

governor shall have the authority to convene the legislature in special session.

I wonder if I could ask the Chairman of the Committee on the Legislative Branch, Delegate Gallagher, a question.

Was it the intention of the Legislative Branch that the governor should be able to delegate the authority to call special sessions of the legislature to the lieutenant governor.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: The Committee had not contemplated that the governor would be able to delegate that power.

THE CHAIRMAN: I do not believe that quite answers the question.

Had the Committee contemplated that the governor would not be able to delegate that power or do you mean had not considered that matter at all?

DELEGATE GALLAGHER: In reality, it had not considered it at all. I think it would be the sense of the Committee that the power was vested rather exclusively in the governor and was not a power to be delegated.

THE CHAIRMAN: Delegate Penniman.

DELEGATE PENNIMAN: Mr. President, I would hope that we would be very careful about making changes with respect to the power of the governor to delegate legislation here on the floor; simply that as far as our Committee is concerned, we are likely to get a hodge-podge that would be virtually impossible to dig ourselves out of, without getting into the realm of substantive decision.

THE CHAIRMAN: The Chair would like to inquire of Delegate Morgan whether the Committee on the Executive Branch had any feeling or had considered the question put by Delegate Penniman and Delegate Gallagher as to the power of the governor to delegate to the lieutenant governor authority to convene a special session of the legislature.

DELEGATE MORGAN: Mr. Chairman, we did not specifically consider that problem or any other power or function of the governor. I think we did, however, intend that any power or function of the governor, could be delegated to the lieutenant governor, and we intended to give the governor discretion in that respect.

THE CHAIRMAN: The Chair would like to have one thing clear on the record.

I think it is implicit in what you said, but it might make a world of difference to the Committee on Style, Drafting and Arrangement.

I understood from your earlier answers and the way you just gave your last answer that the Committee on the Executive Branch intended to draw no distinction whatsoever between the word, "power", and the word, "duty", and that regardless of the distinction in the WEBSTER'S DICTIONARY between the two, and that the Committee on the Executive Branch used the word, "duty," in these lines in the same sense as though it had read, "such powers or duties".

Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, we just did not look up the distinction between powers and duties in the dictionary. I just thought they were kind of interchangeable.

THE CHAIRMAN: I am not trying to get the dictionary distinction. I am trying to get the intent of the Committee.

I take it from your earlier answers that what you intended by this section was that the legislature could, by law, and the governor, by act, delegate either powers or duties.

Is that the intent?

DELEGATE MORGAN: That was the intent, Mr. Chairman.

THE CHAIRMAN: Delegate Penniman, with that clear statement of intent, would this not leave to the Committee on Style the decision as to whether the word "powers" is necessary in addition to the word "duties"?

DELEGATE PENNIMAN: Yes, I think so, but it still leaves confused, it seems to me, what is the intent of this Convention in adopting 3.12 or the intent of this Convention —

THE CHAIRMAN: I understand it does not resolve that question.

I am just trying to resolve the one.

Delegate Henderson.

DELEGATE HENDERSON: Mr. Chairman, fellow delegates, the discussion on this particular amendment has taken a wide range and it suggests that if it was the intention that the legislature, that is, the General Assembly might choose which powers it would assign to the lieutenant gov-