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I N   A S S E M B L Y

January 7, 2010

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Introduced by M. of A. CHRISTENSEN -- read once and referred to the  
Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 2 of article 19 of the constitution,  
in relation to the election of delegates

1     Section 1. Resolved (if the Senate concur), That section 2 of article  
2     19 of the constitution be amended to read as follows:  
3     S 2. At the general election to be held in the year nineteen hundred  
4     fifty-seven, and every twentieth year thereafter, and also at such times  
5     as the legislature may by law provide, the question "Shall there be a  
6     convention to revise the constitution and amend the same?" shall be  
7     submitted to and decided by the electors of the state; and in case a  
8     majority of the electors voting thereon shall decide in favor of a  
9     convention for such purpose, the electors of every senate district of  
10    the state, as then organized, shall elect three delegates at the next  
11    ensuing general election, and the electors of the state voting at the  
12    same election shall elect fifteen delegates-at-large. NO PERSON ACTING  
13    AS A POLITICAL PARTY CHAIRPERSON, AN ELECTED PUBLIC OFFICER, A PERSON  
14    APPOINTED BY THE GOVERNOR, AN INDIVIDUAL WHO IS SUBJECT TO THE LOBBYING  
15    RULES ESTABLISHED BY THE COMMISSION ON PUBLIC INTEGRITY, ANY PERSON WHO  
16    IS REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE WITH THE  
17    LEGISLATIVE ETHICS COMMISSION OR ANY OTHER PERSON WHO IS AN OFFICER OF  
18    AN ORGANIZATION, ASSOCIATION OR CORPORATION, OTHER THAN AN ENTITY DESIG-  
19    NATED AS TAX EXEMPT UNDER SECTION 501(C)(3) OF THE UNITED STATES INTER-  
20    NATIONAL REVENUE CODE, THAT RECEIVES PUBLIC FUNDING SHALL BE ELECTED AS A  
21    DELEGATE. NONE OF THE AFOREMENTIONED EXCLUSIONS APPLY TO INDIVIDUALS  
22    BASED ON THEIR EMPLOYMENT AT A HIGHER EDUCATION INSTITUTION OR THE MILI-  
23    TARY. The delegates so elected shall convene at the capitol on the first  
24    Tuesday of April next ensuing after their election, and shall continue  
25    their session until the business of such convention shall have been  
26    completed. Every delegate shall receive for his or her services the same  
27    compensation as shall then be annually payable to the members of the  
28    assembly and be reimbursed for actual traveling expenses, while the  
29    convention is in session, to the extent that a member of the assembly  
30    would then be entitled thereto in the case of a session of the legisla-

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

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1 ture. A majority of the convention shall constitute a quorum for the  
2 transaction of business, and no amendment to the constitution shall be  
3 submitted for approval to the electors as hereinafter provided, unless  
4 by the assent of a majority of all the delegates elected to the conven-  
5 tion, the ayes and noes being entered on the journal to be kept. The  
6 convention shall have the power to appoint such officers, employees and  
7 assistants as it may deem necessary, and fix their compensation and to  
8 provide for the printing of its documents, journal, proceedings and  
9 other expenses of said convention. The convention shall determine the  
10 rules of its own proceedings, choose its own officers, and be the judge  
11 of the election, returns and qualifications of its members. In case of a  
12 vacancy, by death, resignation or other cause, of any district delegate  
13 elected to the convention, such vacancy shall be filled by a vote of the  
14 remaining delegates representing the district in which such vacancy  
15 occurs. If such vacancy occurs in the office of a delegate-at-large,  
16 such vacancy shall be filled by a vote of the remaining delegates-at-  
17 large. Any proposed constitution or constitutional amendment which shall  
18 have been adopted by such convention, shall be submitted to a vote of  
19 the electors of the state at the time and in the manner provided by such  
20 convention, at an election which shall be held not less than six weeks  
21 after the adjournment of such convention. Upon the approval of such  
22 constitution or constitutional amendments, in the manner provided in the  
23 last preceding section, such constitution or constitutional amendment,  
24 shall go into effect on the first day of January next after such  
25 approval.

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