



2005 SENATE JOINT RESOLUTION 19

April 1, 2005 – Introduced by Senator A. LASEE, cosponsored by Representatives KERKMAN, JESKEWITZ, KREIBICH, FREESE, BIES, OWENS, VAN ROY, HINES and PRIDEMORE. Referred to Committee on Judiciary, Corrections and Privacy.

1 To amend so as in effect *to repeal* section 2 of article VI; *to amend* section 8 of article
2 V, section 1 of article VI, section 3 of article VI, sections 7 and 8 of article X and
3 section 4 of article XIII; and *to create* section 17 of article XIV of the
4 constitution; **relating to:** deleting from the constitution the office of state
5 treasurer (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, deletes from the constitution the office of state treasurer.

State treasurer

Currently, the only duty assigned to the state treasurer by the constitution is to serve as a member of the board of commissioners for the sale of public lands; all other duties are prescribed by law. The proposal removes the state treasurer as a member of the board of commissioners and substitutes the governor or the lieutenant governor, if designated by the governor.

The last election for state treasurer required by the constitution will be the one held in November 2006. The incumbent will continue to serve until the first Monday in January 2011.

Second consideration and ratification

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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~~ At the 2010 general election and every 4 years
4 thereafter, the qualified electors of this state, ~~at the times and places of choosing the~~
5 ~~members of the legislature, shall in 1970 and every 4 years thereafter elect a~~
6 ~~secretary of state, treasurer and an~~ attorney general ~~who shall hold their offices for~~
7 ~~4 years~~ 4-year terms.

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

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

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

12 [Article X] Section 7. The secretary of state, ~~treasurer, the governor or the~~
13 lieutenant governor if designated by the governor, and the attorney general, shall
14 constitute a board of commissioners ~~for~~. The board shall administer the sale of the
15 school and university lands and ~~for~~ the investment of the funds arising therefrom.
16 ~~Any two of said commissioners~~ 2 members shall be a quorum for the transaction of
17 all business pertaining to the duties of ~~their office~~ the board.

18 Section 8. ~~Provision shall be made by law for the~~ The sale of all school and
19 university lands, ~~after they shall have been appraised; and when, shall be regulated~~
20 by law. Whenever any portion of such lands shall be is sold and the purchase money
21 shall is not be paid at the time of the sale, the ~~commissioners~~ board of commissioners
22 shall take security by mortgage upon the lands sold for the sum remaining unpaid,

1 with ~~seven per cent~~ 7 percent interest thereon, payable annually at the office of the
2 treasurer as provided by law. The commissioners ~~shall be authorized to~~ board may
3 execute a good and sufficient conveyance to all purchasers of such lands, ~~and to~~. The
4 board may discharge any mortgages taken as security, when the sum due thereon
5 ~~shall have~~ has been paid. The commissioners ~~shall have power to~~ board may
6 withhold from sale any portion of such lands when ~~they shall deem~~ the board
7 considers it expedient, ~~and~~. The board shall invest all moneys arising from the sale
8 of such lands, as well as all other university and school funds, in ~~such~~ the manner
9 as the legislature ~~shall provide, and shall~~ provided by law. The members of the board
10 shall give such security for the faithful performance of their duties as ~~may be~~
11 required by law.

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

13 [Article XIV] Section 17. The state treasurer holding office on the date of
14 ratification of the 2005-07 amendment providing for the deletion of that office from
15 the constitution shall continue to hold that office until the first Monday of January
16 in 2011. Any vacancy in the office occurring before that date shall be filled in the
17 manner provided by law.

18 **SECTION 5. Numbering of new provision.** The new section 17 of article XIV
19 of the constitution created in this joint resolution shall be designated by the next
20 higher open whole section number in that article if, before the ratification by the
21 people of the amendment proposed in this joint resolution, any other ratified
22 amendment has created a section 17 of article XIV of the constitution of this state.
23 If one or more joint resolutions create a section 17 of article XIV simultaneously with
24 the ratification by the people of the amendment proposed in this joint resolution, the
25 sections created shall be numbered and placed in a sequence so that the sections

1 created by the joint resolution having the lowest enrolled joint resolution number
2 have the numbers designated in that joint resolution, and the sections created by the
3 other joint resolutions have numbers that are in the same ascending order as are the
4 numbers of the enrolled joint resolutions creating the sections.

5 ***Be it further resolved, That*** this proposed amendment be referred to the
6 legislature to be chosen at the next general election and that it be published for 3
7 months previous to the time of holding such election.

8 (END)