

2009 DRAFTING REQUEST

Assembly Joint Resolution

Received: **02/11/2009**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Frederick Kessler (608) 266-5813**

By/Representing: **himself**

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.Kessler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Felons imprisoned to be deleted from population count for redistricting

Instructions:

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 02/19/2009	jdyer 02/26/2009		_____			
/1	smiller 03/04/2009	jdyer 03/05/2009	mduchek 02/26/2009	_____	lparisi 02/26/2009		
/2			jfrantze 03/05/2009	_____	cduerst 03/05/2009	sbasford 03/17/2009	

FE Sent For:

None

<END>

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/1		1/2 3/5 jld	mduchek 02/26/2009	_____	lparisi 02/26/2009		

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[Handwritten signatures and initials]
3/5
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/?	smiller	1/2/09 jld	M	2/2/09			

FE Sent For:

<END>

Kuesel, Jeffery

From: Miller, Steve
Sent: Tuesday, February 10, 2009 4:55 PM
To: Kuesel, Jeffery
Subject: Rep Kessler felons not to be counted

Rep Kessler says he wants a bill and a constitutional amendment to prohibit counting felons in prisons for purposes of redistricting.

I have not entered the requests.

Please see me

Art IV, sec 3

see Art III sec (4)(a)

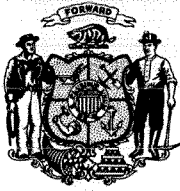
legislature only?

JTK: art IV, § 3

46 if L excludes felons for any

purpose for when L creates

election by



1
jld

2009 ASSEMBLY JOINT RESOLUTION

in 2-19

DN

Gen

3

1 **Relating to:** excluding incarcerated, disenfranchised felons from the enumeration
2 of population for apportionment and redistricting the legislature and county
3 offices. (first consideration)

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, excludes incarcerated felons who are disenfranchised by law from the census count used for redistricting the legislature and county offices. A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

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

5 **SECTION 1.** Section 3 of article IV of the constitution is amended to read:

6 [Article IV] Section 3. At its first session after each enumeration made by the
7 authority of the United States, the legislature shall apportion and district anew the
8 members of the senate and assembly, according to the number of inhabitants,
9 excluding incarcerated felons who are disenfranchised by law.

check spacing

1 SECTION 2. Section 9 of article XIII of the constitution is amended to read:

2 [Article XIII] Section 9. All county officers whose election or appointment is not
3 provided for by this constitution shall be elected by the electors of the respective
4 counties, or appointed by the boards of supervisors, or other county authorities, as
5 the legislature shall direct. All city, town and village officers whose election or
6 appointment is not provided for by this constitution shall be elected by the electors
7 of such cities, towns and villages, or of some division thereof, or appointed by such
8 authorities thereof as the legislature shall designate for that purpose. All other
9 officers whose election or appointment is not provided for by this constitution, and
10 all officers whose offices may hereafter be created by law, shall be elected by the
11 people or appointed, as the legislature may direct. Any enumeration for the
12 apportionment and redistricting of county offices shall exclude incarcerated felons
13 who are disenfranchised by law.

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

17 (END)

d-note
↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2076/4dn

SRM: ...

date

jld

Representative Kessler: ✓

This amendment covers legislative ✓ redistricting and county-level ✓ redistricting. It does not address school boards or other local officials. If you wish to expand the amendment to cover other districts, please let me know. ✓

Stephen R. Miller
Chief
Phone: (608) 267-2175
E-mail: steve.miller@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2076/1dn
SRM:jld:md

February 26, 2009

Representative Kessler:

This amendment covers legislative redistricting and county-level redistricting. It does not address school boards or other local officials. If you wish to expand the amendment to cover other districts, please let me know.

Stephen R. Miller
Chief
Phone: (608) 267-2175
E-mail: steve.miller@legis.wisconsin.gov

RMNR
=

2009 ASSEMBLY JOINT RESOLUTION

in 3-4

of legislative,

, and certain other district offices

Regen

1 To amend section 3 of article IV and section 9 of article XIII of the constitution;
 2 relating to: excluding incarcerated, disenfranchised felons from the
 3 enumeration of population for apportionment and redistricting the legislature
 4 and county offices (first consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, excludes incarcerated felons who are disenfranchised by law from the census count used for redistricting the legislature and county offices.

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

5 Resolved by the assembly, the senate concurring, That:
 6 SECTION 1. Section 3 of article IV of the constitution is amended to read:
 7 [Article IV] Section 3. At its first session after each enumeration made by the
 8 authority of the United States, the legislature shall apportion and district anew the

* and other districts used to select statutory elective officers

1 members of the senate and assembly, according to the number of inhabitants,
2 excluding incarcerated felons who are disenfranchised by law.

3 SECTION 2. Section 9 of article XIII of the constitution is amended to read:

4 [Article XIII] Section 9. All county officers whose election or appointment is not
5 provided for by this constitution shall be elected by the electors of the respective
6 counties, or appointed by the boards of supervisors, or other county authorities, as
7 the legislature shall direct. All city, town and village officers whose election or
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9 of such cities, towns and villages, or of some division thereof, or appointed by such
10 authorities thereof as the legislature shall designate for that purpose. All other
11 officers whose election or appointment is not provided for by this constitution, and
12 all officers whose offices may hereafter be created by law, shall be elected by the
13 people or appointed, as the legislature may direct. Any enumeration for the
14 apportionment and redistricting of county officers shall exclude incarcerated felons
15 who are disenfranchised by law.

districts for the election of

INSERT #1 ✓

Officers

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

19 (END)

Basford, Sarah

From: Hinkel, Andy
Sent: Tuesday, March 17, 2009 9:33 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-2076/2 Topic: Felons imprisoned to be deleted from population count for redistricting

Please Jacket LRB 09-2076/2 for the ASSEMBLY.