SB371

186420-2

By Senators Dial, Holley, Ward, McClendon, Melson, Livingston, Allen, Marsh, Reed, Waggoner, Orr and Brewbaker

(Constitutional Amendment)

RFD: Governmental Affairs

First Read: 13-APR-17
A BILL

TO BE ENTITLED

AN ACT

Proposing an amendment to Section 117 of the Constitution of Alabama of 1901; removing the duty of the Lieutenant Governor to serve as the President of the Senate and other duties, responsibilities, and powers regarding the Legislative Department; specifying that the sole duty of the Lieutenant Governor is to succeed to the Office of Governor under certain existing conditions; vesting these duties, responsibilities, and powers with the President of the Senate who shall be elected by the members of the Senate from the membership of the Senate; providing that the President Pro Tempore of the Senate would preside over the Senate in the absence of the President of the Senate; and providing for the annual salary of the Lieutenant Governor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

PROPOSED AMENDMENT

"Section 117.

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

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

(c) The members of the Senate, from time to time, shall elect from its membership a President of the Senate. Those legislative duties, responsibilities, and powers previously vested in the Lieutenant Governor by this constitution or by law are vested in the President of the Senate. The President Pro Tempore of the Senate, as provided in Amendment 57 of this constitution, shall preside over the
deliberations of the Senate in the absence of the President of the Senate.

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

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

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

"Proposing an amendment to the Constitution of Alabama of 1901, removing the duty of the Lieutenant Governor to serve as the President of the Senate and to perform other legislative responsibilities; vesting these legislative duties in the President of the Senate, who shall be elected by the members of the Senate; specifying the sole duty of the Lieutenant Governor is to succeed to the Office of Governor under certain existing conditions; and providing that the
annual salary of the Lieutenant Governor is an amount equal to 75 percent of the annual salary of the Governor.

"Proposed by Act ________." This description shall be followed by the following language:

"Yes ( ) No ( )."
Read for the first time and referred to the Senate committee on Governmental Affairs................. 13-APR-17

Read for the second time and placed on the calendar......................................................... 20-APR-17

Read for the first time............................. 13-APR-17

Read for the third time and passed as amended .... 11-MAY-17

Yeas 22
Nays 6
Abstaining 1

Patrick Harris,
Secretary.