2001 ASSEMBLY JOINT RESOLUTION 40

March 1, 2001 – Introduced by Representatives BLACK, CULLEN, BERCEAU, BOCK, BOYLE, COGGS, LASSA, MEYERHOFER, MILLER, MORRIS-TATUM, PLOUFF, POCAN, STASKUNAS, TURNER and WASSERMAN, cosponsored by Senators BURKE and RISSER. Referred to Committee on Judiciary.

1	<i>To create</i> section 10 (1) (d) of article V of the constitution; relating to: the partial
2	veto power of the governor (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2001 legislature on first consideration, limits the governor's partial veto authority. It provides that, in rejecting a part of an appropriation bill, the governor may reject the part only if the part would have been a complete and workable bill if separately enacted or the part is a complete dollar amount of an appropriation as shown in the bill.

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

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Resolved by the assembly, the senate concurring, That:

4 5 **SECTION 1.** Section 10 (1) (d) of article V of the constitution is created to read:

[Article V] Section 10 (1) (d) In rejecting a part of an appropriation bill, the

6 governor may reject the part only if the part would have been a complete and

7 workable bill if separately enacted or the part is a complete dollar amount of an

8 appropriation as shown in the bill.

Numbering of new provision. The new paragraph (d) of 1 SECTION 2. 2 subsection (1) of section 10 of article V of the constitution created in this joint 3 resolution shall be designated by the next higher open whole paragraph letter in that 4 subsection in that section in that article if, before the ratification by the people of the 5 amendment proposed in this joint resolution, any other ratified amendment has 6 created a paragraph (d) of subsection (1) of section 10 of article V of the constitution 7 of this state. If one or more joint resolutions create a paragraph (d) of subsection (1) 8 of section 10 of article V simultaneously with the ratification by the people of the 9 amendment proposed in this joint resolution, the paragraphs created shall be 10 lettered and placed in a sequence so that the paragraphs created by the joint 11 resolution having the lowest enrolled joint resolution number have the letters 12 designated in that joint resolution and the paragraphs created by the other joint 13 resolutions have letters that are in the same ascending order as are the numbers of 14 the enrolled joint resolutions creating the paragraphs.

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15 **Be it further resolved, That** this proposed amendment be referred to the 16 legislature to be chosen at the next general election and that it be published for 3 17 months previous to the time of holding such election.

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(END)