

House Resolution 1258

By: Representatives Franklin of the 17th, Keen of the 146th, Massey of the 24th, Knox of the 14th, Post 1, Hill of the 16th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that the Governor shall have
2 the power to appoint a cabinet of advisers; to provide that the Governor and the Lieutenant
3 Governor shall run as a slate and shall be voted on together; to remove certain boards and
4 certain elected constitutional executive officers; to change certain provisions relating to
5 suspension and removal of public officials; to change certain provisions relating to disability
6 of certain executive officers; to provide for related matters; to provide for submission of this
7 amendment for ratification and rejection; to provide effective dates; and for other purposes.

8 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Section III of Article II of the Constitution, relating to suspension and removal of public
11 officials, is amended by striking Paragraphs I and II and inserting in their place the
12 following:

13 "Paragraph I. *Suspension and removal.* The procedure for the suspension and removal
14 of the Governor, the Lieutenant Governor, or any member of the General Assembly shall
15 be as provided by law."

16 SECTION 2.

17 Article IV of the Constitution, relating to constitutional boards and commissions, is amended
18 by repealing Section III of said article, relating to the State Personnel Board, Section IV of
19 said Article, relating to the State Transportation Board, Section V of said article, relating to
20 the Veterans Service Board, and Section VI of said article, relating to the Board of Natural
21 Resources.

22 SECTION 3.

23 Said Article IV is further amended in Section VII, relating to qualifications, compensation,
24 removal from office, and powers and duties of members of constitutional boards and

1 commissions, by striking Paragraphs I and II of said article and inserting in their place the
2 following:

3 "Paragraph I. *Qualifications, compensation, and removal from office.* The qualifications,
4 compensation, and removal from office of members of ~~the constitutional boards~~ board and
5 ~~commissions~~ commission provided for in this article shall be as provided by law.

6 Paragraph II. *Powers and duties.* The powers and duties of members of the constitutional
7 ~~boards and commissions~~ commission provided for in this article, ~~except the Board of~~
8 ~~Pardons and Paroles~~, shall be as provided by law."

9 **SECTION 4.**

10 Article V of the Constitution, relating to the executive branch, is amended in Section I by
11 striking Paragraph I, relating to the term of office and compensation and allowances of the
12 Governor, Paragraph II, relating to election for Governor, and Paragraph III, relating to the
13 Lieutenant Governor, and inserting in their places the following:

14 "Paragraph I. *Governor and Lieutenant Governor: term of office; compensation and*
15 *allowances.* There shall be a Governor and a Lieutenant Governor who shall each hold
16 office for a term of four years and until a successor shall be chosen and qualified. Persons
17 holding the office of Governor may succeed themselves for one four-year term of office.
18 Persons who have held the office of Governor and have succeeded themselves as
19 hereinbefore provided shall not again be eligible to be elected to that office until after the
20 expiration of four years from the conclusion of their term as Governor. The compensation
21 and allowances of the Governor shall be as provided by law.

22 Paragraph II. *Election for Governor and Lieutenant Governor.* An election for Governor
23 and Lieutenant Governor shall be held on Tuesday after the first Monday in November of
24 ~~1986; 2006,~~ and the Governor-elect and Lieutenant Governor-elect shall be installed in
25 office at the next session of the General Assembly. An election for Governor and
26 Lieutenant Governor shall take place quadrennially thereafter on said date unless another
27 date be fixed by the General Assembly. Said election shall be held at the places of holding
28 general elections in the several counties of this state, in the manner prescribed for the
29 election of members of the General Assembly, and the electors shall be the same.
30 Candidates for the office of Governor and Lieutenant Governor shall run as a slate or team
31 and shall be voted upon together. When qualifying to offer for election, candidates for the
32 office of Governor shall name the person with whom they shall be paired for the office of
33 Lieutenant Governor and such candidates shall run as a slate. A vote for a candidate for the
34 office of Governor shall be also a vote for the candidate for the office of Lieutenant
35 Governor named by and paired with such candidate for Governor on the same slate.
36 Candidates for Governor and Lieutenant Governor shall not be voted upon separately.

