

HOUSE BILL NO. 599

INTRODUCED BY D. SKEES

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A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VI, SECTION 6, OF THE MONTANA CONSTITUTION TO PROVIDE THAT IF THE OFFICE OF SECRETARY OF STATE, ATTORNEY GENERAL, AUDITOR, OR SUPERINTENDENT OF PUBLIC INSTRUCTION BECOMES VACANT, THE GOVERNOR SHALL APPOINT A QUALIFIED PERSON TO FILL THE VACANCY WHO IS FROM THE SAME POLITICAL PARTY AS THE PERSON WHO VACATED THE OFFICE; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article VI, section 6, of The Constitution of the State of Montana is amended to read:

**"Section 6. Vacancy in office.** (1) If the office of lieutenant governor becomes vacant by his succession to the office of governor, or by his death, resignation, or disability as determined by law, the governor shall appoint a qualified person to serve in that office for the remainder of the term. If both the elected governor and the elected lieutenant governor become unable to serve in the office of governor, succession to the respective offices shall be as provided by law for the period until the next general election. Then, a governor and lieutenant governor shall be elected to fill the remainder of the original term.

(2) If the office of secretary of state, attorney general, auditor, or superintendent of public instruction becomes vacant by death, resignation, or disability as determined by law, the governor shall appoint a qualified person from the same political party as the person who vacated the office to serve in that office until the next general election and until a successor is elected and qualified. The person elected to fill a vacancy shall hold the office until the expiration of the term for which his predecessor was elected."

NEW SECTION. **Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

NEW SECTION. **Section 3. Effective date.** [This act] is effective upon approval by the electorate.



