2007 ASSEMBLY JOINT RESOLUTION 13

January 30, 2007 – Introduced by Representatives PRIDEMORE, ZIEGELBAUER and KAUFERT, cosponsored by Senator LEIBHAM. Referred to Committee on Elections and Constitutional Law.

To renumber and amend section 6 of article IV and section 1 of article X; to amend section 2 of article V and section 1 of article VI; and to create section 6 (2) of article IV, section 2 (2) of article V, section 1 (2) of article VI and section 1 (2) (b) of article X of the constitution; relating to: limiting the number of years state constitutional officers and members of the state legislature may serve in the same office (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, limits the governor, lieutenant governor, secretary of state, state treasurer, attorney general, superintendent of public instruction, and members of the legislature to not more than 12 consecutive years of service in the same office after January 1, 2011. Time served in a different office is not counted as part of the 12-year limit.

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

Resolved by the assembly, the senate concurring, That:
SECTION 1. Section 6 of article IV of the constitution is renumbered section 6
(1) of article IV and amended to read:

[Article IV] Section 6 (1) No person shall be eligible to the legislature who shall
not have resided one year within the state, and be a qualified elector in the district
which he the person may be chosen to represent.

SECTION 2. Section 6 (2) of article IV of the constitution is created to read:

[Article IV] Section 6 (2) A person may not serve more than 12 consecutive years
as a senator or more than 12 consecutive years as a representative to the assembly
after January 1, 2011. Time served in the other house or a different office is not
counted as part of the 12−year limit.

SECTION 3. Section 2 of article V of the constitution is renumbered section 2 (1)
of article V.

SECTION 4. Section 2 (2) of article V of the constitution is created to read:

[Article V] Section 2 (2) A person may not serve more than 12 consecutive years
as governor or more than 12 years as lieutenant governor after January 1, 2011.
Time served in the other office or in a different office is not counted as part of the
12−year limit.

SECTION 5. Section 1 of article VI of the constitution is renumbered section 1
(1) of article VI.

SECTION 6. Section 1 (2) of article VI of the constitution is created to read:

[Article VI] Section 1 (2) A person may not serve more than 12 consecutive years
as secretary of state, more than 12 consecutive years as treasurer, or more than 12
consecutive years as attorney general. Time served in the other office or in a different
office is not counted as part of the 12−year limit.
SECTION 7. Section 1 of article X of the constitution is renumbered section 1 (1) of article X and amended to read:

[Article X] Section 1 (1) The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law.

(2) (a) The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold office for 4 years from the succeeding first Monday in July.

(3) The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law.

SECTION 8. Section 1 (2) (b) of article X of the constitution is created to read:

[Article X] Section 1 (2) (b) A person may not serve more than 12 consecutive years as state superintendent. Time served in a different office is not counted as part of the 12-year limit.

SECTION 9. Numbering of new provisions. (1) The new subsection (1) of section 6 of article IV of the constitution resulting from the renumbering and amendment of section 6 of article IV of the constitution by this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (1) of section 6 of article IV of the constitution of this state. If one or more joint resolutions create a subsection (1) of section 6 of article IV simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers
designated in that joint resolution and the subsections created by the other joint
resolutions have numbers that are in the same ascending order as are the numbers
of the enrolled joint resolutions creating the subsections.

(2) The new subsection (2) of section 6 of article IV of the constitution created
in this joint resolution shall be designated by the next higher open whole subsection
number in that section in that article if, before the ratification by the people of the
amendment proposed in this joint resolution, any other ratified amendment has
created a subsection (2) of section 6 of article IV of the constitution of this state. If
one or more joint resolutions create a subsection (2) of section 6 of article IV
simultaneously with the ratification by the people of the amendment proposed in this
joint resolution, the subsections created shall be numbered and placed in a sequence
so that the subsections created by the joint resolution having the lowest enrolled joint
resolution number have the numbers designated in that joint resolution and the
subsections created by the other joint resolutions have numbers that are in the same
ascending order as are the numbers of the enrolled joint resolutions creating the
subsections.

(3) The new subsection (1) of section 2 of article V of the constitution resulting
from the renumbering and amendment of section 2 of article V of the constitution by
this joint resolution shall be designated by the next higher open whole subsection
number in that section in that article if, before the ratification by the people of the
amendment proposed in this joint resolution, any other ratified amendment has
created a subsection (1) of section 2 of article V of the constitution of this state. If one
or more joint resolutions create a subsection (1) of section 2 of article V
simultaneously with the ratification by the people of the amendment proposed in this
joint resolution, the subsections created shall be numbered and placed in a sequence
so that the subsections created by the joint resolution having the lowest enrolled joint
resolution number have the numbers designated in that joint resolution and the
subsections created by the other joint resolutions have numbers that are in the same
ascending order as are the numbers of the enrolled joint resolutions creating the
subsections.

(4) The new subsection (2) of section 2 of article V of the constitution created
in this joint resolution shall be designated by the next higher open whole subsection
number in that section in that article if, before the ratification by the people of the
amendment proposed in this joint resolution, any other ratified amendment has
created a subsection (2) of section 2 of article V of the constitution of this state. If one
or more joint resolutions create a subsection (2) of section 2 of article V simultaneoulsy with the ratification by the people of the amendment proposed in this
joint resolution, the subsections created shall be numbered and placed in a sequence
so that the subsections created by the joint resolution having the lowest enrolled joint
resolution number have the numbers designated in that joint resolution and the
subsections created by the other joint resolutions have numbers that are in the same
ascending order as are the numbers of the enrolled joint resolutions creating the
subsections.

(5) The new subsection (1) of section 1 of article VI of the constitution resulting
from the renumbering and amendment of section 1 of article VI of the constitution
by this joint resolution shall be designated by the next higher open whole subsection
number in that section in that article if, before the ratification by the people of the
amendment proposed in this joint resolution, any other ratified amendment has
created a subsection (1) of section 1 of article VI of the constitution of this state. If
one or more joint resolutions create a subsection (1) of section 1 of article VI
simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

(6) The new subsection (2) of section 1 of article VI of the constitution created in this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (2) of section 1 of article VI of the constitution of this state. If one or more joint resolutions create a subsection (2) of section 1 of article VI simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

(7) The new subsection (1) of section 1 of article X of the constitution resulting from the renumbering and amendment of section 1 of article X of the constitution by this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has
created a subsection (1) of section 1 of article X of the constitution of this state. If one
or more joint resolutions create a subsection (1) of section 1 of article X simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

(8) The new subsection (2) of section 1 of article X of the constitution resulting from the renumbering and amendment of section 1 of article X of the constitution by this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (2) of section 1 of article X of the constitution of this state. If one or more joint resolutions create a subsection (2) of section 1 of article X simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

(9) The new subsection (3) of section 1 of article X of the constitution resulting from the renumbering and amendment of section 1 of article X of the constitution by
this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (3) of section 1 of article X of the constitution of this state. If one or more joint resolutions create a subsection (3) of section 1 of article X simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

(10) The new paragraph (b) of subsection (2) of section 1 of article X of the constitution created in this joint resolution shall be designated by the next higher open whole paragraph letter in that subsection in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a paragraph (b) of subsection (2) of section 1 of article X of the constitution of this state. If one or more joint resolutions create a paragraph (b) of subsection (2) of section 1 of article X simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the paragraphs created shall be lettered and placed in a sequence so that the paragraphs created by the joint resolution having the lowest enrolled joint resolution number have the letters designated in that joint resolution and the paragraphs created by the other joint resolutions have letters that are in the same ascending order as are the letters of the enrolled joint resolutions creating the paragraphs.
Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

(END)