

1 SB371
2 173214-1
3 By Senators Dial, Holley, Ward, McClendon, Melson, Livingston,
4 Allen, Marsh, Reed, Waggoner, Orr and Brewbaker
5 (Constitutional Amendment)
6 RFD: Governmental Affairs
7 First Read: 13-APR-17

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8 SYNOPSIS: Under existing constitutional provisions,
9 the Lieutenant Governor is the President of the
10 Senate, is entitled to vote in the event of a tie,
11 and is vested with certain prescribed legislative
12 duties, powers, and responsibilities. Also, under
13 existing constitutional provisions, the Lieutenant
14 Governor and the Governor are elected separately.

15 This bill would propose an amendment to the
16 Constitution of Alabama of 1901, which would
17 require the Governor and Lieutenant Governor to be
18 elected jointly, would remove the power of the
19 Lieutenant Governor to preside over the Senate and
20 to vote in the event of a tie, and would provide
21 that the sole duty of the Lieutenant Governor would
22 be to succeed to the office of the Governor upon
23 the Governor's removal from office, death, or
24 resignation.

25 This bill would also specify that the
26 Lieutenant Governor would hold no duties,
27 responsibilities, or powers regarding the

1 Legislative Department. This bill would require the
2 members of the Senate to elect from its membership
3 a President of the Senate and would provide that
4 the prior legislative duties, responsibilities, and
5 powers of the Lieutenant Governor would be vested
6 in the President of the Senate. The bill would also
7 provide that the President Pro Tempore of the
8 Senate would preside over the Senate in the absence
9 of the President of the Senate.

10 This bill would specify that the annual
11 salary of the Lieutenant Governor would be an
12 amount equal to 75 percent of the annual salary
13 paid to the Governor.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Proposing an amendment to Section 117 of the
20 Constitution of Alabama of 1901; requiring the Governor and
21 Lieutenant Governor to be elected jointly; removing the duty
22 of the Lieutenant Governor to serve as the President of the
23 Senate and other duties, responsibilities, and powers
24 regarding the Legislative Department; specifying that the sole
25 duty of the Lieutenant Governor is to succeed to the Office of
26 Governor under certain existing conditions; vesting these
27 duties, responsibilities, and powers with the President of the

1 Senate who shall be elected by the members of the Senate from
2 the membership of the Senate; providing that the President Pro
3 Tempore of the Senate would preside over the Senate in the
4 absence of the President of the Senate; and providing for the
5 annual salary of the Lieutenant Governor.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The following amendment to Section 117 of
8 the Constitution of Alabama of 1901, as amended, is proposed
9 and shall become valid as a part thereof when approved by a
10 majority of the qualified electors voting thereon and in
11 accordance with Sections 284, 285, and 287 of the Constitution
12 of Alabama of 1901, as amended:

13 PROPOSED AMENDMENT

14 "Section 117.

15 "(a) The governor and lieutenant governor shall each
16 be at least thirty years of age when elected, and shall have
17 been citizens of the United States ten years and resident
18 citizens of this state at least seven years next before the
19 date of their election. ~~The lieutenant governor shall be ex~~
20 ~~officio president of the senate, but shall have no right to~~
21 ~~vote except in the event of a tie.~~

22 "(b) Commencing with the first general election for
23 Governor and Lieutenant Governor following ratification of
24 this amendment, and in every election for Governor and
25 Lieutenant Governor held thereafter, one vote shall be cast
26 jointly for the candidates for Governor and Lieutenant
27 Governor nominated by the same political party or petition.

1 The Legislature shall provide by general law for the
2 nomination of candidates for Governor and Lieutenant Governor.

3 "(c) The sole duty of the Lieutenant Governor is to
4 succeed to the Office of the Governor as specified in Section
5 127. The Lieutenant Governor shall not serve as President of
6 the Senate and shall hold no right to vote in the event of a
7 tie. The Lieutenant Governor shall hold no duties,
8 responsibilities, or powers regarding the Legislative
9 Department.

10 "(d) The members of the Senate, from time to time,
11 shall elect from its membership a President of the Senate.
12 Those legislative duties, responsibilities, and powers
13 previously vested in the Lieutenant Governor by this
14 constitution or by law are vested in the President of the
15 Senate. The President Pro Tempore of the Senate, as provided
16 in Amendment 57 of this constitution, shall preside over the
17 deliberations of the Senate in the absence of the President of
18 the Senate.

19 "(e) Portions of Section 118 of this constitution to
20 the contrary notwithstanding, the annual compensation paid to
21 the Lieutenant Governor shall be an amount equal to 75 percent
22 of the annual salary, as adjusted from time to time, paid to
23 the Governor. The difference in salary specified in this
24 amendment may not be altered by law."

25 Section 2. An election upon the proposed amendment
26 shall be held in accordance with Sections 284 and 285 of the
27 Constitution of Alabama of 1901, now appearing as Sections 284

1 and 285 of the Official Recompilation of the Constitution of
2 Alabama of 1901, as amended, and the election laws of this
3 state.

4 Section 3. The appropriate election official shall
5 assign a ballot number for the proposed constitutional
6 amendment on the election ballot and shall set forth the
7 following description of the substance or subject matter of
8 the proposed constitutional amendment:

9 "Proposing an amendment to the Constitution of
10 Alabama of 1901, providing the Governor and Lieutenant
11 Governor would be elected jointly; removing the duty of the
12 Lieutenant Governor to serve as the President of the Senate
13 and to perform other legislative responsibilities; vesting
14 these legislative duties in the President of the Senate, who
15 shall be elected by the members of the Senate; specifying the
16 sole duty of the Lieutenant Governor is to succeed to the
17 Office of Governor under certain existing conditions; and
18 providing that the annual salary of the Lieutenant Governor is
19 an amount equal to 75 percent of the annual salary of the
20 Governor.

21 "Proposed by Act _____."

22 This description shall be followed by the following
23 language:

24 "Yes () No ()."