

SUBJECT: Limiting terms for certain appointees of the governor

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 10 ayes — Cook, Giddings, Farrar, Geren, Guillen, K. King, Kuempel, Meyer, Paddie, Smithee

3 nays — Craddick, Oliveira, E. Rodriguez

SENATE VOTE: On final passage, April 20 — 31-0

WITNESSES: No public hearing

DIGEST: SJR 34 would amend Texas Constitution, Art. 16, sec. 17 to create an exception to the requirement that all officers within the state must continue to perform the duties of their offices until their successors are duly qualified. The exception would apply to officers appointed by the governor with the advice and consent of the Senate who did not receive a salary. The period for which an appointed officeholder would be required to continue to perform the officeholder's duties would end on the last day of the first regular session of the Legislature that began after the expiration of the officer's term.

The ballot proposal would be submitted to voters on November 7, 2017, and would read: "The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office."

SUPPORTERS SAY: SJR 34 would address concerns about some gubernatorial appointees being held over in their positions long after their terms have expired. Amending the Texas Constitution to place a limit on how long an appointee whose term had expired could continuing serving in office would ensure that these non-salaried volunteer positions were rotated among qualified Texans. Placing the limit at the end of a regular legislative session would allow the Texas Senate to hold confirmation

hearings on replacement appointees.

**OPPONENTS
SAY:**

SJR 34 could result in important appointed offices remaining vacant if a successor had not been duly qualified within the time limits of the proposal. The Office of the Governor has many appointed positions to fill, and the existing constitutional provision allows flexibility for appointees to continue serving until qualified replacements can be found.

NOTES:

According to the Legislative Budget Board's fiscal note, the cost to the state for publishing the resolution would be \$114,369.