

2007 ASSEMBLY JOINT RESOLUTION 2

January 12, 2007 – Introduced by Representative SCHNEIDER. Referred to Committee on Elections and Constitutional Law.

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; **relating to:** terms of office for members of the senate and
4 assembly (first consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

Presently, the constitution provides that representatives to the assembly are elected to two-year terms and state senators are elected to staggered four-year terms. This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, provides that representatives to the assembly are elected to staggered four-year terms and senators are elected to staggered six-year terms. The changes to the length of terms first apply to the terms for which the election in November 2010 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 two successive legislatures, and ratification by the people, before it can become effective.

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

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

1 [Article IV] Section 2. The number of the members of the assembly shall never
2 be less than fifty-four nor more than one hundred 99. The number of members of
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 be 33.

5 **SECTION 2.** Section 4 of article IV of the constitution is amended to read:

6 [Article IV] Section 4. The members of the assembly shall be chosen biennially,
7 by single elected from single-member districts, on the Tuesday succeeding the first
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 **SECTION 3.** 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 composed of convenient, contiguous territory, at the same
18 time and in the same manner as members of the assembly are required to be chosen;
19 and no 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, alternately in 3 classes each consisting of one-third of the senators
24 for the term of -4- 6 years.

25 **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 **SECTION 5.** 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 2010 general election and to the term of office
9 of the members elected at that election.

10 (2) Notwithstanding section 5 of article IV, the term of a senator elected at the
11 November 2010 general election to senate district 3, 9, 15, 21, 27, or 33 shall be for
12 4 years.

13 (3) Notwithstanding section 5 of article IV, the term of a senator elected at the
14 November 2012 general election to senate district 4, 10, 16, 22, or 28 shall be for 4
15 years.

16 (4) Notwithstanding section 5 of article IV, the term of a senator elected at the
17 November 2010 general election to senate district 5, 11, 17, 23, or 29 shall be for 2
18 years.

19 (5) Notwithstanding section 5 of article IV, the term of a senator elected at the
20 November 2012 general election to senate district 6, 12, 18, 24, or 30 shall be for 2
21 years.

22 (6) Notwithstanding section 4 of article IV, the term of a representative elected
23 at the November 2010 general election to an even-numbered district shall be for 2
24 years.

25 **SECTION 6. Numbering of new provision.**

