

**2001 DRAFTING REQUEST****Assembly Joint Resolution**Received: **09/05/2000**Received By: **dykmapj**Wanted: **Soon**Identical to LRB: **99-0314/1**For: **Robert Ziegelbauer (608) 266-0315**By/Representing: **Tom Kelly**This file may be shown to any legislator: **NO**Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Constitutional Amendments**Extra Copies: **JTK**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Term limits for state constitutional officers and legislators

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**Instructions:**

See Attached 1999 AJR 31

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**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>
/P1	dykmapj 09/21/2000	gilfokm 09/21/2000	martykr 09/22/2000	_____	gretskl 09/22/2000		
	dykmapj 11/14/2000	gilfokm 11/14/2000		_____			
/1		gilfokm 11/15/2000	pgreensl 11/15/2000	_____	lrb_docadmin 11/15/2000	lrb_docadmin 11/15/2000	
/2			pgreensl 11/16/2000	_____	lrb_docadmin 11/16/2000	lrb_docadmin 11/16/2000	

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	dykmapj 11/14/2000	gilfokm 11/14/2000		_____			
/1		1/2 -	pgreensl 11/15/2000	11/16 pg	lrb_docadmin 11/15/2000	lrb_docadmin 11/15/2000	

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/P1	dykmapj 09/21/2000	gilfokm 09/21/2000	martykr 09/22/2000	11/14 <del>self</del>	gretskl 09/22/2000		

1- 11/14 King  
11/14 PG

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<END>

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1?	dykmapj	1/01-2/21 Kmg	2/9/02 Km/02	2/5/02 Km/02			

FE Sent For:

<END>

**LEGISLATIVE REFERENCE BUREAU**

**BILL REQUEST FORM**

Legal Section, 5<sup>th</sup> Floor, 100 N. Hamilton St.  
(608) 266-3561

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill.  
Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: 7-11-00	Legislator or agency requesting this draft: Rep. Ziegelbauer
Name/phone number of person submitting request: Tom Kelly / 266-0315	
Persons to contact for questions about this draft (names and phone numbers please): Bob Ziegelbauer / (920) 684-6783 Tom Kelly or Luanne Kostelic / 266-0315	
Describe the problem, including any helpful examples. How do you want to solve the problem? Rep. Ziegelbauer would like to reintroduce 1999 AJR 31 (1999 LRB 0314) in the 2001-02 Legislative Session	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67): 1999 AJR 31

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you?  YES  NO

If yes, anyone who asks?  YES  NO

Any legislator?  YES  NO  ONLY the following persons: Rep. Dean Kaufert

Do you consider this urgent?  YES  NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?

YES  NO If yes, please sign your name here:

2001

# 1999 ASSEMBLY JOINT RESOLUTION 31

DART

March 11, 1999 - Introduced by Representatives ZIEGELBAUER, KAUFERT, GROTHMAN, HANDRICK, HUTCHISON, F. LASEE, PETTIS, POWERS and RYBA, cosponsored by Senator DARLING. Referred to Committee on Government Operations.

Proof all amended parts w/ Constitution

JOHN

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

2001

This proposed constitutional amendment, proposed to the 1999 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 ~~2000~~, 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 ~~2000~~, 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:



2002

1

[Article VI] Section 1 (2) Beginning with the terms commencing after ~~2000~~, no person may serve more than 3 consecutive 4-year terms as secretary of state, treasurer or attorney general. Time served during an initial partial term in the same state office, or time served in a different state office, shall not be counted as part of the 12-year limit. For purposes of this subsection, terms are consecutive unless they are more than 2 years apart.

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

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

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

2002

(b) Beginning with the term commencing after ~~2000~~, no person may serve more than 3 consecutive 4-year terms as state superintendent. Time served during an initial partial term in that state office, or time served in a different state office, shall not be counted as part of the 12-year limit. For purposes of this paragraph, terms are consecutive unless they are more than 2 years apart.

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

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

No Am Res'n. 21

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  
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 3 article VI simultaneously with the ratification by the people of the amendment  
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 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)

NOTE: This is  
 1999 AJR 31, with the  
 2000 <sup>starting</sup> statutory date revised  
 of Ex 0002 terms commencing  
 after ~~2000~~ <sup>2000</sup> changed <sup>needed to</sup> to 2002.  
 If ~~you~~ you would like a  
 starting date of 2004, tell me and  
 I will redraft.  
 PJD

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

LRB-0070/P1dn  
PJD:kmg:km

September 22, 2000

This is 1999 AJR 31, with the starting date of terms commencing after 2000 changed to 2002. If you would like a starting date of 2004, tell me and I will redraft.

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: [peter.dykman@legis.state.wi.us](mailto:peter.dykman@legis.state.wi.us)

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

## 2001 ASSEMBLY JOINT RESOLUTION

Soon

no copy

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### *Analysis by the Legislative Reference Bureau*

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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  
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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  
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18 lieutenant governor. Time served during an initial partial term in the same state  
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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  
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19 (3) The term of office, time and manner of electing or appointing all other  
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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  
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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  
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10 created in this joint resolution shall be designated by the next higher open whole  
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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)



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

November 15, 2000

### MEMORANDUM

To: Representative Ziegelbauer

From: Attorney Peter J. Dykman, General Counsel

Re: LRB-0070 Term limits for state constitutional officers and legislators

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7098 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

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

LRB-0070/2dn  
PJD:kmg:pg

November 16, 2000

This /2 version makes technical corrections to place SECTIONS in the correct order.

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: [peter.dykman@legis.state.wi.us](mailto:peter.dykman@legis.state.wi.us)