



HOUSE JOINT RESOLUTION 16-1022

BY REPRESENTATIVE(S) Hullinghorst and DelGrosso, Duran, Arndt, Becker K., Brown, Conti, Court, Danielson, Esgar, Fields, Foote, Ginal, Hamner, Lebsock, Lontine, Melton, Mitsch Bush, Moreno, Pabon, Pettersen, Priola, Rosenthal, Singer, Tyler, Vigil, Wilson, Windholz, Winter, Young;
also SENATOR(S) Cadman and Guzman, Scheffel, Aguilar, Carroll, Crowder, Donovan, Garcia, Grantham, Heath, Hodge, Jahn, Johnston, Jones, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Tate, Todd.

ESTABLISHING PROCEDURES FOR THE CONFIRMATION OF THE GOVERNOR'S APPOINTMENT TO FILL A VACANCY IN THE OFFICE OF THE LIEUTENANT GOVERNOR.

WHEREAS, A vacancy has arisen in the Office of the Lieutenant Governor as a result of the resignation of Lieutenant Governor Joseph Garcia, effective at the end of the business day on April 29, 2016; and

WHEREAS, Section 13 (2) of article IV of the state constitution provides as follows:

(2) Whenever there is a vacancy in the office of the lieutenant governor, because of death, impeachment, conviction of a felony, or resignation, the governor shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.

WHEREAS, This is only the second time the General Assembly has acted under subsection (2) of section 13 since it was adopted in 1974, and the provision requiring confirmation by both the Senate and the House of Representatives is unique in the state constitution; and

WHEREAS, After taking into account the procedures utilized in 1994 when, for the first time, both houses considered an appointment by a governor to fill a vacancy in the Office of the Lieutenant Governor due to resignation, and in recognition of the authority of each house of the General Assembly under section 12 of article V of the state constitution to determine the rules of its proceedings, it is appropriate for the Senate and the House to agree formally on the procedures to be followed in considering the Governor's appointment to fill the vacancy in the Office of the Lieutenant Governor; now, therefore,

Be It Resolved by the House of Representatives of the Seventieth General Assembly of the State of Colorado, the Senate concurring herein:

That the following procedures be followed by the Senate and the House of Representatives in considering confirmation of an appointment by the Governor to fill the vacancy in the Office of the Lieutenant Governor occasioned by the resignation of the current Lieutenant Governor:

(1) The Senate and the House of Representatives will follow the usual practices and procedures followed by the Senate in acting on the confirmation of a gubernatorial appointment subject to Senate confirmation, including reference of the appointment to the appropriate committee of reference.

(2) The House of Representatives will act first on the Governor's appointment, and, if the appointment is confirmed by the House, then the House will so notify the Senate, which will then proceed to consider the Governor's appointment.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE