

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.

1	To renumber and amend section 6 of article IV and section 1 of article X; to amend
2	section 2 of article V and section 1 of article VI; and $to \ create$ section 6 (2) of
3	article IV, section 2 (2) of article V, section 1 (2) of article VI and section 1 (2) (b)
4	of article X of the constitution; relating to: limiting the number of years state
5	constitutional officers and members of the state legislature may serve in the
6	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:

2007 – 2008 Legislature – 2 –

1	SECTION 1. Section 6 of article IV of the constitution is renumbered section 6
2	(1) of article IV and amended to read:
3	[Article IV] Section $6(1)$ No person shall be eligible to the legislature who shall
4	not have resided one year within the state, and be a qualified elector in the district
5	which he <u>the person</u> may be chosen to represent.
6	SECTION 2. Section 6 (2) of article IV of the constitution is created to read:
7	[Article IV] Section 6 (2) A person may not serve more than 12 consecutive years
8	as a senator or more than 12 consecutive years as a representative to the assembly
9	after January 1, 2011. Time served in the other house or a different office is not
10	counted as part of the 12-year limit.
11	SECTION 3. Section 2 of article V of the constitution is renumbered section $2(1)$
12	of article V.
13	SECTION 4. Section 2 (2) of article V of the constitution is created to read:
14	[Article V] Section 2 (2) A person may not serve more than 12 consecutive years
15	as governor or more than 12 years as lieutenant governor after January 1, 2011.
16	Time served in the other office or in a different office is not counted as part of the
17	12-year limit.
18	SECTION 5. Section 1 of article VI of the constitution is renumbered section 1
19	(1) of article VI.
20	SECTION 6. Section 1 (2) of article VI of the constitution is created to read:
21	[Article VI] Section 1 (2) A person may not serve more than 12 consecutive years
22	as secretary of state, more than 12 consecutive years as treasurer, or more than 12
23	consecutive years as attorney general. Time served in the other office or in a different
24	office is not counted as part of the 12-year limit.

2007 - 2008 Legislature

SECTION 7. Section 1 of article X of the constitution is renumbered section 1 (1) 1 2 of article X and amended to read: 3 [Article X] Section 1 (1) The supervision of public instruction shall be vested 4 in a state superintendent and such other officers as the legislature shall direct; and 5their qualifications, powers, duties and compensation shall be prescribed by law. 6 (2) (a) The state superintendent shall be chosen by the qualified electors of the 7 state at the same time and in the same manner as members of the supreme court, 8 and shall hold office for 4 years from the succeeding first Monday in July. 9 (3) The term of office, time and manner of electing or appointing all other 10 officers of supervision of public instruction shall be fixed by law. 11 **SECTION 8.** Section 1 (2) (b) of article X of the constitution is created to read: 12[Article X] Section 1 (2) (b) A person may not serve more than 12 consecutive 13 years as state superintendent. Time served in a different office is not counted as part 14 of the 12-year limit. 15**SECTION 9.** Numbering of new provisions. (1) The new subsection (1) of 16 section 6 of article IV of the constitution resulting from the renumbering and 17amendment 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 18 19 that article if, before the ratification by the people of the amendment proposed in this 20 joint resolution, any other ratified amendment has created a subsection (1) of section 216 of article IV of the constitution of this state. If one or more joint resolutions create 22a subsection (1) of section 6 of article IV simultaneously with the ratification by the 23people of the amendment proposed in this joint resolution, the subsections created 24shall be numbered and placed in a sequence so that the subsections created by the 25joint resolution having the lowest enrolled joint resolution number have the numbers

- 3 -

2007 – 2008 Legislature

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 -

4 (2) The new subsection (2) of section 6 of article IV of the constitution created 5 in this joint resolution shall be designated by the next higher open whole subsection 6 number in that section in that article if, before the ratification by the people of the 7 amendment proposed in this joint resolution, any other ratified amendment has 8 created a subsection (2) of section 6 of article IV of the constitution of this state. If 9 one or more joint resolutions create a subsection (2) of section 6 of article IV 10 simultaneously with the ratification by the people of the amendment proposed in this 11 joint resolution, the subsections created shall be numbered and placed in a sequence 12so that the subsections created by the joint resolution having the lowest enrolled joint 13 resolution number have the numbers designated in that joint resolution and the 14subsections created by the other joint resolutions have numbers that are in the same 15ascending order as are the numbers of the enrolled joint resolutions creating the subsections. 16

