

2011 DRAFTING REQUEST

Assembly Joint Resolution

Received: 10/30/2011

Received By: rchampag

Wanted: Soon

Companion to LRB:

For: Gary Hebl (608) 266-7678

By/Representing: mike murray

May Contact:

Drafter: smiller

Subject: Constitutional Amendments

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Hebl@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Restricting governor's partial veto power to bill sections

Instructions:

Redraft 2005 AJR 68; redraft of 2009 AJR 109 (LRB-4068)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 10/31/2011	kfollett 11/28/2011		_____			
/1	smiller 01/17/2012	kfollett 01/17/2012	phenry 11/28/2011	_____	sbasford 11/28/2011		
/2			phenry 01/18/2012	_____	sbasford 01/18/2012	ggodwin 02/06/2012	

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/?	rchampag	11/15 11/28	11/28 ph	_____			

FE Sent For:

<END>

Miller, Steve

From: Champagne, Rick
Sent: Friday, October 28, 2011 1:53 PM
To: Murray, Mike
Cc: Miller, Steve; Hanaman, Cathlene
Subject: RE: Redraft of 2009 AJR 109

Mike:

I will forward this to Steve Miller, who will take care of you.

Rick

From: Murray, Mike
Sent: Friday, October 28, 2011 12:45 PM
To: Champagne, Rick
Subject: Redraft of 2009 AJR 109

3361

Hi Rick,

Gary wants to redraft last session's AJR 109 (LRB 4068/1) regarding the Gov's veto power. I assume you would still be the drafter for this?

Thanks and let me know if you have any questions.

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District



State of Wisconsin
2009 - 2010 LEGISLATURE

3361/1
~~LRB 4006/T~~
~~PAC kjf and~~
SRM: kjf

~~2009~~ ASSEMBLY JOINT RESOLUTION ~~109~~

February 19, 2010 - Introduced by Representatives HEBL, PARISI, STASKUNAS, TOWNSEND, BERCEAU, SINICKI, BLACK, ROYS, JORGENSEN, A. WILLIAMS, SMITH, ZEPNICK and HRAYCHUCK, cosponsored by Senators REISSER, HOLDERIN, KREITLOW, MILLER and ROBSON. Referred to Committee on Judiciary and Ethics.

Gen

in 10-30-11

1 **Relating to:** prohibiting partial vetoes of parts of bill sections (first consideration).

Analysis by the Legislative Reference Bureau

2011

X
X

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, amends the Wisconsin Constitution to prohibit the governor, in exercising his or her partial veto power over an appropriations bill, from partially vetoing parts of bill sections of an enrolled bill without rejecting the entire bill section. Currently, in exercising the partial veto power, the governor is limited only insofar as that he or she 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 two or more sentences of the enrolled bill. The new restriction on the governor's partial veto power contained in this resolution subsumes and expands on the current restrictions in the constitution.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

2 **Resolved by the assembly, the senate concurring, That:**

3 **SECTION 1.** Section 10 (1) (c) of article V of the constitution is amended to read:

4 [Article V] Section 10 (1) (c) In approving an appropriation bill in part, the
5 governor may not create a new word by rejecting individual letters in the words of
6 the enrolled bill, and may not create a new sentence by combining parts of 2 or more

1 sentences reject a part of a bill section of the enrolled bill without rejecting the entire
2 bill section.

3 ***Be it further resolved, That*** this proposed amendment be referred to the

4 legislature to be chosen at the next general election and that it be published for ³ *three*
5 months previous to the time of holding such election.

6 (END)

Miller, Steve

From: Murray, Mike
Sent: Tuesday, January 17, 2012 12:16 PM
To: Miller, Steve
Subject: LRB 3361/1- Gov's Veto Constitutional Amendment
Hi Steve,

I sent out LRB 3361/1 today for cosponsorship and just noticed that it says it is first consideration. Since the proposal passed the legislature last session (SJR 61), shouldn't this draft actually read as a second consideration? If so, we'll need a corrected draft.

Thanks and please let me know if I am confused. Thanks,

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District

1/17/2012

Whereas, Mr. Olson served in the U.S. Marine Corps from 1942 to 1946 in the Pacific; and

Whereas, Mr. Olson was first elected to the Wisconsin Assembly in 1960, serving in the 1961 to 1963 sessions, 1967 to 1969 sessions, and 1973 to 1977 sessions; and

Whereas, Russell A. Olson was elected lieutenant governor with the late Governor Lee Sherman Dreyfus in November 1978, and was the last lieutenant governor to serve as presiding officer of the Wisconsin senate; and

Whereas, Mr. Olson chose retirement from public office over running for reelection or for governor after Governor Lee Sherman Dreyfus announced he would not seek a second term in 1982; and

Whereas, after retiring, Mr. Olson served eight years in the Reagan administration as Midwest Director of the U.S. Department of Transportation; now, therefore, be it

Resolved by the senate, the assembly concurring, That the members of the Wisconsin legislature commend the devoted public service that Russell A. Olson contributed to this state and his community, express their sorrow at his death, and extend their condolences to his family and friends; and, be it further

Resolved, That the senate chief clerk shall provide a copy of this joint resolution to Mr. Olson's wife, Fran, of Holmes Beach, Florida; and his daughters, Robyn Olson of Bethlehem, New Hampshire; Tamien Zeller of Zionsville, Indiana; and Megan Supol of Crystal Lake, Illinois.

