

H.J.R. 4

RESOLUTION REVISING EXECUTIVE OFFICER SUCCESSION PROVISIONS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

JANUARY 19, 2007 11:18 AM

Representative **Sheryl L. Allen** proposes the following amendments:

1. *Page 3, Lines 63 through 64:*

63 VII, Section 11, Subsection ~~{(6)}~~ (5) because the Lieutenant Governor is acting as Governor under
64 Article VII, Section 11, Subsection ~~{(5)}~~ (4) , the disability of a Lieutenant Governor or Lieutenant

2. *Page 3, Line 85 through Page 4, Line 90:*

85 with the consent of the Senate, appoint a person as Lieutenant Governor, to serve {~~;~~}
86 ~~——(A) except as provided in Subsection (3)(c)(i)(B);~~ the remainder of the unexpired term {~~;~~}
87 or
88 ~~——(B) until the first Monday in January of the year following the next regular general~~
89 ~~election after the vacancy occurs, if the vacancy occurs because the Lieutenant Governor~~
90 ~~becomes Governor under Article VII, Section 11, Subsection (2);~~ .

3. *Page 4, Line 114:*

114 to reside within the state, or is determined, as provided in Subsection ~~{(6)}~~ (5) , to have a disability

4. *Page 4, Line 118:*

118 to qualify for office, or disability, determined as provided in Subsection ~~{(6)}~~ (5) , that renders the

5. *Page 5, Lines 122 through 127:*

122 become Governor, to serve {~~;~~}
123 ~~——(a) until the first Monday in January of the year following the next regular general~~
124 ~~election after the vacancy occurs, if the vacancy occurs 600 or fewer days after the beginning of~~
125 ~~the term of office; or~~
126 ~~——(b) for}~~ the remainder of the unexpired term {~~;~~ , if the vacancy occurs more than 600 days
127 after the beginning of the term of office} .

6. *Page 5, Lines 129 through 134:*

129 Lieutenant Governor, the President of the Senate shall become Governor, to serve {~~;~~}
130 ~~——(i) until the first Monday in January of the year following the next regular general~~
131 ~~election after the vacancy occurs, if the vacancy occurs 600 or fewer days after the beginning of~~
132 ~~the term of office; or~~

133 ~~(ii) for~~ the remainder of the unexpired term ~~{, if the vacancy occurs more than 600 days~~
134 ~~after the beginning of the term of office} .~~

7. Page 5, Lines 137 through 148:

137 become Governor, to serve ~~{:~~
138 ~~(i) until the first Monday in January of the year following the next regular general~~
139 ~~election after the vacancy occurs, if the vacancy occurs 600 or fewer days after the beginning of~~
140 ~~the term of office; or~~
141 ~~(ii) for~~ the remainder of the unexpired term ~~{, if the vacancy occurs more than 600 days~~
142 ~~after the beginning of the term of office} .~~
143 ~~{ (4) If a vacancy in the office of Governor occurs 600 or fewer days after the beginning~~
144 ~~of the term of office, an election shall be held at the next regular general election after the~~
145 ~~vacancy occurs to elect a Governor and Lieutenant Governor, as provided in Article VII,~~
146 ~~Section 2.}~~
147 ~~{ (5)}~~ (4) (a) If the Governor is temporarily unable to discharge the duties of the office
148 because of the Governor's temporary disability, as determined under Subsection ~~{ (6)}~~ (5) , or if the

8. Page 5, Line 150:

150 Governor-elect's temporary disability, as determined under Subsection ~~{ (6)}~~ (5) , the powers and

9. Page 6, Line 155:

155 determined under Subsection ~~{ (6)}~~ (5) , a vacancy in the office of Lieutenant Governor occurs or the

10. Page 6, Line 163:

163 under Subsection ~~{ (6)}~~ (5) , neither the Lieutenant Governor nor the President of the Senate is able to

11. Page 6, Line 166:

166 both officers, as determined under Subsection ~~{ (6)}~~ (5) , or a combination of vacancy and temporary

12. Page 6, Line 173:

173 Subsection ~~{ (5)}~~ (4) , the President may not exercise the powers and duties of President of the Senate

13. Page 6, Line 177:

177 under this Subsection ~~{ (5)}~~ (4) , the Speaker may not exercise the powers and duties of Speaker of the

14. Page 6, Line 181:

181 (d) When acting as Governor under this Subsection ~~{ (5)}~~ (4) , the President of the Senate or

15. Page 7, Line 184:

184 ~~{(6)}~~ (5) (a) A disability of the Governor, Governor-elect, or person acting as Governor shall

16. Page 7, Line 204:

204 (c) Each determination of a disability under Subsection ~~{(6)}~~ (5) (a) shall be final and

17. Page 7, Line 206:

206 ~~{(7)}~~ (6) The Supreme Court has exclusive jurisdiction to determine all questions arising