

**Office of the Vermont Secretary of State**  
**Vermont State Archives**

**1991: Proposal 16**

**Subject: Abolishing office of Lieutenant-Governor**

PROPOSAL 16

Sec. 1. PURPOSE

This proposal would amend the Vermont Constitution to abolish the office of Lieutenant Governor.

Sec. 2. Section 1 of Chapter II of the Vermont Constitution is amended to read:

§1. [GOVERNING POWER]

The Commonwealth or State of Vermont shall be governed by a Governor \*[(or Lieutenant-Governor)]\* , a Senate and a House of Representatives of the freemen of the same, in manner and form following:

Sec. 3. Section 3 of Chapter II of the Vermont Constitution is amended to read:

§3. [SUPREME EXECUTIVE POWER]

The Supreme Executive power shall be exercised by a Governor, or in \*[his]\* the absence of the Governor, \*[a Lieutenant-Governor]\* the Secretary of State.

Sec. 4. Section 19 of Chapter II of the Vermont Constitution is amended to read:

§19. [POWERS OF SENATE \* [; LIEUTENANT GOVERNOR'S DUTIES] \*]

The Senate shall have the like powers to decide on the election

and qualifications of, and to expel any of, its members, make its own rules, and appoint its own officers, as are incident to, or are possessed by, the House of Representatives. A majority shall constitute a quorum. The \* [Lieutenant-Governor shall be President of the Senate, except when he shall exercise the office of Governor, or when his office shall be vacant, or in his absence, in which cases the]\* Senate shall appoint one of its own members to be President of the Senate \* [, pro tempore]\* . And the President of the Senate shall have a casting vote, but no other.

Sec. 5. Section 20 of Chapter II of the Vermont Constitution is amended to read:

## §20. [GOVERNOR, EXECUTIVE POWER]

The Governor \* [, and, in his absence, the Lieutenant-Governor,]\* shall have power to commission all officers, and also to appoint officers, except where provision is, or shall be, otherwise made by law or this Frame of Government; and shall supply every vacancy in any office, occasioned by death or otherwise, until the office can be filled in the manner directed by law or this Constitution. \* [He]\* The Governor is to correspond with other States, transact business with officers of government, civil and military, and prepare such business as may appear \* [to him]\* necessary, to lay before the General Assembly. \* [He]\* The Governor shall have power to grant pardons and remit fines in all cases whatsoever, except in treason in which \* [he]\* the Governor shall have power to grant reprieves, but not to pardon, until after the end of the next session of the General Assembly; and except in cases of impeachment, in which \* [he]\* the Governor shall not grant reprieve or pardon, and there shall be no remission, or mitigation of punishment, but by act of legislation. \* [He]\* The Governor is also to take care that the laws be faithfully executed \* [. He]\* and is to expedite the execution of such measures as may be resolved upon by the General Assembly. \* [And he]\* The Governor may draw upon the Treasury for such sums as may be appropriated by the General Assembly. \* [He]\* The Governor may also lay embargoes, or prohibit the exportation of any commodity, , for the time not exceeding thirty days, in the recess of the General Assembly only. \* [He]\* The Governor may grant such licenses as

shall be directed by law; and shall have power to call together the General Assembly, when necessary, before the day to which they shall stand adjourned. The Governor shall be Captain-General and Commander-in-Chief of the forces of the State, but shall not command in person, in time of war, or insurrection, unless by the advice and of the Senate, and no longer than they shall approve thereof. \* [And the Lieutenant-Governor shall, by virtue of his office, be Lieutenant-General of all the forces of the State.] \*

Sec. 6. Section 22 of Chapter II of the Vermont Constitution is amended to read:

§22. [COMMISSIONS; STATE SEAL]

All commissions shall be in the name of The Freemen of the State of Vermont, sealed with the State Seal, signed by the Governor \* [, and in his absence by the Lieutenant-Governor,] \* and attested by the Secretary; which Seal shall be kept by the Governor.

Sec. 7. Section 23 of Chapter II of the Vermont Constitution is amended to read:

§23. [RESIDENCE OF GOVERNOR \* [AND LIEUTENANT GOVERNOR] \* ]

No person shall be eligible to the office of Governor \* [or Lieutenant-Governor] \* until \* [he] \* that person shall have resided in this State four years next preceding the day of \* [his] \* election.

