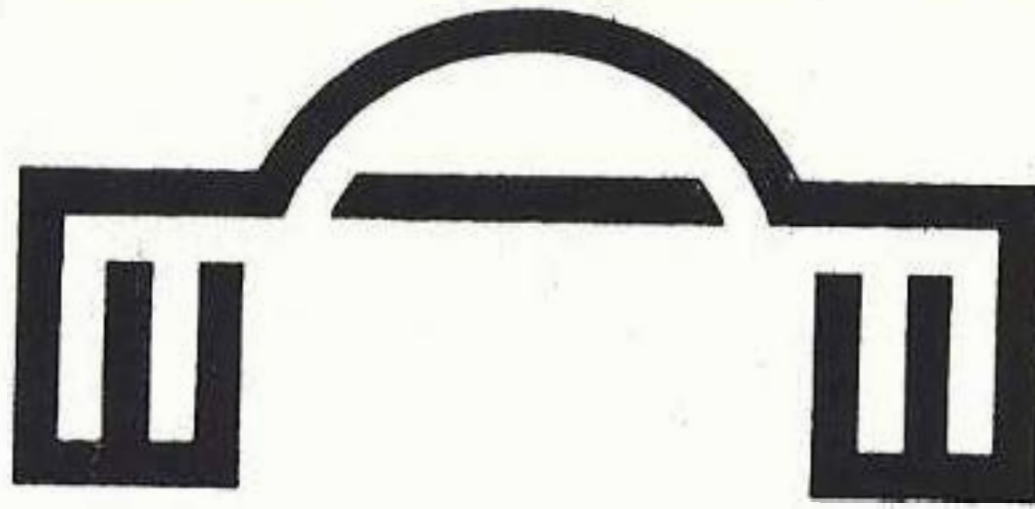




NORTH CAROLINA CENTER FOR
PUBLIC POLICY RESEARCH INC.

NEWS RELEASE

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CENTER SAYS LT. GOV. STRADDLES EXECUTIVE AND LEGISLATIVE BRANCHES

"The N.C. Lieutenant Governor -- more than any other position in state government -- straddles the executive and legislative branches," says the North Carolina Center for Public Policy Research. The executive-branch powers stem from the state Constitution and state statutes while the legislative powers originate mostly from Senate rules, says the Center. (see the chart on the next page)

The Center reviewed the office of lieutenant governor in the latest issue of its quarterly magazine, N.C. Insight. The lead story in the issue, "The Lieutenant Governor -- a Legislative or Executive Office?" was written by Steve Adams and Richard Bostic.

Former Lt. Gov. Robert Scott and former state Senator McNeill Smith of Greensboro both are quoted as saying the power to appoint committees is the lieutenant governor's most important power. "If he [the lieutenant governor] doesn't have that, he doesn't have much," explained Scott, who served as lieutenant governor from 1965-69.

Authors Adams and Bostic show how the scope of the office has grown with its power. A decade ago, the lieutenant governor's office was a part-time job, limited to one four-year term, with an annual salary of \$5,000 and a budget of \$12,000. Today, a full-time lieutenant governor can serve up to eight years, commands a salary of \$45,000 (plus \$11,500 for expenses), oversees an annual budget of \$305,606, and draws on the fiscal analysts, bill drafters, and research assistants in the Legislative Services Office. As of May 1982, the legislature had granted the lieutenant governor 70 appointments (of citizens or legislators) to 42 executive-branch commissions, giving him access to virtually every state department.

In an initial effort to address the constitutional questions regarding separation of powers between the executive and legislative branches of government, the June 1982 session of the General Assembly gave appointive power for membership on 25 of these executive-branch boards and commissions to the General Assembly as a whole. However, the lieutenant governor (and Speaker of the House) retained the right to recommend who was to be appointed, and in 1982 the legislature almost always approved his choices.

The Center found that while the lieutenant governor in North Carolina has accumulated significant legislative powers in recent years, an opposite trend has taken place nationwide. In 1950, 36 states had lieutenant governors with power to preside over a legislative body; by 1976 the number of states where the lieutenant governor had legislative presiding power had declined to 30. The N.C. Constitution gives the lieutenant governor the power to preside over the Senate.

Another important national pattern that had not yet appeared in North Carolina is reliance on team elections, where the governor and lieutenant governor are elected by a single ballot in the general election to avoid a party split. New York initiated the team election of these two positions in 1953. By 1976, this concept had spread to 22 states, and in four states (Florida, Kansas, Maryland, and Montana) candidates filed as a team for the primary.

Copies of N.C. Insight, the magazine containing the article, may be obtained for \$1.75 from the N.C. Center for Public Policy Research at Post Office Box 430, Raleigh, N.C. 27602.

For more information, call Beth Briggs at (919) 832-2839.

EXECUTIVE AND LEGISLATIVE POWERS OF THE NORTH CAROLINA LIEUTENANT GOVERNOR

Executive

Origin of the Powers

Most of the major executive powers of the lieutenant governor originate in the state Constitution. Membership or appointive powers on executive boards (other than the State Board of Education) is conferred by state statutes.

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| 1. The power to succeed the governor; | 1. State Constitution |
| 2. Membership on the Council of State, the body of 10 statewide elected officials which controls contingency and emergency funds, coordinates state data services, advises the governor, and controls the sales, purchase, and improvement of state land and buildings; | 2. State Constitution |
| 3. Membership on the State Board of Education; | 3. State Constitution |
| 4. Membership on other executive boards such as the Economic Development Board, State Board of Community Colleges, Council on Interstate Cooperation, and Capital Planning Commission. | 4. State Statutes |
| 5. Power to recommend appointments of members to 25 executive branch boards and appoint members directly on 33 other groups. | 5. State Statutes |

Legislative

Origin of the Powers

The principal legislative powers of the lieutenant governor derive from rules adopted by the state Senate at the start of each session of the General Assembly. These rules give the lieutenant governor:

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| 1. The power to appoint Senate committees and name the chairpersons; | 1. Senate rules |
| 2. The power to decide where to send bills, once they are before the Senate for consideration; and | 2. Senate rules |
| 3. The power to control floor debate. | 3. Senate rules |
| 4. The power to be the presiding officer over the Senate. | 4. State constitution |