

1 education, and commissioner of elections each shall be elected for a term of four
2 years by the electors of the state at the time and place of voting for members of the
3 legislature. The term of each such official shall begin at noon on the second Monday
4 in January next following the election.

5 * * *

6 §7. Secretary of State; Powers and Duties

7 Section 7. There shall be a Department of State. The secretary of state shall
8 head the department and shall be the chief election officer of the state. **The secretary**
9 **of state shall be elected and removed by the elected members of each house in**
10 **the manner provided by law and shall possess such qualifications as provided**
11 **by law.** He shall prepare and certify the ballots for all elections, promulgate all
12 election returns, and administer the election laws, except those relating to voter
13 registration and custody of voting machines. He shall administer the state
14 corporation and trademark laws; serve as keeper of the Great Seal of the State of
15 Louisiana and attest therewith all official laws, documents, proclamations, and
16 commissions; administer and preserve the official archives of the state; promulgate
17 and publish all laws enacted by the legislature and retain the originals thereof; and
18 countersign and keep an official registry of all commissions. He may administer
19 oaths and shall have other powers and perform other duties authorized by this
20 constitution or provided by law.

21 * * *

22 §14. Vacancy in Office of Governor

23 Section 14. When a vacancy occurs in the office of governor, the order of
24 succession shall be (1) the elected lieutenant governor, (2) ~~the elected secretary of~~
25 ~~state,~~ (3) the elected attorney general, (4) ~~(3)~~ **(3)** the elected treasurer, (5) ~~(4)~~ **(4)**
26 the presiding officer of the Senate, (6) ~~(5)~~ **(5)** the presiding officer of the House of
27 Representatives, and then (7) ~~(6)~~ **(6)** as provided by law. The successor shall serve the
28 remainder of the term for which the governor was elected.

29 * * *

1 Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the
2 members elected to each house concurring, that there shall be submitted to the electors of
3 the state of Louisiana, for their approval or rejection in the manner provided by law, a
4 proposal to amend Article XIV of the Constitution of Louisiana, by adding a new Part IV,
5 comprised of Section 41, to read as follows:

6 **PART IV**

7 **§41. Election of the Secretary of State by the elected members of each house;**

8 **Effectiveness of Amendment Approved in 2010**

9 **Section 41. The provisions of Article IV, Sections 3(A), 7, and 14, all**
10 **amended as approved in 2010, shall be effective at noon on January 14, 2011,**
11 **and thereafter.**

12 Section 3. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on November 2,
14 2010.

15 Section 4. Be it further resolved that on the official ballot to be used at said election
16 there shall be printed a proposition, upon which the electors of the state shall be permitted
17 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
18 read as follows:

19 To provide that the secretary of state shall be elected by the elected members
20 of each house as provided by law; to require the secretary of state to possess
21 the qualifications provided by law for such position; and to remove the
22 secretary of state from the line of succession for the office of governor.

23 (Effective January 14, 2011) (Amends Article IV, Sections 3(A), 7, and 14;

24 Adds Art. XIV, Section 41)

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tim Prather.

DIGEST

Present constitution provides that the statewide elected officials, including the secretary of state, will be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature and provides that the term of each such official will begin at noon on the second Monday in January next following the election.

Proposed constitutional amendment removes the secretary of state from the list of statewide elected officials and otherwise retains present constitution.

Present constitution also provides for a Department of State, headed by the secretary of state who will be the chief election officer of the state. Provides that he will prepare and certify the ballots for all elections; promulgate all election returns; administer the election laws; administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate and publish all laws enacted by the legislature and retain the originals thereof; and countersign and keep an official registry of all commissions. Provides that the secretary of state may administer oaths and shall have other powers and perform other duties authorized by the constitution or provided by law.

Proposed constitutional amendment retains present constitution but additionally provides that the secretary of state will be elected and removed by the elected members of each house in the manner provided by law and shall possess such qualifications as provided by law.

Present constitution provides that the elected secretary of state is second (after the elected lieutenant governor and before the elected attorney general) in the line of succession when a vacancy occurs in the office of the governor.

Proposed constitutional amendment removes the secretary of state from the line of succession and otherwise retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 2, 2010.

Effective at noon Jan. 14, 2011.

(Amends Const. Art. IV, 3(A), 7, and 14; adds Const. Art. XIV, §41)