

REFERENCE TITLE: lieutenant governor; secretary of state

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SCR 1013

Introduced by
Senator Paton

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE V, SECTION 1, CONSTITUTION OF ARIZONA, AS AMENDED BY A 1992 INITIATIVE MEASURE DESIGNATED AS BALLOT PROPOSITION 107; REPEALING ARTICLE V, SECTION 1, CONSTITUTION OF ARIZONA, AS AMENDED BY 1991 HOUSE CONCURRENT RESOLUTION 2001 DESIGNATED AS BALLOT PROPOSITION 100; AMENDING ARTICLE V, SECTIONS 6 AND 9, CONSTITUTION OF ARIZONA; AMENDING ARTICLE V, CONSTITUTION OF ARIZONA, BY ADDING SECTION 13; RELATING TO THE EXECUTIVE DEPARTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Article V, section 1, Constitution of Arizona, as amended by a 1992
4 initiative measure designated as ballot proposition 107, is proposed to be
5 amended as follows if approved by the voters and on proclamation of the
6 Governor:

7 1. Term limits on executive department and state
8 officers; term lengths; election; residence and
9 office at seat of government; duties

10 Section 1. A. The executive department shall consist of
11 the governor, ~~secretary of state~~ LIEUTENANT GOVERNOR, state
12 treasurer, attorney general, ~~and~~ superintendent of public
13 instruction, each of whom shall hold office for a term of four
14 years beginning on the first Monday of January, 1971 next after
15 the regular general election in 1970. No member of the
16 executive department shall hold that office for more than two
17 consecutive terms. This limitation on the number of terms of
18 consecutive service shall apply to terms of office beginning on
19 or after January 1, 1993. No member of the executive department
20 after serving the maximum number of terms, which shall include
21 any part of a term served, may serve in the same office until
22 out of office for no less than one full term.

23 B. The person having a majority of the votes cast for the
24 office voted for shall be elected. ~~If no person receives a~~
25 ~~majority of the votes cast for the office, a second election~~
26 ~~shall be held as prescribed by law between the persons receiving~~
27 ~~the highest and second highest number of votes cast for the~~
28 ~~office. The person receiving the highest number of votes at the~~
29 ~~second election for the office is elected, but~~ If the two OR
30 MORE persons have an equal number of votes for the office AND
31 THE HIGHEST NUMBER OF VOTES FOR THE OFFICE, the two houses of
32 the legislature at its next regular session shall elect
33 forthwith, by joint ballot, one of such persons for said office.

34 C. The officers of the executive department during their
35 terms of office shall reside at the seat of government where
36 they shall keep their offices and the public records, books, ~~and~~
37 and papers. They shall perform such duties as are prescribed by
38 the constitution and as may be provided by law.

1 2. Article V, section 1, Constitution of Arizona, as amended by 1991
2 house concurrent resolution 2001 designated as ballot proposition 100, is
3 proposed to be repealed as follows if approved by the voters and on
4 proclamation of the Governor:

5 Article V, section 1, Constitution of Arizona, as amended
6 by 1991 house concurrent resolution 2001 designated as ballot
7 proposition 100, relating to the executive department, is
8 repealed.

9 3. Article V, section 6, Constitution of Arizona, is proposed to be
10 amended as follows if approved by the voters and on proclamation of the
11 Governor:

12 6. Death, resignation, removal or disability of
13 governor; succession to office; impeachment,
14 absence from state or temporary disability

15 Section 6. A. In the event of the death of the governor,
16 or ~~his~~ THE GOVERNOR'S resignation, removal from office, or
17 permanent disability to discharge the duties of the office, the
18 ~~secretary of state~~ LIEUTENANT GOVERNOR, if holding by election,
19 shall succeed to the office of governor until ~~his~~ A successor
20 shall be elected and shall qualify. If the ~~secretary of state~~
21 LIEUTENANT GOVERNOR be holding otherwise than by election, or
22 shall fail to qualify as governor, the attorney general, the
23 state treasurer, or the superintendent of public instruction,
24 if holding by election, shall, in the order named, succeed to
25 the office of governor UNTIL A SUCCESSOR IS ELECTED AND
26 QUALIFIES.

27 B. The taking of the oath of office as governor by any
28 person specified in this section shall constitute resignation
29 from the office by virtue of the holding of which ~~he~~ THE PERSON
30 qualifies as governor. Any successor to the office shall become
31 governor in fact and entitled to all of the emoluments, powers
32 and duties of governor upon taking the oath of office.

33 C. In the event of the impeachment of the governor, ~~his~~
34 THE GOVERNOR'S absence from the state, or other temporary
35 disability to discharge the duties of the office, the powers and
36 duties of the office of governor shall devolve upon the same
37 person as in case of vacancy, but only until the disability
38 ceases.

39 4. Article V, section 9, Constitution of Arizona, is proposed to be
40 amended as follows if approved by the voters and on proclamation of the
41 Governor:

42 9. Powers and duties of state officers

43 Section 9. The powers and duties of ~~secretary of state~~
44 LIEUTENANT GOVERNOR, state treasurer, ~~attorney general~~, ATTORNEY

1 GENERAL and superintendent of public instruction shall be as
2 prescribed by law.

3 5. Article V, Constitution of Arizona, is proposed to be amended by
4 adding section 13 as follows if approved by the voters and on proclamation of
5 the Governor:

6 13. Lieutenant governor assuming secretary of state
7 duties

8 SECTION 13. NOTWITHSTANDING ANY OTHER LAW, THE DUTIES OF
9 THE SECRETARY OF STATE AS SPECIFICALLY PROVIDED FOR IN THIS
10 CONSTITUTION AND AS OTHERWISE PRESCRIBED BY LAW SHALL BE ASSUMED
11 BY THE LIEUTENANT GOVERNOR.

12 6. The Secretary of State shall submit this proposition to the voters
13 at the next general election as provided by article XXI, Constitution of
14 Arizona.