

what has to be an oversight on the part of the Legislature. In Article 4, section 10, the Legislature is prohibited from making any appointments. In Article 11, the Governor, in subsection 11 of Article 4, the Governor is designated as having the power to appoint to fill all state offices except those that exist under Article 5 which is the Judiciary and the office of Lieutenant Governor. Inasmuch as no one can appoint a Lieutenant Governor should that office become vacant for any reason, we would be without a Lieutenant Governor until the next general election. There is a conflict of sorts. In section 84, we have designated succession to the chair of Governor but nothing relating to the Lieutenant Governor. In Article 32-104, we give the Governor the power to fill all elected offices of the state but, of course, the constitutional provision would bar him filling the office of Lieutenant Governor. So I am suggesting that inasmuch as in subsection 16 when we decided that the Governor and Lieutenant Governor should run as a team we designated that the office of Lieutenant Governor be in fact a full time job, that we had best be about correcting an oversight and allow that office to be filled in some manner. Inasmuch as the Governor and Lieutenant Governor now run as a political team which they did not before and which I think was the reason for the prohibition against the Governor appointing, now that we have a team I think it is entirely proper that we permit the Governor to fill that office along with all other state offices. That is the entire purpose of this amendment. Without it we have no means of filling the office of Lieutenant Governor if it should become vacant. I move the advancement of the bill.

SENATOR LEWIS: Senator Rumery.

SENATOR RUMERY: Mr. President, members of the Legislature, I would like to ask Senator Murphy a question if he would yield.

SENATOR LEWIS: Senator Murphy, will you yield?

SENATOR MURPHY: Yes, sir.

SENATOR RUMERY: Would we follow the same procedure here as we do now and that is the Legislature would approve the appointment to Lieutenant Governor?

SENATOR MURPHY: The Governor makes his appointments with the advice and consent of the Legislature, Senator Rumery, and quite honestly I don't want to give you a positive