



2017 ASSEMBLY JOINT RESOLUTION

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 (second
4 consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This constitutional amendment, to be given second consideration by the 2017 legislature for submittal to the voters in April 2018, was first considered by the 2015 legislature in 2015 Assembly Joint Resolution 5, which became 2015 Enrolled Joint Resolution 7.

The amendment deletes from the constitution the office of state treasurer.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional

amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1 Whereas, the 2015 legislature in regular session considered a proposed
2 amendment to the constitution in 2015 Assembly Joint Resolution 5, which became
3 2015 Enrolled Joint Resolution 7, and agreed to it by a majority of the members
4 elected to each of the two houses, which proposed amendment reads as follows:

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

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

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

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

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

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

Section 8. Provision shall be made by law for the sale of all school and university lands after they shall have been appraised; and when any portion of such lands shall be sold and the purchase money shall not be paid at the time of the sale, the commissioners shall take security by mortgage upon the lands sold for the sum remaining unpaid, with seven per cent 7 percent interest thereon, payable annually ~~at the office of the treasurer~~ as provided by law. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands, and to discharge any mortgages taken as security, when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other university and school funds, in such manner as the legislature shall provide, and shall give such security for the faithful performance of their duties as may be required by law.

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

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

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

1 ***Now, therefore, be it resolved by the assembly, the senate concurring,***

2 ***That*** the foregoing proposed amendment to the constitution is agreed to by the 2017

3 legislature; and, be it further

4 ***Resolved, That*** the foregoing proposed amendment to the constitution be

5 submitted to a vote of the people at the election to be held on the first Tuesday in April

6 2018; and, be it further

7 ***Resolved, That*** the question concerning ratification of the foregoing proposed

8 amendment to the constitution be stated on the ballot as follows:

9 **QUESTION 1: "Elimination of state treasurer.** Shall sections 1 and 3 of
10 article VI and sections 7 and 8 of article X of the constitution be amended, and section
11 17 of article XIV of the constitution be created, to eliminate the office of state
12 treasurer from the constitution and to replace the state treasurer with the lieutenant
13 governor as a member of the Board of Commissioners of Public Lands?"

14 (END)