

IN RE: POWERS AND DUTIES OF LIEUTENANT GOVERNOR IN THE ABSENCE
OF THE GOVERNOR.

July 20, 1933.



Comptroller Hale
Federal Reserve Bank
Saint Louis, Missouri

Dear Mr. Comptroller:

This letter answers your oral request on the telephone this afternoon as to the powers, authority and duties of Honorable Frank G. Harris, Lieutenant Governor of the State of Missouri in the absence of Governor Guy B. Park from the State of Missouri.

Governor Guy B. Park at this time is now absent from the State of Missouri on his way to the City of Sacramento in the State of California and will not return for a period of some weeks. Honorable Frank G. Harris is the duly qualified and elected Lieutenant Governor of the State of Missouri and on this date is exercising and performing, and, until the return to the State of Missouri of Governor Guy B. Park, will exercise and perform all of the powers and duties of Governor Guy B. Park as the Governor of the State of Missouri. Honorable Frank G. Harris, Lieutenant Governor, is now occupying the office of the Governor of the State of Missouri at the request of and notification from Governor Guy B. Park.

Section 16 of Article V of the Constitution of the State of Missouri provides as follows:

"In case of death, conviction or impeachment, absence from the State or other disability of the Governor, the powers, duties and emoluments

of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant Governor."

Under the foregoing provisions of the Constitution and the above state of facts, we are of the opinion that the Honorable Frank G. Harris, Lieutenant Governor of the State of Missouri, has the right, power and authority to perform and discharge all of the powers and the duties of Governor Guy B. Park until the return of the latter to the State of Missouri, which includes the right to receive all moneys due the State of Missouri whether payable by check or otherwise and whether payable to Governor Guy B. Park or otherwise with the right in the said Frank G. Harris, Lieutenant Governor, to endorse the name of Governor Guy B. Park on any paper, check or instrument for the purpose of receiving said moneys.

Respectfully submitted,

GILBERT LANE
Assistant Attorney General.

APPROVED:

ROY HOKITTHICK,
Attorney General.

GL/AJ