

## 2007 ASSEMBLY JOINT RESOLUTION 17

February 15, 2007 – Introduced by Representatives STONE, HONADEL, VUKMIR, NEWCOMER, PRIDEMORE, M. WILLIAMS, VAN ROY, LOTHIAN, KESTELL, MOULTON, MUSSER, MONTGOMERY, PETERSEN, SUDER, TAUCHEN, MURTHA, NYGREN, ROTH, A. OTT, BALLWEG, RHOADES, BIES, ZIPPERER, HINES, KERKMAN, JESKEWITZ, VOS, HUEBSCH, KLEEFISCH, J. FITZGERALD, GUNDRUM, STRACHOTA, MEYER, NASS, J. OTT, MURSAU, PETROWSKI, OWENS, KAUFERT, F. LASEE, KRAMER, FRISKE, GUNDERSON, LEMAHIEU, TOWNSEND, GOTTLIEB, DAVIS and WOOD, cosponsored by Senators LEIBHAM, S. FITZGERALD, DARLING, KANAVAS, LAZICH, A. LASEE, GROTHMAN, SCHULTZ and ROESSLER. Referred to Committee on Elections and Constitutional Law.

- 1     **To create** section 1m of article III of the constitution; **relating to:** requiring a  
 2             photographic identification to vote, or register to vote, at the polls on election  
 3             day (second consideration).

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### *Analysis by the Legislative Reference Bureau*

#### EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2007 legislature for submittal to the voters in November 2008, was first considered by the 2005 legislature in 2005 Assembly Joint Resolution 36, which became 2005 Enrolled Joint Resolution 39.

It provides a qualified elector may not vote, or register to vote, at the polls on election day unless the elector presents a photographic identification issued by this state or by the federal government. After the date of ratification, the legislature, by law, with the concurrence of two-thirds of all the members present, may exempt any class of electors from these requirements.

#### PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional

amendment to the people for ratification and must determine the question or questions to appear on the ballot.

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1           Whereas, the 2005 legislature in regular session considered a proposed  
2 amendment to the constitution in 2005 Assembly Joint Resolution 36, which became  
3 2005 Enrolled Joint Resolution 39, and agreed to it by a majority of the members  
4 elected to each of the 2 houses, which proposed amendment reads as follows:

5           **SECTION 1.** Section 1m of article III of the constitution is created to  
6 read:

7           [Article III] Section 1m (1) A qualified elector may not vote, or  
8 register to vote, at the polls on election day unless the elector presents a  
9 photographic identification issued by this state or by the federal  
10 government.

11           (2) After the date of ratification of this section, the legislature, by  
12 law, with the concurrence of two-thirds of all the members present, may  
13 exempt any class of electors from the requirements of subsection (1).

14           ***Now, therefore, be it resolved by the assembly, the senate concurring,***  
15 ***That*** the foregoing proposed amendment to the constitution is agreed to by the 2007  
16 legislature; and, be it further

17           ***Resolved, That*** the foregoing proposed amendment to the constitution be  
18 submitted to a vote of the people at the election to be held on the Tuesday after the  
19 first Monday in November 2008; and, be it further

20           ***Resolved, That*** the question concerning ratification of the foregoing proposed  
21 amendment to the constitution be stated on the ballot as follows:

22           **QUESTION 1: “Voting.** Shall section 1m of article III of the constitution be  
23 created to provide that a qualified elector may not vote, or register to vote, at the polls  
24 on election day unless the elector presents a photographic identification issued by  
25 this state or by the federal government and after the date of ratification of this

1 section, the legislature, by law, with the concurrence of two-thirds of all the members  
2 present, may exempt any class of electors from that requirement?”

3 (END)