

governor's veto by a  $\frac{3}{5}$ ths veto of all the members of each house is the same as that in Article II, section 17 of the present Constitution.

This section also provides that when the General Assembly overrides a gubernatorial veto the bill shall take effect on July 1 following or on such other date as the General Assembly so deems appropriate.

This enables the General Assembly to assure that all laws that they are interested in will take effect as soon as practical.

Section 4.18 deals with organization of the executive branch. According to the Curlett Commission today there are more than 240 departments, boards, agencies and other units within the executive branch of the state government. The Committee feels that the number of units within this branch must be reduced if the governor is to effectively coordinate the activities of the executive branch and effectively communicate with the chief administrator.

The section therefore provides that all administrative units of the executive branch and their respective functions and powers and duties shall be allocated by law among and within not more than 20 principal departments. What these 20 principal departments will be it left to the law-making process. The Committee feels that at the present time 20 principal departments will be sufficient. It also recognizes, however, that at some future point in time this number may be too restrictive. The section therefore provides a safety valve, so to speak, and authorizes the General Assembly to increase the number of principal departments beyond 20 by a  $\frac{3}{5}$ ths vote of the General Assembly.

The Constitutions of Alaska, Hawaii, Massachusetts, Michigan and New Jersey presently establish limits on the number of principal departments within the executive branch. The scope of application of this section should also be noted.

First, regulatory, quasi-judicial and temporary agencies are expressly exempt from the application of this requirement. For example, the public service commission, a regulatory agency and the workmen's compensation commission, the quasi-judicial agency may or need not be assigned to one of the 20 principal departments.

Second, this section only applies to the administrative units within the executive branch. For example, the bureau of fiscal research, the department of legislative reference and the office of the post auditor

to be established in this constitution are all part of the legislative branch and therefore need not be assigned to a principal department of the executive branch.

Likewise, the administrative officer of the courts and likewise the board of post mortem examiners which has succeeded to duties of the coroners are both part of the judicial branch and therefore need not be assigned to a principal department of the executive branch.

The Committee recognizes that this provision will require a complete revamping of the state's executive branch. Fortunately the Governor's Task Force on Modern Management is already at work on this very problem. To ease the transition, however, the Committee recommends a temporary provision dealing with the initial organization of the executive branch pursuant to the terms of section 4.18. This temporary constitutional provision gives the General Assembly two years within which to restructure the executive branch so that the mandate of section 4.18 is met.

If the General Assembly fails to act, the governor is then given one year within which to make the initial allocation by executive order. It is the intent of the Committee that the transitional schedule to be attached to the constitution should make clear that existing units within the executive branch shall be able to continue to function up until such time as this initial organization is accomplished.

Section 4.19 deals with the reorganization of the executive branch and gives the governor power to initiate reorganization plans for the executive branch. Perhaps the most important recommendation of the Curlett Commission was that the governor be given a clearly defined role and responsibility in the initiation of reorganization plans for the executive branch. This section accomplishes that goal.

The first sentence of Section 4.19 restates the General Assembly's plenary power both to prescribe the functions, powers and duties of the principal departments and the various administrative units of the executive branch, and to create, reorganize, abolish or reallocate functions, powers and duties among the principal departments and the various administrative units of the executive branch.

The second sentence juxtaposes against the first the more limited role of the governor. He is merely given power to initiate plans which reorganize or reallocate functions, powers and duties among, or which