

DELEGATE J. CLARK (presiding): Is there unanimous consent to make these changes? Is there any objection?

*(There was no response.)*

DELEGATE J. CLARK (presiding): If there is no objection the corrections are approved.

Are there any other amendments to section 4.05?

*(There was no response.)*

To make the record clear, Senator Bothe's amendment has been withdrawn. Put that on the record.

Are there any amendments to section 4.06?

*(There was no response.)*

The Chair hearing none, we will proceed to section 4.07. Are there any amendments to this section?

*(There was no response.)*

DELEGATE J. CLARK (presiding): The Chair hearing none, we will proceed to section 4.08.

Delegate Bushong.

DELEGATE BUSHONG: What has happened to the amendment to section 4.05?

DELEGATE J. CLARK (presiding): That has been withdrawn.

Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, the Committee has an amendment to section 4.08. We have not found it yet.

DELEGATE J. CLARK (presiding): It is Amendment R. The pages will please distribute the amendment. This will be Amendment No. 2.

The Clerk will read the amendment.

READING CLERK: Amendment No. 2 to Committee Recommendation EB-1, by the Committee on Executive Branch, Delegate Gerald D. Morgan, Chairman: On page 3 Section 4.08, Removal of Governor from Office, in line 41, strike out the word "or" and insert in lieu thereof a comma, and in the same line after the word "governor-elect" add the words ", lieutenant governor, or lieutenant governor-elect"; and in line 47 and in line 50 and line 1 on page 4 strike out respectively in each instance the words "the governor or gov-

ernor-elect" and insert in lieu thereof in each instance the words "such officer".

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

DELEGATE MORGAN: Mr. Chairman, in the executive article recommended by the Committee, a procedure is provided for removing the governor from office when the governor is disabled. In other words, the General Assembly, by an extraordinary vote of both houses, can find the governor disabled and then that finding goes to the Court of Appeals.

There is no similar provision in the executive article that we reported for removal of a lieutenant governor who is disabled, and it seemed to the Committee that the provision ought to apply also to the lieutenant governor, so that if he were disabled, you would not have to wait until he became governor to remove him from office. The amendment that the Committee proposes would enable the General Assembly to find the lieutenant governor disabled and if that finding were approved by the Court of Appeals, the office would become vacant, and the governor could nominate to the General Assembly a different person to become lieutenant governor. When that nomination was approved by the General Assembly there would be a new lieutenant governor.

That is the purpose of the amendment.

DELEGATE J. CLARK (presiding): Is there any further discussion on the amendment?

Delegate Della.

DELEGATE DELLA: Must the lieutenant governor who is elected by the General Assembly, belong to the same party as the governor elect or lieutenant governor elect or can the General Assembly appoint anybody to be lieutenant governor?

DELEGATE J. CLARK (presiding): Chairman Morgan.

DELEGATE MORGAN: The governor has to nominate a person to the General Assembly and the General Assembly has to approve the nomination. The General Assembly cannot elect the lieutenant governor.

DELEGATE J. CLARK (presiding): Delegate Della.

DELEGATE DELLA: If the governor is disabled, and the lieutenant governor takes over, is it the lieutenant governor