

AN ACT proposing to amend Sections 72, 84, and 87 and repeal Sections 85 and 86 of the Constitution of Kentucky relating to the duties of constitutional officers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. It is proposed that Section 72 of the Constitution of Kentucky be amended to read as follows:

The Governor and the Lieutenant Governor shall be at least thirty years of age, and have been citizens and residents of Kentucky for at least six years next preceding their election. *The Lieutenant Governor shall, by virtue of his or her office, be President of the Senate, and have a right, when in Committee of the Whole, to debate and vote on all subjects, and when the Senate is equally divided, to give the casting vote.* ~~Other~~^{The} duties of the Lieutenant Governor shall be prescribed by law, and he *or she* shall have such other duties as delegated by the Governor.

➔Section 2. It is proposed that Section 84 of the Constitution of Kentucky be amended to read as follows:

Should the Governor be impeached and removed from office, die, refuse to qualify, resign, certify by entry on his Journal that he is unable to discharge the duties of his office, or be, from any cause, unable to discharge the duties of his office, the Lieutenant Governor shall exercise all the power and authority appertaining to the office of Governor until another be duly elected and qualified, or the Governor shall be able to discharge the duties of his office. On the trial of the Governor, the *Lieutenant Governor*~~President of the Senate~~ shall not preside over the proceedings, but the Chief Justice of the Supreme Court shall preside during the trial.

If the Governor, due to physical or mental incapacitation, is unable to discharge the duties of his office, the Attorney General may petition the Supreme Court to have the Governor declared disabled. If the Supreme Court determines in a unanimous decision that the Governor is unable to discharge the duties of his office, the Chief Justice shall certify such disability to the Secretary of State who shall enter same on the Journal

of the Acts of the Governor, and the Lieutenant Governor shall assume the duties of the Governor, and shall act as Governor until the Supreme Court determines that the disability of the Governor has ceased to exist. Before the Governor resumes his duties, the finding of the Court that the disability has ceased shall be certified by the Chief Justice to the Secretary of State who shall enter such finding on the Journal of the Acts of the Governor.

➔Section 3. It is proposed that Section 87 of the Constitution of Kentucky be amended to read as follows:

If the Lieutenant Governor shall be called upon to administer the government in place of the Governor, and shall, while in such administration, **be impeached and removed from office, resign, die, or be, from any other cause, unable to discharge the duties of the office of Governor**~~[, resign, or die during the recess of the General Assembly, if there be no President of the Senate, it shall be the duty of the Attorney General, for the time being, to convene the Senate for the purpose of choosing a President; and until a President is chosen],~~ the Attorney General shall administer the government **while there is no duly elected and qualified Governor or Lieutenant Governor to do so**. If there be no Attorney General to perform the duties devolved upon him by this section, then the Auditor~~[, for the time being, shall convene the Senate for the purpose of choosing a President, and]~~ shall administer the government **while there is no duly elected and qualified Governor or Lieutenant Governor to do so**~~[until a President is chosen].~~

➔Section 4. It is proposed that the following sections of the Constitution of Kentucky be repealed:

Section 85 President of Senate -- Election -- Powers.

Section 86 Compensation of President of the Senate.

➔Section 5. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided

for under Sections 256 and 257 of the Constitution and under KRS 118.415. The question to be submitted to voters shall read as follows: "Are you in favor of making the Lieutenant Governor of Kentucky the President of the Senate and giving him or her the power to vote on bills when there is a tie vote in the Senate? Additionally, if the Lieutenant Governor dies, leaves office, or is otherwise unable to serve, are you in favor of designating the Attorney General, rather than a person chosen by the Senate as its President, to administer the government in the absence of the Governor, and of making the Auditor of Public Accounts the next officer in that line of succession?"