

FEB 29 1996

STATE GOVERNMENT

HOUSE JOINT RESOLUTION  
BY WARNSTADT

2004

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of  
2 the State of Iowa to eliminate the office of Lieutenant  
3 Governor.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HJR 2004

1 Section 1. The following amendment to the Constitution of  
2 the State of Iowa is proposed:

3 1. Section 2 of Article IV of the Constitution of the  
4 State of Iowa, as amended by amendment number 1 of the  
5 Amendments of 1972 and amendment number 1 of the Amendments of  
6 1988, is repealed beginning in the general election in the  
7 year 2002 and the following adopted in lieu thereof:

8 ELECTION AND TERM. Sec. 2. The Governor shall be elected  
9 by the qualified electors at the time and place of voting for  
10 members of the General Assembly. The Governor shall hold  
11 office for four years from the time of installation in office  
12 and until a successor is elected and qualifies.

13 2. Section 3 of Article IV of the Constitution of the  
14 State of Iowa, as amended by amendment number 1 of the  
15 Amendments of 1972 and amendment number 1 of the Amendments of  
16 1988, is repealed beginning with the general election in the  
17 year 2002 and the following adopted in lieu thereof:

18 GOVERNOR -- RETURNS OF ELECTIONS. Sec. 3. The returns of  
19 every election for Governor shall be sealed and transmitted to  
20 the seat of government of the State, and directed to the  
21 Speaker of the House of Representatives who shall open and  
22 publish them in the presence of both houses of the General  
23 Assembly.

24 3. Section 4 of Article IV of the Constitution of the  
25 State of Iowa, as amended by amendment number 1 of the  
26 Amendments of 1952 and amendment number 1 of the Amendments of  
27 1988, is repealed beginning with the general election in the  
28 year 2002 and the following adopted in lieu thereof:

29 ELECTION BY GENERAL ASSEMBLY IN CASE OF TIE -- SUCCESSION  
30 BY LAW. Sec. 4. The nominee for Governor having the highest  
31 number of votes cast shall be declared duly elected. If two  
32 or more nominees for Governor have an equal and the highest  
33 number of votes for that office, the General Assembly shall by  
34 joint vote proceed, as soon as is possible, to elect one of  
35 the nominees for Governor. If, upon the completion by the

1 General Assembly of the canvass of votes for Governor, it  
2 appears that the nominee for Governor receiving the highest  
3 number of votes has since died or resigned, is unable to  
4 qualify, fails to qualify, or is for any other reason unable  
5 to assume the duties of the office of Governor for the ensuing  
6 term, the powers and duties shall devolve as prescribed by the  
7 General Assembly by law.

8 4. Section 5 of Article IV of the Constitution of the  
9 State of Iowa, as amended by amendment number 1 of the  
10 Amendments of 1988, is repealed beginning with the general  
11 election in 2002 and the following adopted in lieu thereof:

12 CONTESTED ELECTIONS. Sec. 5. Contested elections for the  
13 office of Governor shall be determined by the General Assembly  
14 as prescribed by law.

15 5. Section 6 of Article IV of the Constitution of the  
16 State of Iowa is repealed beginning with the general election  
17 in 2002 and the following adopted in lieu thereof:

18 ELIGIBILITY. Sec. 6. No person shall be eligible for the  
19 office of Governor who shall not have been a citizen of the  
20 United States, and a resident of the State, two years next  
21 preceding the election, and attained the age of thirty years  
22 at the time of the election.

23 6. Section 14 of Article IV of the Constitution of the  
24 State of Iowa is repealed beginning with the general election  
25 in 2002 and the following adopted in lieu thereof:

26 DISQUALIFICATION. Sec. 14. No person shall, while holding  
27 any office under the authority of the United States, or this  
28 State, execute the office of Governor, except as hereinafter  
29 expressly provided.

30 7. Section 15 of Article IV of the Constitution of the  
31 State of Iowa, as amended by amendment number 1 of the  
32 Amendments of 1972 and amendment number 2 of the Amendments of  
33 1988, is repealed beginning with the general election in 2002  
34 and the following adopted in lieu thereof:

35 TERM -- COMPENSATION. Sec. 15. The official term of the

1 Governor shall commence on the Tuesday after the second Monday  
2 of January next after the election and shall continue until a  
3 successor is elected and qualifies. The Governor shall be  
4 paid compensation and expenses as provided by law. The  
5 President of the Senate, while acting as Governor, shall be  
6 paid the compensation and expenses prescribed for the  
7 Governor.

8 8. Section 17 of Article IV of the Constitution of the  
9 State of Iowa is repealed beginning with the general election  
10 in 2002 and the following adopted in lieu thereof:

11 PRESIDENT OF THE SENATE TO ACT AS GOVERNOR. Sec. 17. In  
12 case of the death, impeachment, resignation, removal from  
13 office, or other disability of the Governor, the powers and  
14 duties of the office for the residue of the term, or until the  
15 Governor is acquitted, or the disability removed, shall  
16 devolve upon the President of the Senate.

17 9. Section 18 of Article IV of the Constitution of the  
18 State of Iowa, as amended by amendment number 2 of the  
19 Amendments of 1988, is repealed beginning with the general  
20 election in 2002.

21 10. Section 19 of Article IV of the Constitution of the  
22 State of Iowa, as amended by amendment number 2 of the  
23 Amendments of 1952 and amendment number 2 of the Amendments of  
24 1988, is repealed beginning with the general election in 2002  
25 and the following adopted in lieu thereof:

26 SUCCESSION TO OFFICE OF GOVERNOR. Sec. 19. If there is a  
27 vacancy in the office of the Governor and the President of the  
28 Senate shall by reason of death, impeachment, resignation,  
29 removal from office, or other disability become incapable of  
30 performing the duties pertaining to the office of Governor,  
31 the Speaker of the House of Representatives shall act as  
32 Governor until the vacancy is filled or the disability  
33 removed; and if the Speaker of the House of Representatives,  
34 for any of the above causes, is incapable of performing the  
35 duties of the office of Governor, the Justices of the Supreme

1 Court shall convene the General Assembly by proclamation and  
2 the General Assembly shall organize by the election of a  
3 President by the Senate and a Speaker by the House of  
4 Representatives. The General Assembly shall thereupon  
5 immediately proceed to the election of the Governor in joint  
6 convention.

7 Sec. 2. The foregoing proposed amendment to the  
8 Constitution of the State of Iowa is referred to the General  
9 Assembly to be chosen at the next general election for members  
10 of the General Assembly, and the Secretary of State is  
11 directed to cause the proposed amendment to be published for  
12 three consecutive months before the date of that election as  
13 provided by law.

14 EXPLANATION

15 This joint resolution proposes an amendment to the  
16 Constitution of the State of Iowa eliminating the office of  
17 lieutenant governor. The resolution, if adopted, would be  
18 referred to the next general assembly for consideration.

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