

practical purposes, the draft revision — while an improvement over the existing arrangement — curtails the exercise of leadership and initiative by the Governor-elect.

Two modifications of the draft proposal could correct this situation. The first would be to authorize the inauguration of the incoming Governor on the first Wednesday in January; the second, to convene the regular session of the General Assembly on the first Wednesday in February. A combination of these features should facilitate adequate preparation of a legislative program, review of the budget, and encourage proper leadership by the Governor-elect. Simultaneously, it would provide the newly elected General Assembly with an extra day to organize and elect its presiding officers.

Any discussion of Article IV must be prefaced by a discussion of the philosophy of the executive branch. The Governor of any state is elected by a plurality of the voters. His authority stems from their mandate and he is directly responsible to the electorate. His election is presumed to imply the endorsement of his programs and policies as articulated during the gubernatorial campaign. While this mandate does not sanction unrestricted or unqualified executive action, ample constitutional safeguards against the abuse of executive authority are vested in the legislative and judicial branches. Checks and balances must exist among the three traditional branches of government to provide review of critical decisions and to prevent disproportionate exercise of authority. Yet this concept should not, I believe, be enlarged to allow checks and balances to exist *within* any single branch of government. For such an extension becomes a perversion of purpose which obscures clear lines of responsibility to the electorate and impairs initiative and effectiveness by that branch.

Under the existing Constitution's provisions, executive-administrative authority is eroded by a multiplicity of elected officials and a multi-headed board lacking unequivocal line responsibility to the Governor. If the executive-administrative function is to be performed as intended, these checks *within* the executive branch must be eliminated — or defined and limited — so as not to impede gubernatorial action. If a Governor is to be fully and exclusively responsible to the people, the administrators of the executive branch must be fully and exclusively responsible to him.

For this reason, I support the draft Constitution's provisions confining elective positions within the executive branch to a Governor and a Lieutenant Governor elected on the same ticket.