

nificance as the duty or power or authority to sign or veto bills.

THE CHAIRMAN: It would not go to the question the Chair propounded but would go to your amendment, and perhaps we should confine the discussion to that for the moment.

Would you think that Delegate Sickles' suggestion would accomplish the purpose of your amendment? Did you follow his suggestion as to where the language would go?

DELEGATE CHABOT: Yes. I think that it largely would. I think that, however, it would create its own ties with that section, which by and large I agree with. I think that it would make it possible for the legislature to immobilize the lieutenant governor, although the purpose of the Committee was that the governor have the decision as to the extent to which the lieutenant governor can function in the State, and so I would not agree to Delegate Sickles' proposal as an acceptable alternate.

THE CHAIRMAN: Very well.

Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Mr. Chairman, I would like to ask Delegate Chabot, and I may have to state my conclusion in asking the question, but under section 4.14, "Veto by the governor", we find that all bills passed by the General Assembly shall be subject to veto by the governor.

Now, there is not a duty; it is a clear power given the governor and no one else other than the governor or the acting governor, which under other provisions, the acting governor would take over. An expressed power, an extraordinary power, expressly given to the governor or the acting governor is a vastly different thing from a duty prescribed by law, and I would think that if the legislature attempted to give anyone else the power of veto over bills as an extraordinary power, in view of section 4.14, such delegation by the legislature would be clearly unconstitutional. My question is, can you not agree with that conclusion?

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: I cannot agree with that conclusion. I would like to be able to agree with that conclusion, but I think the questions I had asked of the Committee Chairman yesterday, and Delegate Marion's colloquy with the Committee Chairman today, has foreclosed that matter.

It has been established that the Committee that presented it through its Chairman and through its memorandum specifically has included the veto as a duty. Whatever difference there may be between duties and powers, and consequently, much as I would like to, I cannot agree that this body is in a position to accept your interpretation of that possibility.

THE CHAIRMAN: Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Is it true that an exercise of the power might be discretionary with the governor, where the exercise of a duty is almost mandatory, where the duty is prescribed by the constitution or by the legislative enactment. It becomes mandatory upon the governor or the acting governor to perform whereas a power is something that is discretionary with him as to whether or not he might want to exercise it.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: I really think that if that is a question, it is a question to be answered by the Committee Chairman. As I said, I would like to be able to read that interpretation into these words. I think that this body has been foreclosed from reading that interpretation into it.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Mr. Chairman, I have a question I would like to ask the Chairman of the Committee, Delegate Morgan. Where the provision is made in section 4.03, that the lieutenant governor shall perform such duties as may be prescribed by law, is it not the intent of the Committee and the meaning of the language that the legislature can only delegate to the lieutenant governor by law such duties as it may have the power under this constitution to delegate to him, which means that it could not delegate to him the powers granted to the executive under 4.01, but could only delegate to him such powers as it had under 3.01, or otherwise, there would be a violation of the difference between the branches of government.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I think that generally is a correct interpretation. For example, the General Assembly might ask the lieutenant governor to be a member of some board, or it might ask the lieutenant governor to participate in the administration of some particular program. Now, certainly the General Assembly would also