

THE CHAIRMAN: The amendment having been seconded, the Chair recognizes Delegate Morgan to speak to the amendment.

DELEGATE MORGAN: This makes no change. It is merely a drafting amendment to clarify the meaning of the Committee.

THE CHAIRMAN: Is there any discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 19 to Committee Recommendation EB-1. A vote Aye is a vote in favor of Amendment No. 19. A vote No is a vote against.

Cast your vote.

Has every delegate voted?

Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 96 votes in the affirmative and none in the negative, the motion carries. The amendment is adopted.

Delegate Morgan, do you have a further amendment?

DELEGATE MORGAN: Yes, Mr. President, we have an amendment in section 4.03 marked BD and this is the amendment as to the lieutenant governor.

THE CHAIRMAN: The pages will distribute Amendment BD.

This will be Amendment No. 20. The Clerk will read the amendment.

READING CLERK: Amendment No. 20 to Committee Recommendation EB-1, by Delegate Morgan: On page 2 section 4.03, Lieutenant Governor, in lines 4, 5 and 6 strike out these words "perform such duties as may be prescribed by law and such other duties as may be delegated to him by the governor" and insert in lieu thereof the following words: "have such powers and perform such duties as may be delegated to him by the governor, but no power or duty specifically prescribed for the governor by this constitution shall be delegated to the lieutenant governor under this section".

THE CHAIRMAN: Is the amendment seconded.

*(Whereupon the motion was duly seconded.)*

THE CHAIRMAN: The amendment having been seconded the Chair recognizes Delegate Morgan to speak to the amendment.

DELEGATE MORGAN: Mr. Chairman, this amendment limits the powers and functions that the governor may delegate to the lieutenant governor. Any power or function specifically given to the governor by this Constitution may not be delegated to the lieutenant governor under this section. It can only be vested in the lieutenant governor by the lieutenant governor becoming active governor under section 4.07, that is when the governor notifies the lieutenant governor in writing that he will be temporarily unable to carry out his duties. These are the functions that are specifically granted to the governor by the executive article of the constitution or the power of the governor to give messages to the General Assembly, to veto bills passed by the General Assembly, to return bills to the General Assembly, to organize and reorganize the executive branch of the government, to appoint and remove the heads of principal departments to make other appointments and removals and to exercise executive clemency. Those are the powers and functions which may not be delegated to the lieutenant governor under this section.

THE CHAIRMAN: Are there any questions?

Delegate Grant.

DELEGATE GRANT: Chairman Morgan, under section 4.03 as originally drawn up, the duties are prescribed by law. Presumably by being prescribed by law the lieutenant governor could not be assigned duties other than those delegated to him by the governor, such as presiding over the Senate. Is it the intention of this amendment to insure that the lieutenant governor will not be able to perform any duties other than those delegated to him by the governor or would you still anticipate that he could be assigned duties which would be duties other than those which would be delegated to him by the governor?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: It certainly was not the intention to prevent the General Assembly from prescribing duties for the lieutenant governor any more than it