

2001 ASSEMBLY JOINT RESOLUTION 9

January 16, 2001 – Introduced by Representatives ZIEGELBAUER, KAUFERT, LADWIG, McCORMICK and POWERS, cosponsored by Senator BAUMGART. Referred to Committee on Government Operations.

1 ***To renumber*** section 2 of article V and section 1 of article VI; ***to renumber and***
2 ***amend*** section 6 of article IV; ***to amend*** section 1 of article X; and ***to create***
3 section 6 (2) of article IV, section 2 (2) of article V and section 1 (2) of article VI
4 of the constitution; **relating to:** limiting the number of consecutive terms
5 permitted for state constitutional officers and members of the state legislature
6 (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2001 legislature on first consideration, limits the governor, lieutenant governor, secretary of state, state treasurer, attorney general, superintendent of public instruction, and members of the legislature to not more than 12 years of consecutive service in the same office. Time served in an initial partial term in the same office, or time served in a different office, is not counted as part of the 12-year limit. Terms are considered consecutive unless they are more than 2 years apart.

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

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

1 **SECTION 1.** Section 6 of article IV of the constitution is renumbered section 6
2 (1) of article IV and amended to read:

3 [Article IV] Section 6 (1) No person shall be eligible to the legislature who shall
4 not have resided one year within the state, and be a qualified elector in the district
5 which ~~he~~ the person may be chosen to represent.

6 **SECTION 2.** Section 6 (2) of article IV of the constitution is created to read:

7 [Article IV] Section 6 (2) Beginning with the terms commencing after 2002, a
8 person may not serve more than 3 consecutive 4–year terms as a senator or more
9 than 6 consecutive 2–year terms as a representative to the assembly. Time served
10 during an initial partial term in the same house, or time served in the other house,
11 shall not be counted as part of the 12–year limit. For purposes of this subsection,
12 terms are consecutive unless they are more than 2 years apart.

13 **SECTION 3.** Section 2 of article V of the constitution is renumbered section 2 (1)
14 of article V.

15 **SECTION 4.** Section 2 (2) of article V of the constitution is created to read:

16 [Article V] Section 2 (2) Beginning with the term commencing after 2002, a
17 person may not serve more than 3 consecutive 4–year terms as governor or
18 lieutenant governor. Time served during an initial partial term in the same state
19 office, or time served in a different state office, shall not be counted as part of the
20 12–year limit. For purposes of this subsection, terms are consecutive unless they are
21 more than 2 years apart.

22 **SECTION 5.** Section 1 of article VI of the constitution is renumbered section 1
23 (1) of article VI.

24 **SECTION 6.** Section 1 (2) of article VI of the constitution is created to read:

1 [Article VI] Section 1 (2) Beginning with the terms commencing after 2002, no
2 person may serve more than 3 consecutive 4-year terms as secretary of state,
3 treasurer, or attorney general. Time served during an initial partial term in the same
4 state office, or time served in a different state office, shall not be counted as part of
5 the 12-year limit. For purposes of this subsection, terms are consecutive unless they
6 are more than 2 years apart.

7 **SECTION 7.** Section 1 of article X of the constitution is amended to read:

8 [Article X] Section 1 (1) The supervision of public instruction shall be vested
9 in a state superintendent and such other officers as the legislature shall direct; and
10 their qualifications, powers, duties and compensation shall be prescribed by law.

11 (2) (a) The state superintendent shall be chosen by the qualified electors of the
12 state at the same time and in the same manner as members of the supreme court,
13 and shall hold office for 4 years from the succeeding first Monday in July.

14 (b) Beginning with the term commencing after 2002, no person may serve more
15 than 3 consecutive 4-year terms as state superintendent. Time served during an
16 initial partial term in that state office, or time served in a different state office, shall
17 not be counted as part of the 12-year limit. For purposes of this paragraph, terms
18 are consecutive unless they are more than 2 years apart.

19 (3) The term of office, time and manner of electing or appointing all other
20 officers of supervision of public instruction shall be fixed by law.

21 **SECTION 8. Numbering of new provisions.** (1) ARTICLE IV. The new
22 subsection (2) of section 6 of article IV of the constitution created in this joint
23 resolution shall be designated by the next higher open whole subsection number in
24 that section in that article if, before the ratification by the people of the amendment
25 proposed in this joint resolution, any other ratified amendment has created a

1 subsection (2) of section 6 of article IV of the constitution of this state. If one or more
2 joint resolutions create a subsection (2) of section 6 of article IV simultaneously with
3 the ratification by the people of the amendment proposed in this joint resolution, the
4 subsections created shall be numbered and placed in a sequence so that the
5 subsections created by the joint resolution having the lowest enrolled joint resolution
6 number have the numbers designated in that joint resolution and the subsections
7 created by the other joint resolutions have numbers that are in the same ascending
8 order as are the numbers of the enrolled joint resolutions creating the subsections.

9 (2) ARTICLE V. The new subsection (2) of section 2 of article V of the constitution
10 created in this joint resolution shall be designated by the next higher open whole
11 subsection number in that section in that article if, before the ratification by the
12 people of the amendment proposed in this joint resolution, any other ratified
13 amendment has created a subsection (2) of section 2 of article V of the constitution
14 of this state. If one or more joint resolutions create a subsection (2) of section 2 of
15 article V simultaneously with the ratification by the people of the amendment
16 proposed in this joint resolution, the subsections created shall be numbered and
17 placed in a sequence so that the subsections created by the joint resolution having
18 the lowest enrolled joint resolution number have the numbers designated in that
19 joint resolution and the subsections created by the other joint resolutions have
20 numbers that are in the same ascending order as are the numbers of the enrolled
21 joint resolutions creating the subsections.

22 (3) ARTICLE VI. The new subsection (2) of section 1 of article VI of the
23 constitution created in this joint resolution shall be designated by the next higher
24 open whole subsection number in that section in that article if, before the ratification
25 by the people of the amendment proposed in this joint resolution, any other ratified

1 amendment has created a subsection (2) of section 1 of article VI of the constitution
2 of this state. If one or more joint resolutions create a subsection (2) of section 1 of
3 article VI simultaneously with the ratification by the people of the amendment
4 proposed in this joint resolution, the subsections created shall be numbered and
5 placed in a sequence so that the subsections created by the joint resolution having
6 the lowest enrolled joint resolution number have the numbers designated in that
7 joint resolution and the subsections created by the other joint resolutions have
8 numbers that are in the same ascending order as are the numbers of the enrolled
9 joint resolutions creating the subsections.

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

13 (END)