

2007 SENATE JOINT RESOLUTION 68

November 9, 2007 – Introduced by Senators KANAVAS, LAZICH, A. LASEE, DARLING, GROTHMAN and LEIBHAM, cosponsored by Representatives KLEEFISCH, ALBERS, J. OTT, ZIPPERER, LEMAHIEU, GUNDERSON, NASS, PETROWSKI, VOS, KRAMER, TOWNSEND, VUKMIR and OWENS. Referred to Committee on Ethics Reform and Government Operations.

- 1 **To create** section 13 of article XIII of the constitution; **relating to:** senate approval
2 of certain legally enforceable agreements (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, prohibits certain elected and appointed state officials and state employees from entering into, amending, extending, or renewing any legally enforceable agreement with a foreign nation, an Indian tribe or band, the federal government, or another state until the official or employee submits the proposed agreement to the senate and the senate, by a majority of members present, approves the proposed agreement. Under the proposed amendment, if the senate does not approve the proposed agreement, the agreement shall be returned to the official or employee for renegotiation. The proposed amendment does not apply to elected or appointed state officials or state employees in the legislative or judicial branch of government.

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

- 3 **Resolved by the senate, the assembly concurring, That:**
4 **SECTION 1.** Section 13 of article XIII of the constitution is created to read:
5 [Article XIII] Section 13 (1) Subject to subsection (2), no elected or appointed
6 state official or state employee may enter into, amend, extend, or renew any legally

1 enforceable agreement with a foreign nation, an Indian tribe or band, the federal
2 government, or another state until the elected or appointed state official or state
3 employee submits the proposed agreement to the senate and the senate, by a
4 majority of members present, approves the proposed agreement. If the senate does
5 not approve the proposed agreement, the agreement shall be returned to the elected
6 or appointed state official or state employee for renegotiation.

7 (2) Subsection (1) shall not apply to an elected or appointed state official or
8 state employee in the legislative or judicial branch of government.

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

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

24 (END)