

REGULATION, OR STANDARD, AND STATING THE DATE UPON WHICH IT SHALL BECOME EFFECTIVE.

(2) IF THE DEPARTMENT, BOARD, COMMISSION, OR OTHER AGENCY OF THE EXECUTIVE BRANCH INVOLVED SO REQUESTS IN WRITING, THE COMMITTEE SHALL CAUSE SUCH A JOINT RESOLUTION TO BE PREPARED AND SUBMITTED (BY REQUEST) INTO EACH HOUSE OF THE GENERAL ASSEMBLY. THE JOINT RESOLUTION SHALL CONTAIN A COPY OF THE RULE, REGULATION, OR STANDARD OR PORTION THEREOF AND THE SUBSTANTIVE TEXT OF THE NOTICE PROVIDED PURSUANT TO SUBSECTION (H). "20

### III.

#### CONSTITUTIONAL ISSUES

House Bill 619 presents several significant questions of State constitutional law, viz., does the legislative veto mechanism which it creates:

(1) Contravene the bicameralism mandated by Article III, Sec. 1, of the Constitution by delegating the authority to legislate to a committee?

(2) Violate the separation of powers mandated by Article 8 of the Declaration of Rights by:

(a) authorizing a legislative committee to exercise or fatally encroach upon an executive function?

(b) authorizing a legislative committee to exercise or fatally encroach upon a judicial function?

(3) Violate the presentments clauses of Article II, Sec. 17 Article III, Sec. 30, by authorizing lawmaking in a fashion which is not subject to the gubernatorial veto power?

In addressing these questions in the context of a statute which permitted a one-house veto of a presidentially proposed, judicial salary increase, a majority of the Court of Claims initially considered four factors, all of which are directly applicable here.

"First of all, the pay of ... judges and justices ... is, historically and intrinsically, at the heart of Congress's own competence and concern. \*\*\* Secondly, ... the fixing of pay scales ... may properly be delegated to the President.