

2007 DRAFTING REQUEST

Assembly Joint Resolution

Received: 02/21/2008

Received By: smiller

Wanted: Soon

Identical to LRB:

For: Gary Tauchen (608) 266-3097

By/Representing: craig arrowood

This file may be shown to any legislator: NO

Drafter: smiller

May Contact:

Addl. Drafters:

Subject: Constitutional Amendments

Extra Copies:

Submit via email: YES

Requester's email: Rep.Tauchen@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit affirmative action

Instructions:

See Attached 07-3731

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>
/?	smiller 02/21/2008	kfollett 02/21/2008		_____			
/1			pgreensl 02/21/2008	_____	sbasford 02/21/2008	lparisi 02/22/2008	

FE Sent For:

None

<END>

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/?	smiller	1/16/08 2/21/08	[Handwritten initials]	[Handwritten initials]			
			[Handwritten initials]	[Handwritten initials]			
			[Handwritten initials]	[Handwritten initials]			

FE Sent For:

<END>

4148/1

SRM:lgf

ASSEMBLY

2007 SENATE JOINT RESOLUTION

Regen

1 **To create** section 27 of article I of the constitution; **relating to:** prohibiting the state  
 2 from discriminating against, or granting preferential treatment to, an  
 3 individual or group on the basis of race, sex, color, ancestry, or national origin  
 4 in the operation of public employment, public education, or public contracting  
 5 (first consideration).

***Analysis by the Legislative Reference Bureau***

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, prohibits the state from discriminating against, or granting preferential treatment to, an individual or group on the basis of race, sex, color, ancestry, or national origin in the operation of public employment, public education, or public contracting.

The amendment does not prohibit a bona fide qualification based on sex that is reasonably necessary to the normal operation of public employment, public education, or public contracting. It does not prohibit action that must be taken to establish or maintain eligibility for a federal program, if ineligibility would result in the loss of federal funds to the state.

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

6

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

1           **SECTION 1.** Section 27 of article I of the constitution is created to read:

2           [Article I] Section 27 (1) Neither the state nor local governments shall  
3           discriminate against, or grant preferential treatment to, an individual or group on  
4           the basis of race, sex, color, ancestry, or national origin in the operation of public  
5           employment, public education, or public contracting.

6           (2) This section does not prohibit a bona fide qualification based on sex that is  
7           reasonably necessary to the normal operation of public employment, public  
8           education, or public contracting.

9           (3) This section does not prohibit action that must be taken to establish or  
10          maintain eligibility for a federal program, if ineligibility would result in the loss of  
11          federal funds to the state.

12          **SECTION 2. Numbering of new provision.** The new section 27 of article I of  
13          the constitution created in this joint resolution shall be designated by the next higher  
14          open whole section number in that article if, before the ratification by the people of  
15          the amendment proposed in this joint resolution, any other ratified amendment has  
16          created a section 27 of article I of the constitution of this state. If one or more joint  
17          resolutions create a section 27 of article I simultaneously with the ratification by the  
18          people of the amendment proposed in this joint resolution, the sections created shall  
19          be numbered and placed in a sequence so that the sections created by the joint  
20          resolution having the lowest enrolled joint resolution number have the numbers  
21          designated in that joint resolution and the sections created by the other joint  
22          resolutions have numbers that are in the same ascending order as are the numbers  
23          of the enrolled joint resolutions creating the sections.



**Parisi, Lori**

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**From:** Arrowood, Craig  
**Sent:** Thursday, February 21, 2008 4:07 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-4148/1 Topic: Prohibit affirmative action

**Please Jacket LRB 07-4148/1 for the ASSEMBLY.**