

## **2005 ASSEMBLY JOINT RESOLUTION 31**

April 27, 2005 – Introduced by Representatives SCHNEIDER, JESKEWITZ, HINES, AINSWORTH, HAHN and MUSSER. Referred to Committee on Campaigns and Elections.

1	To amend section 2 of article IV, section 4 of article IV, section 5 of article IV and
2	section 26 (2) (b) of article IV; and $to \ create$ section 17 of article XIV of the
3	constitution; <b>relating to:</b> terms of office members of the senate and assembly
4	(first consideration).

## Analysis by the Legislative Reference Bureau

Presently, the constitution provides that representatives to the assembly are elected to 2-year terms and state senators are elected to staggered 4-year terms.

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, provides that representatives to the assembly are elected to staggered 4-year terms and senators are elected to staggered 6-year terms. The changes to the length of terms first apply to the terms for which the election in November 2008 is held.

The proposal sets the number of members of the assembly at 99 and the number of members of the senate at 33, which are the current memberships. Currently, the constitution sets the permitted range of the number of seats, not the specific number.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

5 6

**SECTION 1.** Section 2 of article IV of the constitution is amended to read:

2005 – 2006 Legislature – 2 –

1	[Article IV] Section 2. The number of the members of the assembly shall never
2	be <del>less than fifty-four nor more than one hundred</del> <u>99</u> . The <u>number of members of</u>
3	the senate shall consist of a number not more than one-third nor less than
4	one-fourth of the number of the members of the assembly <u>be 33</u> .
5	<b>SECTION 2.</b> Section 4 of article IV of the constitution is amended to read:
6	[Article IV] Section 4. The members of the assembly shall be <del>chosen biennially,</del>
7	by single <u>elected from single-member</u> districts <del>, on the Tuesday succeeding the first</del>
8	Monday of November in even-numbered years. The assembly districts shall be
9	numbered in the regular series, and the representatives shall be chosen on a partisan
10	ballot in each even-numbered year at the general election, alternately from the
11	odd-numbered and even-numbered districts, for the term of 4 years, by the qualified
12	electors of the several districts, such districts to be bounded by county, precinct, town,
13	or ward lines, to consist of contiguous territory and be in as compact form as
14	practicable.
15	<b>SECTION 3.</b> Section 5 of article IV of the constitution is amended to read:
16	[Article IV] Section 5. The senators shall be elected by single from
17	single-member districts of convenient, contiguous territory, at the same time and in
18	the same manner as members of the assembly are required to be chosen; and no
19	assembly district shall be divided in the formation of a senate district whole
20	assembly districts. The senate districts shall be numbered in the regular series, and
21	one-third of the senators shall be chosen alternately from the odd and
22	even-numbered districts on a partisan ballot in each even-numbered year at the
23	general election, for the term of -4- <u>6</u> years.
24	SECTION 4. Section 26 (2) (b) of article IV of the constitution is amended to read:

1	[Article IV] Section 26 (2) (b) Any increase in the compensation of members of
2	the legislature shall take effect, for all senators and representatives to the assembly,
3	after the next general election beginning with the new assembly term biennial
4	session of the legislature.
5	<b>SECTION 5.</b> Section 17 of article XIV of the constitution is created to read:
6	[Article XIV] Section 17 $(1)$ The changes to sections 2, 4, 5, and 26 $(2)$ (b) of
7	article IV made by this amendment to the constitution lengthening the terms of
8	legislators first apply to the November 2008 general election and to the term of office
9	of the members elected at that election.
10	(2) The term of each senator in office on the day preceding the first Monday of
11	January in 2009 who was elected for a term expiring in January 2011 expires with
12	the end of the day preceding the first Monday of January in 2011.
13	(3) Notwithstanding section 5 of article IV, the term of a senator elected at the
14	November 2008 general election to senate district 1, 4, 7, 10, 13, 16, 19, 22, 25, 28,
15	or 31 shall be for 2 years and the term of a senator elected at the November 2008
16	general election to district 2, 5, 8, 11, 14, 17, 20, 23, 26, 29, or 32 shall be for 4 years.
17	(4) Notwithstanding section 5 of article IV, the term of a senator elected at the
18	November 2010 general election to senate district 2, 5, 8, 11, 14, 17, 20, 23, 26, 29,
19	or 32 shall be for 2 years and the term of senator elected at the November 2010
20	general election to district 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, or 33 shall be for 4 years.
21	(5) Notwithstanding section 4 of article IV, the term of a representative elected
22	at the November 2008 general election to an even-numbered district shall be for 2
23	years and the term of a representative elected at the November 2008 general election
24	to an odd-numbered district shall be for 4 years.
25	SECTION 6. Numbering of new provision.

- 3 -

(1) The new section 17 of article XIV of the constitution created in this joint 1  $\mathbf{2}$ resolution shall be designated by the next higher open whole section number in that 3 article if, before the ratification by the people of the amendment proposed in this joint 4 resolution, any other ratified amendment has created a section 17 of article XIV of  $\mathbf{5}$ the constitution of this state. If one or more joint resolutions create a section 17 of 6 article XIV simultaneously with the ratification by the people of the amendment 7 proposed in this joint resolution, the sections created shall be numbered and placed 8 in a sequence so that the sections created by the joint resolution having the lowest 9 enrolled joint resolution number have the numbers designated in that joint resolution and the sections created by the other joint resolutions have numbers that 10 11 are in the same ascending order as are the numbers of the enrolled joint resolutions 12creating the sections.

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.

16

## (END)