of appointment and removal of the personnel in the executive branch whose method of appointment and removal is not dictated by sections 4.21 and 4.22.

Section 4.24 establishes the procedure through which the governor is to make appointments to those offices which he has the power to fill only through the advice and consent of the Senate.

It should be noted that it applies not only to those appointments which section 4.21 require to be subject to advice and consent, but also to those appointments which the General Assembly has by law made subject to senatorial confirmation under section 4.23. It should also be noted that the governor under Section 4.13 has the power to call the Senate into special session if he wants immediate consideration of an appointment.

I think I will read this section in toto because it is a very interesting device and allows for a great deal of flexibility at the same time preserving the Senate's right to get its advice and consent:

"In case of a vacancy occurring in any office which the governor has power to fill only with the advice and consent of the Senate, he shall appoint some suitable person to said office. If such appointment is made within the first sixty days of a regular session of the General Assembly, the governor shall submit the nomination of the person thus appointed, or of some other person in his place, to the Senate. If such appointment is made at any other time, the governor shall submit the nomination to the Senate at the beginning of the next regular session of the General Assembly.

"The commission of any such appointee shall continue in force until the end of

the next regular session of the General Assembly, or until the expiration of the term of office which the nominee was appointed to fill, or until his nomination is rejected by the Senate, whichever shall first occur.

"No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate; or, be appointed to the same office during the recess of the General Assembly."

So this section authorizes what we call interim appointments and also authorizes recess appointments. It also provides, and I continue reading, "the commission of any such appointee shall continue in force until the end of the next regular session of the General Assembly, or until the expiration of the term of the office which the nominee was appointed to fill, or until his nomination is rejected by the Senate, whichever shall first occur," and so on, as I have already read.

This section gives the governor a much greater measure of flexibility than does the existing Constitution. Under the existing Constitution all nominations have to be to the Senate within the first 30 days of the General Assembly.

This section authorizes interim appointments. Instead of the existing requirement that the governor submit his nominations to the Senate within the first 30 days of the regular session, the committee recommendation simply provides that if an interim appointment is made within the first 60 days of the session, it shall be submitted to that session of the Senate and if the Senate rejects the appointment, the commission of the appointee comes to an end at that moment.

If it is made at any other time, that is after 60 days, it must be submitted to the Senate at the beginning of the next regular session, but in the meantime the appointee holds an interim position in the office to which he was given an interim appointment.

Section 4.25 empowers the governor to acquire information from any department, office or agency in the executive branch of the state government.

The Committee feels that the governor must be able to obtain such information if he is to live up to his obligation to see that the laws of the State are faithfully executed.

Section 4.26 is similar to Article II, section 20 of the present Constitution, but