Sec. 8. Section 24 of Chapter II of the Vermont Constitution is amended to read:

§24. [VACANCY IN OFFICE OF GOVERNOR \* [LIEUTENANT GOVERNOR] \* AND TREASURER]

The Legislature shall provide by general law what officer shall act as Governor whenever there shall be a vacancy in \* [both] \* the \* [offices] \* office of Governor \* [and Lieutenant-Governor,] \* occasioned by a failure to elect, or by the removal from office, or by the death or resignation of \* [both] \* the Governor \* [and

Lieutenant-Governor,]\* or by the inability of \*[both]\* the Governor \*[and Lieutenant-Governor]\* to exercise the powers and discharge the duties of the office of Governor; and such officer so designated, shall exercise the powers and discharge the duties appertaining to the office of Governor accordingly until the disability shall be removed, or a Governor shall be elected. And in case there shall be a vacancy in the office of Treasurer, by reason of any of the causes enumerated, the Governor shall appoint a Treasurer for the time being, who shall act as Treasurer until the disability shall be removed, or a new election shall be made.

Sec. 9. Section 43 of Chapter II of the Vermont Constitution is amended to read:

#### §43. [BIENNIAL ELECTIONS]

The Governor \*[ , Lieutenant-Governor]\* , Treasurer, Secretary of State, Auditor of Accounts, Senators, Town Representatives, Assistant Judges of the County Court, Sheriffs, High Bailiffs, State's Attorneys, Judges of Probate and Justices of the Peace, shall be elected biennially on the first Tuesday next after the first Monday of November, beginning in A.D. 1914.

Sec. 10. Section 47 of Chapter II of the Vermont Constitution is amended to read:

#### §47. [ELECTION OF GOVERNOR \*[ , LIEUTENANT-GOVERNOR]\* AND TREASURER]

The freemen of each town shall, on the day of election for choosing Representatives to attend the General Assembly, bring in their votes for Governor, with \*[his name]\* the names fairly written, to the Constable, who shall seal them up, and write on them, Votes for Governor, and deliver them to the Representatives chosen to attend the General Assembly; and at the opening of the General Assembly, there shall be a committee appointed out of the Senate and House of Representatives, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort, and count the votes for Governor, and declare the person who has the major part of the votes, to be

Governor for the \*[two years]\* ensuing term. The \*[Lieutenant-Governor and the ]\* Treasure shall be chosen in the manner above directed.

The voters for Governor \*[ , Lieutenant-Governor,]\* and Treasurer, of the State, shall be sorted and counted, and the result declared, by a committee appointed by the Senate and House of Representatives.

If, at any time, there shall be no election, by the freemen, of Governor \*[ , Lieutenant-Governor,]\* or Treasurer, of the State, the Senate and House of Representatives shall by a joint ballot, elect to fill the office, not filled by the freemen as aforesaid, one of the three candidates for such office (if there be so many) for whom the greatest number of votes shall have been returned.

Sec. 11. Section 48 of Chapter II of the Vermont Constitution is amended to read:

#### §48. [ELECTION OF SECRETARY OF STATE AND AUDITOR OF ACCOUNTS]

The Secretary of State and the Auditor of Accounts shall be elected by the freemen of the State upon the same ticket with the Governor \*[ , Lieutenant-Governor]\* and Treasurer; and the Legislature shall carry this provision into effect by appropriate legislation.

Sec. 12. Section 49 of Chapter II of the Vermont Constitution is amended to read:

#### §49. [TERM OF GOVERNOR \*[ , LIEUTENANT GOVERNOR]\* AND TREASURER]

The term of office of the Governor \*[Lieutenant-Governor]\* and Treasurer of the State, respectively, shall commence when they shall be chosen and qualified, and shall continue for the term of two years, or until their successors shall be chosen and qualified, or to the adjournment of the session of the Legislature at which, by the Constitution and laws, their successors are required to be

chosen, and not after such adjournment.

Sec. 13. Section 54 of Chapter II of the Vermont Constitution is amended to read:

§54. [INCOMPATIBLE OFFICES]

No person in this State shall be capable of holding or exercising more than on of the following office at the same time: Governor, \* [Lieutenant-Governor,]\* Justice of the Supreme Court, Treasurer of the State, member of the Senate, member of the House of Representatives, Surveyor-General, or Sheriff. Nor shall any person holding any office of profit or trust under the authority of Congress, other than a member of the commissioned or enlisted personnel in the reserve components of the armed forces of the United State while not on extended duty, be eligible to any appointment in the Legislature, or to any executive or judiciary office under this State.

Sec. 14. Section 66 of Chapter II of the Vermont Constitution is amended to read:

§66. [CITIZENSHIP]

Every person of good character, who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land, or other real estate; and after one year's residence shall be deemed a free denizen thereof, and entitled to all rights of a natural born subject born subject of this State, except the privileges of a freeman, the right to which is herein elsewhere determined, and except also that \*[he]\* the person shall not be capable of being elected Treasurer, or Representative in Assembly, until after two years' residence nor be eligible to the office of Governor \*[or Lieutenant-Governor]\* until \*[he shall have]\* having resided in this State as required by section 23 of this Constitution.