2007 ASSEMBLY JOINT RESOLUTION 1

January 12, 2007 – Introduced by Representatives FRISKE, STONE, ALBERS, PRIDEMORE, KERKMAN, GUNDRUM, LOTHIAN, BALLWEG, STRACHOTA, MUSSER, BIES, TAUCHEN, J. FITZGERALD, TOWNSEND, VOS, GUNDERSON, NERISON, GOTTLIEB, KESTELL, MONTGOMERY, SUDER, HAHN, JESKEWITZ, MOULTON, VAN ROY, KLEEFISCH, MURSAU, RHOADES, KRAMER, F. LASEE, HONADEL, WOOD, ZIEGELBAUER, OWENS, NASS, MURTHA, NYGREN, PETERSEN, LEMAHIEU, MEYER, OTT, VUKMIR, HINES and M. WILLIAMS, cosponsored by Senators CARPENTER, HARSDORF, LEHMAN, S. FITZGERALD, DARLING, GROTHMAN, OLSEN, A. LASEE, SCHULTZ, LEIBHAM, KEDZIE, COWLES, ROESSLER, KAPANKE, LAZICH, KANAVAS and ELLIS. Referred to Committee on Elections and Constitutional Law.

1   ***To amend*** section 10 (1) (c) of article V of the constitution; **relating to:** prohibiting

2   partial vetoes from creating new sentences (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2007 legislature for submittal to the voters in April 2007, was first considered by the 2005 legislature in 2005 Senate Joint Resolution 33, which became 2005 Enrolled Joint Resolution 46.

The proposed constitutional amendment prohibits the governor, in exercising his or her partial veto authority on appropriation bills, from creating new sentences by combining parts of two or more sentences of the enrolled bill.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional

amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1   Whereas, the 2005 legislature in regular session considered a proposed

2   amendment to the constitution in 2005 Senate Joint Resolution 33, which became

3   2005 Enrolled Joint Resolution 46, and agreed to it by a majority of the members

4   elected to each of the 2 houses, which proposed amendment reads as follows:

> **SECTION 1.** Section 10 (1) (c) of article V of the constitution is amended to read:
> [Article V] Section 10 (1) (c) In approving an appropriation bill in part, the governor may not create a new word by rejecting individual letters in the words of the enrolled bill, and may not create a new sentence by combining parts of 2 or more sentences of the enrolled bill.

5   ***Now, therefore, be it resolved by the assembly, the senate concurring,***

6   ***That*** the foregoing proposed amendment to the constitution is agreed to by the 2007

7   legislature; and, be it further

8   ***Resolved, That*** the foregoing proposed amendment to the constitution be

9   submitted to a vote of the people at the spring election to be held on the first Tuesday

10   in April 2007; and, be it further

11   ***Resolved, That*** the question concerning ratification of the foregoing proposed

12   amendment to the constitution be stated on the ballot as follows:

13   **QUESTION 1:** "**Partial veto.** Shall section 10 (1) (c) of article V of the

14   constitution be amended to prohibit the governor, in exercising his or her partial veto

15   authority, from creating a new sentence by combining parts of two or more sentences

16   of the enrolled bill?"

17   **(END)**