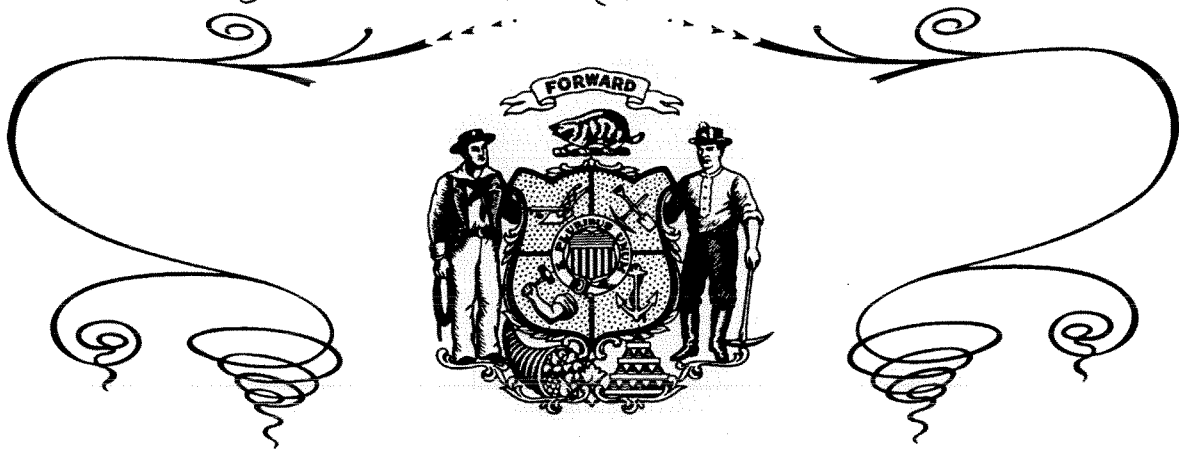


State of Wisconsin



2007 Senate Joint Resolution 5

ENROLLED JOINT RESOLUTION

To amend section 10 (1) (c) of article V of the constitution; **relating to:** prohibiting partial vetoes from creating new sentences (second consideration).

Whereas, the 2005 legislature in regular session considered a proposed amendment to the constitution in 2005 Senate Joint Resolution 33, which became 2005 Enrolled Joint Resolution 46, and agreed to it by a majority of the members elected to each of the 2 houses, which proposed amendment reads as follows:

SECTION 1. Section 10 (1) (c) of article V of the constitution is amended to read:

[Article V] Section 10 (1) (c) In approving an appropriation bill in part, the governor may not create a new word by rejecting individual letters in the words of the enrolled bill, and may not create a new sentence by combining parts of 2 or more sentences of the enrolled bill.

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

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the first Tuesday of April, 2008; and, be it further

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

QUESTION 1: "Partial veto. Shall section 10 (1) (c) of article V of the constitution be amended to prohibit the governor, in exercising his or her partial veto authority, from creating a new sentence by combining parts of two or more sentences of the enrolled bill?"

Representative Michael D. Huebsch
Speaker of the Assembly

Senator Fred A. Risser
President of the Senate

Date

Robert J. Marchant
Senate Chief Clerk

SENATE JOINT RESOLUTION 5 (LRB -0440)

To amend section 10 (1) (c) of article V of the constitution; relating to: prohibiting partial vetoes from creating new sentences (second consideration).

2007

01-16. S. Introduced by Senators **Carpenter, Harsdorf, Lehman, S. Fitzgerald, Darling, Grothman, Olsen, A. Lasee, Schultz, Leibham, Kedzie, Cowles, Roessler, Kapanke, Lazich, Kanavas** and **Ellis**; cosponsored by Representatives **Friske, Stone, Albers, Pridemore, Kerkman, Gundrum, Lothian, Ballweg, Strachota, Musser, Bies, Tauchen, J. Fitzgerald, Townsend, Vos, Gunderson, Nerison, Gottlieb, Kestell, Montgomery, Suder, Hahn, Jeskewitz, Moulton, Van Roy, Kleefisch, Mursau, Rhoades, Kramer, F. Lasee, Honadel, Wood, Ziegelbauer, Owens, Nass, Murtha, Nygren, Petersen, M. Williams, Meyer, A. Ott, Vukmir, Hines** and **LeMahieu**.

01-16. S. Read and referred to committee on Ethics Reform and Government Operations 38

06-18. S. Public hearing held.

11-14. S. Executive action taken.

