

HCR 2048 -- Redline

Engrossed to Engrossed -- elected officials; salary; prohibition

Deletions ~~struck~~ · Insertions underlined

~~Senate~~House Engrossed elected officials;

prohibition ~~(now: State of Arizona House of Representatives Fifty-seventh Legislature Second Regular Session HOUSE CONCURRENT RESOLUTION 2048 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA;~~

~~military~~AMENDING families; ARTICLE V, SECTION 12, CONSTITUTION OF ARIZONA;

~~scholarship~~RELATING accounts) State of Arizona House of Representatives Fifty-seventh Legislature Second Regular Session HOUSE CONCURRENT RESOLUTION 2048 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THECOMPENSATION CONSTITUTION OF ARIZONA; ELECTIVE STATE OFFICERS.

~~AMENDING ARTICLE XI, CONSTITUTION OF ARIZONA, BY ADDING SECTION 12; RELATING TO EDUCATION SCHOLARSHIPS.~~

2048 Be it resolved by the House of Representatives of the State ~~of~~Of Arizona, the Senate concurring: Article ~~XI, V,~~ section 12, Constitution of Arizona, is proposed to be amended ~~by adding section 12~~ as follows if approved by the voters and on proclamation of the Governor:

~~Scholarship~~Compensation accounts; of elective state officers;

~~confiscation~~commission of on monies salaries prohibited; for elective state officers;

~~voidability~~legislative of salaries; future bills or measures;

~~definitions~~salary SECTION deferral 12, or withholding;

resumption Section 12.

~~THIS~~The STATE salaries MAY of NOT those CONFISCATE holding MONIES elective FROM state ANY officesSCHOLARSHIP shall ACCOUNT be OF as ANY established STUDENT by WHO law IS from A time CHILD to OF time, A subjectMILITARY to FAMILY the IF limitations BOTH of article 6 VI, section 33 OF THE THIS FOLLOWING CONSTITUTIONAPPLY; and to the limitations of article 4 IV, part 2, section 17 OF THIS CONSTITUTION.

1- Such salaries as are presently established may be altered from time to time by the procedure established in this section or as otherwise provided by law, except that legislative salaries may be altered only by the procedures established in this section.

~~THE SCHOLARSHIP ACCOUNT IS ESTABLISHED AND MAINTAINED BY THIS STATE PURSUANT TO A PROGRAM THAT DESIGNATES ANY STUDENT WHO IS A CHILD OF A MILITARY FAMILY AND WHO SATISFIES ENROLLMENT REQUIREMENTS AS ELIGIBLE TO RECEIVE SCHOLARSHIP MONIES.~~

~~THIS PARAGRAPH DOES NOT LIMIT THIS SUBSECTION TO SCHOLARSHIP ACCOUNT PROGRAMS THAT ARE ESTABLISHED AND MAINTAINED BY THIS STATE FOR ONLY CHILDREN OF MILITARY FAMILIES.~~

~~2-~~

~~THE STUDENT MAY USE MONIES IN THE SCHOLARSHIP ACCOUNT FOR TUITION OR FEES AT ELIGIBLE POSTSECONDARY EDUCATIONAL INSTITUTIONS.~~

~~NOTWITHSTANDING ARTICLE IV, IF A BILL commission ENACTED to INTO be LAW known OR as A the MEASURE commission APPROVED on BY salaries THE for VOTER selective ON state O officers AFTER is NOVEMBER authorized 1, to 2026 be VIOLATES established SUBSECTION by A the OF legislature. THIS SECTION, THE ENTIRE BILL OR MEASURE IS VOID.~~

A the COURT commission MAY shall NOT be SEVER composed ANY of PORTION five OF members A WHO BILL ARE OR appointed MEASURE from THAT private VIOLATES life, SUBSECTION two A of OF whom THIS shall SECTION be appointed by the governor and one each by the president of the senate, the speaker of the house of representatives, and the chief justice.

At such times as may be directed by the legislature, the commission shall report to the governor with recommendations concerning the rates of pay of elected state officers.

The governor, shall upon ON the receipt of such A report, SHALL make recommendations to the legislature with respect to the exact rates of pay which he THAT THE GOVERNOR deems advisable for those offices and positions other than for the rates of pay of members of the legislature.

Such recommendations shall become effective at a time established by the legislature after the transmission of the recommendation of the governor without aid of further legislative action unless, within such period of time, there has been enacted into law a statute which establishes rates of pay other than those proposed by the governor, or unless either house of the legislature specifically disapproves all or part of the governor's recommendation.

The recommendations of the governor, unless disapproved or altered within the time provided by law, shall be effective;

and any 1971 recommendations shall be effective as to all offices on the first Monday in January of 1973.

In case of either a legislative enactment or disapproval by either house, the - 1 - H.C.R.

2048 recommendations shall be effective only insofar as not altered or disapproved.

