

5624

2009-2010 Regular Sessions

I N   S E N A T E

May 22, 2009

---

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when  
printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to section 5 of article 4 of the constitution, in  
relation to the powers and duties of the lieutenant-governor and  
creating a temporary commission on state administrative reorganization

1     Section 1. Resolved (if the Assembly concur), That section 5 of arti-  
2     cle 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.

6     In case the governor-elect shall decline to serve or shall die, the  
7     lieutenant-governor-elect shall become governor for the full term.

8     In case the governor is impeached[, is absent from the state] or is  
9     otherwise unable to discharge the powers and duties of the office of  
10    governor, the lieutenant-governor shall act as governor until the  
11    inability shall cease or until the term of the governor shall expire.

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

15    S 2. Resolved (if the Assembly concur), That the foregoing amendment  
16    be referred to the first regular legislative session convening after the  
17    next succeeding general election of members of the assembly, and, in  
18    conformity with section 1 of article 19 of the constitution, be  
19    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.

LBD89090-03-9