

1 the Governor must see that the laws are faithfully executed
2 and, if he is not doing that, then somebody can jump him
3 for not doing his job.

4 On the other hand, the thing that bothered me
5 most, and this was true back during the Sobeloff discussions,
6 although this was not -- maybe I was the only one worrying
7 about it at the time, -- since we've had legislative bodies
8 the one powerful force of the legislative body is the power
9 of purchases, that is to say, you cannot spend any more
10 than this amount and to tell them that they must appropriate
11 X amount is an inhibition. I've always felt that even if
12 this were adjudicated, that the basic constitutional
13 authority -- let me put it this way, because the Attorney
14 General has repeatedly upheld the power of the legislature
15 to condition appropriations, to put provisos on, to reduce
16 them in one way or another or to restrict them.

17 I feel that if, for example, the legislature
18 did not appropriate that amount which the school people
19 say the law requires, that this is still a constitutional
20 prerogative of the legislature. Nobody can --

21 THE CHAIRMAN: I don't know who has --