

1 **JOINT RESOLUTION ON APPOINTMENT OF LEGAL**
2 **COUNSEL FOR EXECUTIVE OFFICERS**

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Mike K. McKell**

6 Senate Sponsor: Todd Weiler

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to
11 modify provisions relating to executive branch officers.

12 **Highlighted Provisions:**

13 This resolution proposes to amend the Utah Constitution to:

- 14 ▶ authorize the Lieutenant Governor, State Auditor, and State Treasurer each to
15 appoint legal counsel to advise them.

16 **Special Clauses:**

17 This resolution directs the Lieutenant Governor to submit this proposal to voters.

18 This resolution provides a contingent effective date of January 1, 2015, for this
19 proposal.

20 **Utah Constitution Sections Affected:**

21 AMENDS:

22 **ARTICLE VII, SECTION 14**

23 **ARTICLE VII, SECTION 15**

25 *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*
26 *of the two houses voting in favor thereof:*

27 Section 1. It is proposed to amend Utah Constitution, Article VII, Section 14, to read:

28 **Article VII, Section 14. [Duties of Lieutenant Governor -- Appointment of legal**
29 **counsel.]**

30 (1) The Lieutenant Governor shall:
 31 ~~[(1)]~~ (a) serve on all boards and commissions in lieu of the Governor whenever so
 32 designated by the Governor;
 33 ~~[(2)]~~ (b) perform such duties as may be delegated by the Governor; and
 34 ~~[(3)]~~ (c) perform other duties as may be provided by statute.
 35 (2) The Lieutenant Governor may appoint legal counsel to advise the Lieutenant
 36 Governor.

37 Section 2. It is proposed to amend Utah Constitution, Article VII, Section 15, to read:

38 **Article VII, Section 15. [Duties of State Auditor and State Treasurer --**
 39 **Appointment of legal counsel.]**

40 (1) The State Auditor shall perform financial post audits of public accounts except as
 41 otherwise provided by this Constitution.
 42 (2) The State Treasurer shall be the custodian of public moneys.
 43 (3) Each shall perform other duties as provided by statute.
 44 (4) The State Auditor may appoint legal counsel to advise the State Auditor, and the
 45 State Treasurer may appoint legal counsel to advise the State Treasurer.

46 Section 3. **Submittal to voters.**

47 The lieutenant governor is directed to submit this proposed amendment to the voters of
 48 the state at the next regular general election in the manner provided by law.

49 Section 4. **Contingent effective date.**

50 If the amendment proposed by this joint resolution is approved by a majority of those
 51 voting on it at the next regular general election, the amendment shall take effect on January 1,
 52 2015.