1 Paragraph III. ***Lieutenant Governor.*** ~~There shall be a Lieutenant Governor, who shall be~~
 2 ~~elected at the same time, for the same term, and in the same manner as the Governor.~~ The
 3 Lieutenant Governor shall be the President of the Senate and shall have such executive
 4 duties as prescribed by the Governor and as may be prescribed by law not inconsistent with
 5 the powers of the Governor or other provisions of this Constitution. The compensation and
 6 allowances of the Lieutenant Governor shall be as provided by law."

7 **SECTION 5.**

8 Said Article V of the Constitution is further amended by repealing Paragraph VIII of Section
 9 II, relating to filling vacancies, and by redesignating Paragraph IX as Paragraph VIII.

10 **SECTION 6.**

11 Said Article V is further amended by striking Paragraph X of Section II, relating to
 12 information from officers and employees, and inserting in its place the following:

13 "Paragraph ~~X~~ IX. ***Information from officers and employees.*** The Governor may require
 14 information in writing from ~~constitutional officers and all other~~ officers and employees of
 15 the executive branch on any subject relating to the duties of their respective offices or
 16 employment."

17 **SECTION 7.**

18 Said Article V is further amended in Section II by adding a new Paragraph X to read as
 19 follows:

20 "Paragraph X. ***Advisers.*** The Governor shall have the power to appoint a cabinet of
 21 advisers, which may include a secretary of state, an attorney general, a state school
 22 superintendent, a commissioner of insurance, a commissioner of agriculture, and a
 23 commissioner of labor."

24 **SECTION 8.**

25 Said Article V is further amended by repealing Section III of said article, relating to other
 26 executive officers.

27 **SECTION 9.**

28 Said Article V is further amended by striking Paragraphs I, II, and III of Section IV, relating
 29 to disability of executive officers, and inserting in their place the following:

30 "Paragraph I. ***Procedure for determining disability.*** The procedure for determining the
 31 disability of the Governor or the Lieutenant Governor shall be as provided by law."

1 **SECTION 10.**

2 Article VIII, relating to education, is amended by repealing Section II of said article, relating
3 to the State Board of Education, Section III of said article, relating to the State School
4 Superintendent, and Section IV of said article, relating to the board of regents, and by
5 striking subparagraph (a) of Paragraph VII of Section V, relating to special schools, and
6 inserting in its place the following:

7 "(a) The General Assembly may provide by law for the creation of special schools in such
8 areas as may require them and may provide for the participation of local boards of
9 education in the establishment of such schools under such terms and conditions as it may
10 provide; but no bonded indebtedness may be incurred nor a school tax levied for the
11 support of special schools without the approval of a majority of the qualified voters voting
12 thereon in each of the systems affected. ~~Any special schools shall be operated in~~
13 ~~conformity with regulations of the State Board of Education pursuant to provisions of law.~~
14 The state is authorized to expend funds for the support and maintenance of special schools
15 in such amount and manner as may be provided by law."

16 **SECTION 11.**

17 The above proposed amendment to the Constitution shall be published and submitted as
18 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
19 above proposed amendment shall have written or printed thereon the following:

20 "() YES Shall the Constitution be amended so as to provide that the Governor shall
21 have the power to appoint a cabinet of advisers; to remove certain boards
22 () NO and certain elected constitutional executive officers; to change certain
provisions relating to suspension and removal of public officials; and to
change certain provisions relating to disability of certain executive
officers?"

23 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
24 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
25 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
26 become a part of the Constitution of this state.

27 **SECTION 12.**

28 This constitutional amendment shall become effective on January 1, 2006, for the purposes
29 of holding the state-wide general election in 2006 and shall become effective for all purposes
30 on January 1, 2007.