HOUSE DOCKET, NO. 567 FILED ON: 1/18/2011

HOUSE . . . . . No. 197

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying proposal for constitutional amendment:

Proposal for a legislative amendment to the Constitution A Proposal for an amendment to the Constitution relative to a vacancy in the office of Governor or Lieutenant Governor..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jay R. Kaufman	*15th Middlesex*
Cory Atkins	*14th Middlesex*
Martha M. Walz	*8th Suffolk*

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HOUSE . . . . . No. 197

By Mr. Jay Kaufman of Lexington, petition (accompanied by proposal for constitutional amendment, House, No. 00197) of Marty Walz and others for a legislative amendment to the Constitution relative to vacancies in the office of Governor or Lieutenant-Governor. Joint Committee on Election Laws.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

Proposal for a legislative amendment to the Constitution A Proposal for an amendment to the Constitution relative to a vacancy in the office of Governor or Lieutenant Governor..

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

Section II of chapter II of Part the Second of the Constitution of the Commonwealth is hereby amended by striking out Article III and inserting in place thereof the following two articles:—

Article III. Whenever the chair of the governor shall be vacant, by reason of his death, resignation or removal, the lieutenant governor shall become governor. Whenever the chair of the governor shall be vacant by reason of his absence from the commonwealth, or otherwise, except for his death, resignation or removal, the lieutenant governor for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and

9 exercise all the powers and authorities, which by this constitution the governor is vested with,

10 when personally present.

11 Article IV. Whenever the office of lieutenant governor shall become vacant, the governor

12 shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote

13 of both the house of representatives and the senate.