

January 19, 1951.  
Passed on File.

**S. J. R. 3**

By BERG, DOUD, COLBURN, HATTERY,  
JACOBSON and MERCER.

Passed Senate, Date .....  
Vote: Ayes..... Nays.....  
Passed House, Date .....  
Vote: Ayes..... Nays.....  
Approved .....

## **SENATE JOINT RESOLUTION**

A Joint Resolution proposing amendments to the constitution of the state of Iowa relating to the succession of officers to the office of governor in the event of death or disability of the governor or person elected to that office and to amend section four (4) of article IV and to repeal section nineteen (19) of article IV and propose a substitute therefor.

WHEREAS, The Fifty-third (53d) General Assembly, in regular session and by a majority of the members elected to each of the two houses of said General Assembly, did adopt Senate Joint Resolution 2 of said Fifty-third (53rd) General Assembly whereby the General Assembly did agree to two proposed amendments to Article Four (IV) of the Constitution of the State of Iowa by amending sections four (4) and nineteen (19) of said Article Four (IV) of the Constitution of the State of Iowa in the following form:

“Amendment 1. Section four (4) of Article IV of the Constitution of Iowa is amended by adding thereto the following: ‘If, upon the completion of the canvass of the votes for Governor and Lieutenant Governor by the General Assembly, it shall appear that the person who received the highest number of votes for Governor has since died, resigned, is unable to qualify, fails to qualify, or for any other reason is unable to assume the duties of the office of Governor for the ensuing term, the powers and duties of the office shall devolve upon the person who received the highest number of votes for Lieutenant Governor until the disability is removed and, upon inauguration, he shall assume the powers and duties of Governor.’

“Amendment 2. Section nineteen (19) of Article IV of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof: ‘Sec. 19. If there be a vacancy in the office of Governor and the Lieutenant Governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of Governor, the President pro tempore of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President pro tempore of the Senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of Governor the same shall devolve upon the Speaker of the House of Representatives; and if the Speaker of the House of Representatives, for any of the above causes, shall be incapable of performing the duties of the office of Governor, the Justices of the Supreme Court shall convene the General Assembly by proclamation and the General Assembly shall organize by the election of a President pro tempore by the Senate and a Speaker by the House of Representatives. The General Assembly shall thereupon immediately proceed to the election of a Governor and Lieutenant Governor in joint convention.’ ”; and

WHEREAS, said proposed amendments, so agreed to, and the yeas and nays taken thereon, were duly entered in the journals of each of the houses of the Fifty-third (53d) General Assembly at the time said action was taken in the respective houses of said General Assembly and in the manner required by the Constitution of the State of Iowa; and

WHEREAS, said proposed amendments were by the terms of said Senate Joint Resolution 2 referred to the Fifty-fourth (54th) General Assembly as required by the Constitution of the State of Iowa; and

WHEREAS, said proposed amendments were duly published in the manner and form and for the time provided by the Constitution of the State of Iowa and the laws thereof and due return and report of such publication has been made by the Secretary of State of Iowa to both houses of this, the Fifty-fourth (54th) General Assembly of the State of Iowa; now, therefore

*Be It Resolved by the General Assembly of the State of Iowa:*

1 Section 1. That the following amendments to the Constitu-  
2 tion of Iowa are hereby proposed:

3 Amendment 1. Section four (4) of Article IV of the Consti-  
4 tution of Iowa is amended by adding thereto the following: "If,  
5 upon the completion of the canvass of the votes for Governor and  
6 Lieutenant Governor by the General Assembly, it shall appear  
7 that the person who received the highest number of votes for  
8 Governor has since died, resigned, is unable to qualify, fails  
9 to qualify, or for any other reason is unable to assume the duties  
10 of the office of Governor for the ensuing term, the powers and  
11 duties of the office shall devolve upon the person who received  
12 the highest number of votes for Lieutenant Governor until the  
13 disability is removed and, upon inauguration, he shall assume  
14 the powers and duties of Governor."

15 Amendment 2. Section nineteen (19) of Article IV of the  
16 Constitution of the State of Iowa is repealed and the following  
17 adopted in lieu thereof: "Sec. 19. If there be a vacancy in  
18 the office of Governor and the Lieutenant Governor shall by rea-  
19 son of death, impeachment, resignation, removal from office, or  
20 other disability become incapable of performing the duties per-  
21 taining to the office of Governor, the President pro tempore of  
22 the Senate shall act as Governor until the vacancy is filled or  
23 the disability removed; and if the President pro tempore of the  
24 Senate, for any of the above causes, shall be incapable of per-

25 forming the duties pertaining to the office of Governor the  
26 same shall devolve upon the Speaker of the House of Representa-  
27 tives; and if the Speaker of the House of Representatives, for  
28 any of the above causes, shall be incapable of performing the  
29 duties of the office of Governor, the Justices of the Supreme  
30 Court shall convene the General Assembly by proclamation and the  
31 General Assembly shall organize by the election of a President  
32 pro tempore by the Senate and a Speaker by the House of Repre-  
33 sentatives. The General Assembly shall thereupon immediately  
34 proceed to the election of a Governor and Lieutenant Governor  
35 in joint convention.”

1     Sec. 2. Be It Further Resolved that the foregoing proposed  
2 amendments having been adopted by the Fifty-third (53d) General  
3 Assembly, thereafter duly published, and now adopted and agreed  
4 to by the Fifty-fourth (54th) General Assembly in this Joint  
5 Resolution and published in the journals thereof as required by  
6 the Constitution of Iowa, shall be submitted by the Secretary of  
7 State of Iowa to the people of the state at the general election  
8 in nineteen fifty-two (1952) in such manner that the people may  
9 vote separately on each of said amendments and in the manner  
10 required by the Constitution and laws of the State of Iowa.