

that you have certainly weakened the governor's power here.

It may be that at a later time I will ask the Committee to delete that section.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I do not think it is any weaker than it is at the present time.

DELEGATE J. CLARK (presiding): Delegate Byrnes.

DELEGATE BYRNES: Does the federal Constitution permit Congress to delegate duties to the vice-president, such duties as they wish?

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I think they are described in the Constitution. Actually the Congress, I think, has given the vice-president certain duties. I cannot offhand remember what they are. Delegate Gleason I think is familiar with them.

DELEGATE J. CLARK (presiding): Delegate Gleason.

DELEGATE GLEASON: If I might say to Delegate Byrnes, some five, six, seven or eight years ago, the Congress established a Space Council which was composed by law of the vice-president, secretary of defense, secretary of state and a number of other top officials. That council was presided over by the vice-president.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: Thank you, Delegate Gleason.

DELEGATE J. CLARK (presiding): Delegate Byrnes.

DELEGATE BYRNES: I was familiar with that particular one. I was going to suggest that was an example. I wonder whether Vice-President Humphrey has authority over decisions of the space program or whether the final decision still rests with President Johnson?

I ask this because I am curious whether or not the General Assembly could vest final authority for certain programs, executive functions, in the lieutenant governor. This is not the same thing as saying they could invest in him some supervisory role.

I am curious about this provision granting the General Assembly authority to give

unlimited powers to the lieutenant governor.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I just do not know how to answer that question. I suppose you can always have a power which can be abused. I suppose any power can be abused.

DELEGATE J. CLARK (presiding): For what reason does Delegate Gleason rise?

DELEGATE GLEASON: I wonder if there is not some question as to the difference that exists between duties and powers. As I understand it the executive power is given to the governor. That power cannot be imposed upon the lieutenant governor by the General Assembly. They can prescribe duties and as one of those duties I mention what they have done in the federal government. In that case they did not take the executive power from the president and give it to the vice-president.

I think the confusion arises over the concept of duties and powers.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I still think you have a problem; for example, the General Assembly can confer powers on a quasi-legislative body and have the members of that body have staggered terms, and those members would not be under the governor's thumb, although in a sense they would be responsible to him. But I do not think that that has ever been thought of as interfering with the governor's executive powers.

DELEGATE J. CLARK (presiding): Delegate Byrnes.

DELEGATE BYRNES: It would be much like delegating to the department of health by law certain responsibilities and duties. By that act the executive powers as we have defined them would not be arrogated.

DELEGATE J. CLARK (presiding): Delegate Morgan.

DELEGATE MORGAN: I would not think so.

DELEGATE J. CLARK (presiding): Delegate Byrnes.

DELEGATE BYRNES: You said that the General Assembly should decide what a principal department would be. It seems