Senate Joint Resolution 61

Date of publication: May 25, 2010*

2009 ENROLLED JOINT RESOLUTION 40

To amend section 10 (1) (c) of article V of the constitution; relating to: prohibiting partial vetoes of parts of bill sections (first consideration).

Resolved by the senate, the assembly concurring, That:

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 reject a part of a bill section of the enrolled bill without rejecting the entire bill section.~~

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

* NOTE: Section 14.38 (10) (b) of the statutes requires proposed constitutional amendments approved by the Legislature on first consideration to be published in the official state paper on the first Tuesday of August, September and October immediately preceding the general election in which the next succeeding Legislature is chosen. These dates are in addition to the date shown above.



State of Wisconsin
2011 - 2012 LEGISLATURE

RMNR



LRB-3361/1
SRM:kjf:ph

2

Wednesday

2011 ASSEMBLY JOINT RESOLUTION

1-107

Regen

1 To amend section 10 (1) (c) of article V of the constitution; relating to: prohibiting
2 partial vetoes of parts of bill sections (second consideration).

The Analysis by the Legislative Reference Bureau INS. #1
This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, amends the Wisconsin Constitution to prohibit the governor, in exercising his or her partial veto power over an appropriation bill, from partially vetoing parts of bill sections of an enrolled bill without rejecting the entire bill section. Currently, in exercising the partial veto power, the governor is limited only insofar as that he or she 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 two or more sentences of the enrolled bill. The new restriction on the governor's partial veto power contained in this resolution subsumes and expands on the current restrictions in the constitution. INS. #2
~~A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.~~

3 *INSERT #3*
Resolved by the assembly, the senate concurring, That:

INSET
SINGLE-SPACE

4 SECTION 1. Section 10 (1) (c) of article V of the constitution is amended to read:
5 [Article V] Section 10 (1) (c) In approving an appropriation bill in part, the
6 governor may not create a new word by rejecting individual letters in the words of

} single space + indent

INSET
SINGLE-SPACE

1
2
3

the enrolled bill, and may not create a new sentence by combining parts of 2 or more sentences reject a part of a bill section of the enrolled bill without rejecting the entire bill section.

} single space or indent

4
5
6

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

7

(END)

INSERT # 4

INSERT #1

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2011 legislature for submittal to the voters in April 2011, was first considered by the 2009 legislature in 2009 Senate Joint Resolution 61, which became 2009 Enrolled Joint Resolution 40.

INSERT #2

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.

INSERT #3

1 Whereas, the 2009 legislature in regular session considered a proposed
2 amendment to the constitution in 2009 Senate Joint Resolution 61, which became
3 2009 Enrolled Joint Resolution 40, and agreed to it by a majority of the members
4 elected to each of the two houses, which proposed amendment reads as follows:

EXAMPLE
ONLY

2007 - 2008 LEGISLATURE

LRB-0440/2

RAC:wlj:rs

2007 SENATE JOINT RESOLUTION 5

January 16, 2007 - Introduced by Senators CARPENTER, HARSDORF, LEHMAN, S. FITZGERALD, DARLING, GROTHMAN, OLSEN, A. LASEE, SCHULTZ, LEIBHAM, KEDZIE, COWLES, ROESSLER, KAPANKE, LAZICH, KANAVAS and ELLIS, cosponsored 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, M. WILLIAMS, MEYER, OTT, VUKMIR, HINES and LEMAHIEU. Referred to Committee on Ethics Reform and Government Operations.

- 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



2011 ASSEMBLY JOINT RESOLUTION

- 1 **To amend** section 10 (1) (c) of article V of the constitution; **relating to:** prohibiting
 2 partial vetoes of parts of bill sections (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2011 legislature for submittal to the voters in April 2011, was first considered by the 2009 legislature in 2009 Senate Joint Resolution 61, which became 2009 Enrolled Joint Resolution 40.

The proposed constitutional amendment amends the Wisconsin Constitution to prohibit the governor, in exercising his or her partial veto power over an appropriation bill, from partially vetoing parts of bill sections of an enrolled bill without rejecting the entire bill section. Currently, in exercising the partial veto power, the governor is limited only insofar as that he or she 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 two or more sentences of the enrolled bill. The new restriction on the governor's partial veto power contained in this resolution subsumes and expands on the current restrictions in the constitution.

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)].

add a
little
space
if
possible

1

INSERT #4

2 **Now, therefore, be it resolved by the assembly, the senate concurring,**
3 **That** the foregoing proposed amendment to the constitution is agreed to by the 2011
4 legislature; and, be it further

5 **Resolved, That** the foregoing proposed amendment to the constitution be
6 submitted to a vote of the people at the election to be held on the first Tuesday of April
7 2011; and, be it further

8 **Resolved, That** the question concerning ratification of the foregoing proposed
9 amendment to the constitution be stated on the ballot as follows:

10 **QUESTION 1:** ^{no I} **“Partial veto.** Shall section 10 (1) (c) of article V of the
11 constitution be amended to prohibit the governor, in exercising his or her partial veto
12 authority, from rejecting a part of a bill section of the enrolled bill without rejecting
13 the entire bill section?”

Godwin, Gigi

From: Murray, Mike
Sent: Monday, February 06, 2012 12:12 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-3361/2 Topic: Restricting governor's partial veto power to bill sections

Please Jacket LRB 11-3361/2 for the ASSEMBLY.