

2011 DRAFTING REQUEST

Senate Joint Resolution

Received: 09/17/2010

Received By: rchampag

Wanted: As time permits

Companion to LRB:

For: Fred Risser (608) 266-1627

By/Representing: Terry

May Contact:

Drafter: rchampag

Subject: Constitutional Amendments

Addl. Drafters:

Extra Copies: SRM

Submit via email: YES

Requester's email: Sen.Risser@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Governor's Partial Veto Power (2nd Consideration)

Instructions:

2nd consideration for SJR 61

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>
/?							
/1	rchampag 09/17/2010	csicilia 09/20/2010	phenry 09/20/2010	_____	cduerst 09/20/2010	ggodwin 02/09/2012	

FE Sent For:

<END>

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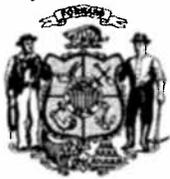
2nd consideration for SJR 61

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1?	rchampag	1 cjs 9/20/10	9/20 ph	9/20 ph			

FE Sent For:

<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-4068/1
RAC:kjf:md

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 RISSER, HOLPERIN, KREITLOW, MILLER and ROBSON. Referred to Committee on Judiciary and Ethics.

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

Analysis by the Legislative Reference Bureau

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
5 months previous to the time of holding such election.

6 (END)



gjs

2011 SENATE JOINT RESOLUTION

-gen. cat

1 **Relating to:** prohibiting partial vetoes of parts of bill sections (second
2 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 prohibits 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. ✓

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

change to hard number

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.

Whereas, the 2009 legislature in regular session considered a proposed amendment to the constitution in 2009 Senate Joint Resolution 61, which became 2009 Enrolled Joint Resolution 40, and agreed to it by a majority of the members 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 reject a part of a bill section of the enrolled bill without rejecting the entire bill section.

ask me if you're not sure now - CJ!

LPS:
turn off line numbers AND make these component "ReadOnly"

← reduce amount of white space

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

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

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

QUESTION 1: "Partial veto. Shall section 10 (1) (c) of article V of the constitution be amended to prohibit the governor, in exercising his or her partial veto



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1 authority, from vetoing a part of a bill section of an enrolled bill without rejecting the
2 entire bill section?" ✓

3 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0091/1dn

RAC:j/...

cjs

— date —

Senator Risser:

For the sake of putting a date in the joint resolution, I provided that the amendment is to be submitted to the voters at the spring election in 2011. If you wish a different date, please advise and I will redraft. Also, you may wish to review the question to make certain it reads as you intend. ✓
✓

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0091/1dn
RAC:cjs:ph

September 20, 2010

Senator Risser:

For the sake of putting a date in the joint resolution, I provided that the amendment is to be submitted to the voters at the spring election in 2011. If you wish a different date, please advise and I will redraft. Also, you may wish to review the question to make certain it reads as you intend.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

Godwin, Gigi

From: Hanaman, Cathlene
Sent: Thursday, February 09, 2012 10:37 AM
To: Duerst, Christina; Godwin, Gigi; Parisi, Lori; Barman, Mike; Basford, Sarah
Subject: FW: Rick Champagne said you wanted a copy of this resolution - LRB 11-0091/1

Importance: High

Attachments: 11-00911.pdf

From: Tuschen, Terry
Sent: Thursday, February 09, 2012 10:03 AM
To: Hanaman, Cathlene
Cc: Tuschen, Terry
Subject: RE: Rick Champagne said you wanted a copy of this resolution - LRB 11-0091/1
Importance: High

Hi Cathlene, can you have the admin folks jacket this for the Senate for me? I can't find the standard "jacket yes/no" email from LRB. Thanks in advance for your help!

Terry



11-00911.pdf (26 KB)

Terry Tuschen
Office of State Senator Fred Risser
130 South, State Capitol
Madison, WI 53702
608.266.1627
Terry.Tuschen@legis.wisconsin.gov

From: Hanaman, Cathlene
Sent: Thursday, January 19, 2012 4:39 PM
To: Tuschen, Terry
Subject: Rick Champagne said you wanted a copy of this resolution

<< File: 11-0091/1.pdf >>