11-30. S. Report introduction and adoption of Senate Amendment 1 recommended by committee on Ethics Reform and Government Operations, Ayes 4, Noes 0 (**LRB a0892**) 445

11-30. S. Report adoption as amended recommended by committee on Ethics Reform and Government Operations, Ayes 4, Noes 0 445

11-30. S. Available for scheduling.

12-05. S. Placed on calendar 12-11-2007 by committee on Senate Organization.

12-11. S. Read a second time 461

12-11. S. Senator Vinehout added as a coauthor 459

12-11. S. Senate amendment 1 **adopted** 461

12-11. S. Ordered to a third reading 461

12-11. S. Rules suspended 461

12-11. S. Read a third time and **adopted**, Ayes 33, Noes 0 461

12-11. S. Ordered immediately messaged 461

12-14. A. Received from Senate 404

12-14. A. Read first time and referred to committee on Rules 404

2008

01-10. A. Placed on calendar 1-15-2008 by committee on Rules.

01-15. A. Rules suspended to withdraw from calendar and take up.

01-15. A. Read a second time.

01-15. A. Ordered to a third reading.

01-15. A. Rules suspended.

01-15. A. Read a third time and **concurred in**, Ayes 94, Noes 1.

01-15. A. Ordered immediately messaged.

01-16. S. Received from Assembly concurred in.

gmb

2007

7

Joint Resolution Passed by Both Houses

ENROLL JOINT RES

07 ~~Sen~~ 5 JR 5

ADOPTED DOCUMENTS:

Orig SubAmdt

07 ~~X~~ - 044012

Amendments to above (if none, write "NONE"): SA1 - 20892/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

1-16-08
Date

[Signature]
Drafter

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2007 SENATE JOINT RESOLUTION 5

January 16, 2007 - Introduced by Senators CARPENTER, HARSDORF, LEHMAN, S. FITZGERALD, DARLING, GROTHMAN, OLSEN, A. LASEE, SCHULTZ, LEIBHAM, KEDZIE, COWLES, ROESSLER, KAPANKE, LAZICH, KANAVAS and ELLIS, cosponsored by Representatives FRISKE, STONE, ALBERS, PRIDEMORE, KERKMAN, GUNDRUM, LOTHIAN, BALLWEG, STRACHOTA, MUSSER, BIES, TAUCHEN, J. FITZGERALD, TOWNSEND, VOS, GUNDERSON, NERISON, GOTTLIEB, KESTELL, MONTGOMERY, SUDER, HAHN, JESKEWITZ, MOULTON, VAN ROY, KLEEFISCH, MURSAU, RHOADES, KRAMER, F. LASEE, HONADEL, WOOD, ZIEGELBAUER, OWENS, NASS, MURTHA, NYGREN, PETERSEN, M. WILLIAMS, MEYER, OTT, VUKMIR, HINES and LEMAHIEU. Referred to Committee on Ethics Reform and Government Operations.

- 1 **To amend** section 10 (1) (c) of article V of the constitution; **relating to:** prohibiting
 2 partial vetoes from creating new sentences (second consideration).

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 April 2007, was first considered by the 2005 legislature in 2005 Senate Joint Resolution 33, which became 2005 Enrolled Joint Resolution 46.

The proposed constitutional amendment prohibits the governor, in exercising his or her partial veto authority on appropriation bills, from creating new sentences by combining parts of two or more sentences of the enrolled bill.

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.

1 Whereas, the 2005 legislature in regular session considered a proposed
2 amendment to the constitution in 2005 Senate Joint Resolution 33, which became
3 2005 Enrolled Joint Resolution 46, and agreed to it by a majority of the members
4 elected to each of the 2 houses, which proposed amendment reads as follows:

SECTION 1. Section 10 (1) (c) of article V of the constitution is amended to read:

[Article V] Section 10 (1) (c) In approving an appropriation bill in part, the governor may not create a new word by rejecting individual letters in the words of the enrolled bill, and may not create a new sentence by combining parts of 2 or more sentences of the enrolled bill.

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

8 *Resolved, That* the foregoing proposed amendment to the constitution be
9 submitted to a vote of the people at the election to be held on the first Tuesday of April,
10 ~~2007~~; and, be it further

INSERT SAI-1

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

13 **QUESTION 1: "Partial veto.** Shall section 10 (1) (c) of article V of the
14 constitution be amended to prohibit the governor, in exercising his or her partial veto
15 authority, from creating a new sentence by combining parts of two or more sentences
16 of the enrolled bill?"