

BILL ANALYSIS

Senate Research Center
76R13528 MRB-D

H.J.R. 95
By: Gray (Brown)
Veteran Affairs
5/13/1999
Engrossed

DIGEST

Currently, an adjutant general is appointed every two years by the governor. However, since the governor serves a four-year term, it is often necessary for the governor to reappoint the adjutant general half-way through the governor's term. The adjutant general must go through senate confirmation again. As proposed, H.J.R. 95 requires the submission to the voters of a constitutional amendment to provide a four-year term for the adjutant general and to provide that the term runs concurrently with the term of the governor, expiring on the date that the governor who appointed the adjutant general ceases to hold office as governor.

PURPOSE

As proposed, H.J.R. 95 requires the submission to the voters of a constitutional amendment to provide a four-year term for the adjutant general and to provide that the term runs concurrently with the term of the governor, expiring on the date that the governor who appointed the adjutant general ceases to hold office as governor.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30, Article XVI, Texas Constitution, by adding Subsection (e), to provide that if the legislature establishes an office, known as the office of the adjutant general or known by another title, that is filled by appointment by the governor and that is the single governing office, subordinate only to the governor, of the state military forces, the person holding that office has a term of four years running concurrently with the term of the governor. Provides that the term of that officer expires on the date on which the governor who appointed that officer ceases to hold office as governor.

SECTION 2. Amends the Texas Constitution by adding a temporary provision, as follows:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 76th Legislature, Regular Session, 1999, that provides a four-year term for the adjutant general and that provides that the term runs concurrently with the term of the governor.

(b) Provides that the term of the person who holds office as the adjutant general on the effective date of that constitutional amendment expires as provided by that constitutional amendment.

(c) Provides that this temporary provision expires February 1, 2003.

SECTION 3. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language for the ballot.