

DELEGATE MORGAN: It seemed to the Committee the governor will have to delegate part of his power. For example, the governor is ex officio a member of many boards and certainly to enable the lieutenant governor to sit on Board A and perform the functions of the governor on that board, he would have to be delegated that function by the governor. It seemed to the Committee that it was these kinds of things that would make a lieutenant governor of most use and help to the governor.

DELEGATE J. CLARK (presiding): Delegate Chabot.

DELEGATE CHABOT: I have my qualms about the general delegation of powers, but I am talking specifically about this matter of the signing and vetoing of bills.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: That was just used as an example. I would not know how to write language to distinguish between one power and another power that the governor would have.

DELEGATE J. CLARK (presiding): Delegate Chabot.

DELEGATE CHABOT: But if such language were capable of being drafted, would you feel that the purpose that you sought to accomplish would be significantly limited if the lieutenant governor could not be given the power unless he assumed the role of acting governor; that the lieutenant governor could not be given the power to sign the veto bill?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: As a practical matter that would never take place while the governor was in the State and could do it himself. This was given just as an example.

In practice it would only take place under the most unusual circumstances. For example when the governor left the State and he did not want to turn over all the duties to the lieutenant governor, he might want to delegate the power to veto bills while he was out of the State but none of the other powers.

DELEGATE J. CLARK (presiding): Delegate Chabot.

DELEGATE CHABOT: I would like to go to section 4.13. The provision here is

that the governor may when meeting the General Assembly state the purpose for which he has convened it. Does this carry the implication that the General Assembly may not do any business other than that stated purpose?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: It does not, because I specifically stated in my presentation that the General Assembly was not limited to the purpose for which the governor called it into session.

*(Delegate Hamilton Fox assumed the Chair.)*

DELEGATE FOX (presiding): Delegate Chabot.

DELEGATE CHABOT: I would like to refer to page 7. The language there not only authorizes the governor to set up the principal agency that the legislature has enacted but also provides that the executive order shall have the force and law without being subject to disapproval by the General Assembly.

Does this mean that the General Assembly could not amend it or could not have recognized that it was acting entirely to do the job itself at a later date?

DELEGATE FOX (presiding): Chairman Morgan.

DELEGATE MORGAN: This was put in simply as a prod to the General Assembly to make sure that the General Assembly would perform the functions that the article gives to it within two years.

DELEGATE FOX (presiding): Delegate Chabot.

DELEGATE CHABOT: Yes, but I think we are soon recognizing that prods can have other consequences. Suppose the General Assembly does not do the job within two years. What is it thereafter forbidden to do? Is it forbidden forever after to amend the executive order on the organization that the governor has set up?

DELEGATE FOX (presiding): Delegate Morgan.

DELEGATE MORGAN: No, the General Assembly can pass any law it wants to providing for any sort of organization it wants to and if that legislation is signed by the governor or becomes law over the governor's veto, that is the law.

The only way it can be changed is if the General Assembly changes it or if the