~~FOR~~The recommendations of the commission as to legislative salaries shall be certified by it~~THE~~
~~PURPOSES~~COMMISSION OF~~to THIS~~the~~SECTION:~~secretary of state, and the secretary of state shall submit to
the qualified electors at the next regular general election the question, "Shall the recommendations of
the commission on salaries for elective state officers concerning legislative salaries be accepted? []
Yes [] No." Such recommendations if approved by the electors shall become effective at the beginning of
the next regular legislative session without any other authorizing legislation.

All recommendations which become effective under this section shall supersede all laws enacted prior to
their effective date relating to such salaries.

D.

THE SALARIES OF THOSE HOLDING ELECTIVE STATE OFFICE SHALL BE ESTABLISHED BY LAW, AND CHANGES IN SALARY
MAY NOT APPLY DURING THE TERM OF ANY INCUMBENT, EXCEPT THAT SALARIES OR SUBSISTENCE PAYMENTS MAY BE
TEMPORARILY WITHHELD OR DEFERRED PURSUANT TO SUBSECTION E OF THIS SECTION IF THE GENERAL APPROPRIATION
BILL HAS NOT BEEN SIGNED INTO LAW FOR THE NEXT FISCAL YEAR ON OR BEFORE APRIL 30.

E.

IF THE GENERAL APPROPRIATION BILL HAS NOT BEEN SIGNED INTO LAW FOR THE NEXT FISCAL YEAR ON OR BEFORE
APRIL 30, THE FOLLOWING INDIVIDUALS MAY NOT RECEIVE THEIR REGULAR SALARIES OR SUBSISTENCE PAYMENTS FOR
ANY PAY PERIOD THAT BEGINS AFTER APRIL 30:

~~"CHILD OF A MILITARY FAMILY" MEANS A STUDENT WHO IS A CHILD OF A PERSON WHO MEETS ANY OF THE~~
~~FOLLOWING:~~GOVERNOR.

~~(a) IS SERVING ON ACTIVE DUTY AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES.~~

~~(b) WAS SERVING ON ACTIVE DUTY AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHEN THE STUDENT'S~~
~~ELIGIBILITY WAS INITIALLY DETERMINED.~~

~~(c) WAS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO WAS KILLED IN THE LINE OF DUTY.~~

~~"CONFISCATE":~~THE LIEUTENANT GOVERNOR.

~~(a) INCLUDES SEIZING, TRANSFERRING OR OTHERWISE TAKING MONIES FROM A SCHOLARSHIP ACCOUNT.~~

~~(b) DOES NOT INCLUDE ACTS RELATED TO THE CLOSURE OF A SCHOLARSHIP ACCOUNT IF ANY OF THE FOLLOWING~~
~~APPLIES:~~

~~(i) THE STUDENT OR ACCOUNT HOLDER IS FOUND PERSONALLY RESPONSIBLE FOR ILLEGAL ACTIVITY OR WRONGDOING IN~~
~~A PROCEEDING - 1 - H.C.R.~~

~~2048 IN WHICH THE STUDENT OR ACCOUNT HOLDER RECEIVES INDIVIDUALIZED DUE PROCESS OF LAW.~~

~~(ii) THE STUDENT OR ACCOUNT HOLDER VOLUNTARILY CLOSES OR FAILS TO RENEW A SCHOLARSHIP ACCOUNT.~~

~~(iii) THE STUDENT GRADUATES FROM AN ELIGIBLE POSTSECONDARY EDUCATIONAL INSTITUTION.~~

~~(iv) THE STUDENT IS INELIGIBLE TO MAINTAIN A SCHOLARSHIP ACCOUNT UNDER A SCHOLARSHIP PROGRAM BECAUSE THE~~
~~STUDENT DID NOT ENROLL IN AN ELIGIBLE POSTSECONDARY EDUCATIONAL INSTITUTION FOR A PERIOD OF AT LEAST~~
~~FOUR CONSECUTIVE YEARS AFTER GRADUATING FROM HIGH SCHOOL.~~

~~"ELIGIBLE MEMBERS POSTSECONDARY OF EDUCATIONAL THE INSTITUTION"~~LEGISLATURE.~~- MEANS:~~

~~(a) F. A UNIVERSITY THAT IS ESTABLISHED PURSUANT TO SECTION 1 OF THIS ARTICLE.~~

~~(b) ALL A COMPENSATION COMMUNITY THAT COLLEGE IS DISTRICT WITHHELD IN PURSUANT TO SUBSECTION E OF THIS~~
~~STATE. SECTION SHALL RESUME BEGINNING THE FIRST FULL PAY PERIOD FOLLOWING THE ENACTMENT OF THE GENERAL~~
~~APPROPRIATION BILL FOR THE NEXT FISCAL YEAR.~~

~~(c) ANY AN COMPENSATION ACCREDITED WITHHELD PRIVATE PURSUANT POSTSECONDARY TO EDUCATIONAL THIS~~
~~INSTITUTION. SECTION SHALL NOT BE PAID RETROACTIVELY.~~

~~Short title This act may be cited as the "Military Families College Savings and Scholarship Protection~~
~~Act".~~

~~3.~~