

2-19-97 State Gov.

FILED FEB 19 1997

SENATE JOINT RESOLUTION 8
BY LUNDBY and HALVORSON

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

SENATE JOINT RESOLUTION

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

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

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S.J.R. 8

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6 1988, is repealed beginning in the general election in the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16 1988, is repealed beginning with the general election in the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27 1988, is repealed beginning with the general election in the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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