



## 2015 SENATE JOINT RESOLUTION 4

January 28, 2015 – Introduced by Senators GUDEX, WANGGAARD, ROTH, MARKLEIN, NASS, LEMAHIEU and VUKMIR, cosponsored by Representatives SCHRAA, AUGUST, KUGLITSCH, NEYLON, TITTL, CRAIG, ROHRKASTE, GANNON, KLEEFISCH, WEATHERSTON, STEFFEN, SANFELIPPO, ALLEN, GENRICH, CZAJA, BORN, KREMER, KNUDSON, PETERSEN, KRUG, R. BROOKS, TAUCHEN and HORLACHER. Referred to Committee on Labor and Government Reform.

- 1     **To amend** section 1 of article VI, section 3 of article VI and sections 7 and 8 of article  
2           X; and **to create** section 17 of article XIV of the constitution; **relating to:**  
3           deleting from the constitution the office of state treasurer (first consideration).

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### *Analysis by the Legislative Reference Bureau*

This constitutional amendment, proposed to the 2015 legislature on first consideration, deletes from the constitution the office of state treasurer.

#### ***Term of incumbent***

Under the proposal, the final election for state treasurer required by the constitution is the one that was held in November 2014. The incumbent will continue to serve until the first Monday in January 2019.

#### ***State treasurer's duties***

Currently, the only duty assigned to the state treasurer by the constitution is to serve as a member of the Board of Commissioners of Public Lands; all other duties are prescribed by law. The proposal removes the state treasurer as a member of the Board of Commissioners of Public Lands.

The three-member Board of Commissioners of Public Lands presently consists of the secretary of state, the state treasurer, and the attorney general. Under this proposal, the lieutenant governor becomes a member in place of the state treasurer.

***Second consideration and ratification***

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

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1           ***Resolved by the senate, the assembly concurring, That:***

2           **SECTION 1.** Section 1 of article VI of the constitution is amended to read:

3           [Article VI] Section 1. The qualified electors of this state, ~~at the times and~~  
4 ~~places of choosing the members of the legislature, shall in 1970 and every 4 years~~  
5 ~~thereafter elect a secretary of state, treasurer and an~~ attorney general ~~who shall hold~~  
6 ~~their offices for 4 years~~ 4-year terms.

7           **SECTION 2.** Section 3 of article VI of the constitution is amended to read:

8           [Article VI] Section 3. The powers, duties, and compensation of the treasurer  
9 ~~and~~ attorney general shall be prescribed by law.

10          **SECTION 3.** Sections 7 and 8 of article X of the constitution are amended to read:

11          [Article X] Section 7. The lieutenant governor, secretary of state, ~~treasurer~~ and  
12 attorney general, shall constitute a board of commissioners for the sale of the school  
13 and university lands and for the investment of the funds arising therefrom. Any two  
14 of said commissioners shall be a quorum for the transaction of all business pertaining  
15 to the duties of their office.

16          Section 8. Provision shall be made by law for the sale of all school and university  
17 lands after they shall have been appraised; and when any portion of such lands shall  
18 be sold and the purchase money shall not be paid at the time of the sale, the  
19 commissioners shall take security by mortgage upon the lands sold for the sum  
20 remaining unpaid, with ~~seven per cent~~ 7 percent interest thereon, payable annually  
21 ~~at the office of the treasurer~~ as provided by law. The commissioners shall be  
22 authorized to execute a good and sufficient conveyance to all purchasers of such

1 lands, and to discharge any mortgages taken as security, when the sum due thereon  
2 shall have been paid. The commissioners shall have power to withhold from sale any  
3 portion of such lands when they shall deem it expedient, and shall invest all moneys  
4 arising from the sale of such lands, as well as all other university and school funds,  
5 in such manner as the legislature shall provide, and shall give such security for the  
6 faithful performance of their duties as may be required by law.

7 **SECTION 4.** Section 17 of article XIV of the constitution is created to read:

8 [Article XIV] Section 17. The state treasurer holding office on the date of  
9 ratification of the 2015-17 amendment providing for the deletion of that office from  
10 the constitution shall continue to hold that office until the first Monday of January  
11 in 2019. Any vacancy in the office occurring before that date shall be filled in the  
12 manner provided by law.

13 **SECTION 5. Numbering of new provisions.** If another constitutional  
14 amendment ratified by the people creates the number of any provision created in this  
15 joint resolution, the chief of the legislative reference bureau shall determine the  
16 sequencing and the numbering of the provisions whose numbers conflict and adjust  
17 any cross-references thereto.

18 ***Be it further resolved, That*** this proposed amendment be referred to the  
19 legislature to be chosen at the next general election and that it be published for three  
20 months previous to the time of holding such election.

21 (END)