

1141

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. HAWLEY, MOLINARO, CALHOUN, TOBACCO, BARCLAY,  
SAYWARD, FINCH, TOWNSEND, McDONOUGH -- Multi-Sponsored by -- M. of A.  
QUINN, THIELE -- read once and referred to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 4 of the constitution, relating to the  
filling of vacancies in the office of governor and lieutenant-governor

1     Section 1. Resolved (if the Senate concur), That section 5 of article  
2     4 of the constitution be amended to read as follows:

3     S 5. In case of the removal of the governor from office or of his or  
4     her death or resignation, the lieutenant-governor shall become governor  
5     [for the remainder of the term] UNTIL THE NEXT GENERAL ELECTION HAPPEN-  
6     ING NOT LESS THAN THREE MONTHS AFTER THE OFFICE OF GOVERNOR SHALL HAVE  
7     BECOME VACANT AT WHICH A GOVERNOR AND LIEUTENANT-GOVERNOR SHALL BE  
8     ELECTED TO SERVE THE REMAINDER OF THE TERM.

9     In case the governor-elect shall decline to serve or shall die, the  
10    lieutenant-governor-elect shall become governor [for the full term]  
11    UNTIL THE NEXT GENERAL ELECTION.

12    In case the governor is impeached, is absent from the state or is  
13    otherwise unable to discharge the powers and duties of the office of  
14    governor, the lieutenant-governor shall act as governor until the  
15    inability shall cease or until [the term of the governor shall expire]  
16    THE NEXT GENERAL ELECTION HAPPENING NOT LESS THAN THREE MONTHS AFTER THE  
17    OFFICE OF GOVERNOR SHALL HAVE BECOME VACANT, AT WHICH A GOVERNOR AND  
18    LIEUTENANT-GOVERNOR SHALL BE ELECTED FOR THE REMAINDER OF THE TERM.

19    In case of the failure of the governor-elect to take the oath of  
20    office at the commencement of his or her term, the lieutenant-governor-  
21    elect shall act as governor until the governor shall take the oath.

22    S 2. Resolved (if the Senate concur), That the foregoing amendment be  
23    referred to the first regular legislative session convening after the  
24    next succeeding general election of members of the assembly, and, in  
25    conformity with section 1 of article 19 of the constitution, be  
26    published for 3 months previous to the time of such election.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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