As Congress has become increasingly dysfunctional, U.S. presidents have increasingly resorted to executive orders or decrees to accomplish goals. President Trump is giving indications of continuing and expanding this practice. It is a dangerous trend toward dictatorial government. The U.S. Constitution gives the president the power and obligation to faithfully execute the laws. He is not authorized to legislate. Presidential orders or decrees which go beyond execution of laws and amount to new laws exceed the powers of the president and violate the separation of powers plan of the constitution. They lead to government by a man instead of by duly enacted laws in which voters have a say. The problem is complicated by the fact that it may be difficult to say whether a decree affecting a complicated law such as the Environmental Policy Act is execution or legislation. Fortunately, the Supreme Court can declare invalid any decrees that violate the separation of powers doctrine. Hopefully it will do so.

The full text of bills and the Legislative Analyst’s summary are available on the California Legislature Information website (Click Link Here).

CNPS positions on bills are available at CNPS Legislative Report (Click Link Here). Overview of CNPS Legislation Program (Click Link Here).