17(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 18 this joint resolution shall be designated by the next higher open whole subsection 19 20 number in that section in that article if, before the ratification by the people of the 21amendment proposed in this joint resolution, any other ratified amendment has 22created a subsection (1) of section 2 of article V of the constitution of this state. If one 23or more joint resolutions create a subsection (1) of section 2 of article V $\mathbf{24}$ 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 25

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 (4) The new subsection (2) of section 2 of article V of the constitution created 7 in this joint resolution shall be designated by the next higher open whole subsection 8 number in that section in that article if, before the ratification by the people of the 9 amendment proposed in this joint resolution, any other ratified amendment has 10 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 11 12simultaneously with the ratification by the people of the amendment proposed in this 13 joint resolution, the subsections created shall be numbered and placed in a sequence 14so that the subsections created by the joint resolution having the lowest enrolled joint 15resolution number have the numbers designated in that joint resolution and the 16 subsections created by the other joint resolutions have numbers that are in the same 17ascending order as are the numbers of the enrolled joint resolutions creating the subsections. 18

19 (5) The new subsection (1) of section 1 of article VI of the constitution resulting 20 from the renumbering and amendment of section 1 of article VI of the constitution 21 by this joint resolution shall be designated by the next higher open whole subsection 22 number in that section in that article if, before the ratification by the people of the 23 amendment proposed in this joint resolution, any other ratified amendment has 24 created a subsection (1) of section 1 of article VI of the constitution of this state. If 25 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.

8 (6) The new subsection (2) of section 1 of article VI of the constitution created 9 in this joint resolution shall be designated by the next higher open whole subsection 10 number in that section in that article if, before the ratification by the people of the 11 amendment proposed in this joint resolution, any other ratified amendment has 12created a subsection (2) of section 1 of article VI of the constitution of this state. If 13 one or more joint resolutions create a subsection (2) of section 1 of article VI 14simultaneously with the ratification by the people of the amendment proposed in this 15joint resolution, the subsections created shall be numbered and placed in a sequence 16 so that the subsections created by the joint resolution having the lowest enrolled joint 17resolution 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 18 ascending order as are the numbers of the enrolled joint resolutions creating the 19 20 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

- 6 -

created a subsection (1) of section 1 of article X of the constitution of this state. If one 1 $\mathbf{2}$ or more joint resolutions create a subsection (1) of section 1 of article X 3 simultaneously with the ratification by the people of the amendment proposed in this 4 joint resolution, the subsections created shall be numbered and placed in a sequence 5 so that the subsections created by the joint resolution having the lowest enrolled joint 6 resolution number have the numbers designated in that joint resolution and the 7 subsections created by the other joint resolutions have numbers that are in the same 8 ascending order as are the numbers of the enrolled joint resolutions creating the 9 subsections.

10 (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 11 12this joint resolution shall be designated by the next higher open whole subsection 13 number in that section in that article if, before the ratification by the people of the 14amendment proposed in this joint resolution, any other ratified amendment has 15created a subsection (2) of section 1 of article X of the constitution of this state. If one 16 or more joint resolutions create a subsection (2) of section 1 of article X 17simultaneously 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 18 19 so that the subsections created by the joint resolution having the lowest enrolled joint 20 resolution number have the numbers designated in that joint resolution and the 21subsections created by the other joint resolutions have numbers that are in the same 22ascending order as are the numbers of the enrolled joint resolutions creating the 23subsections.

(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 1 2 number in that section in that article if, before the ratification by the people of the 3 amendment proposed in this joint resolution, any other ratified amendment has 4 created a subsection (3) of section 1 of article X of the constitution of this state. If one 5 or more joint resolutions create a subsection (3) of section 1 of article X 6 simultaneously with the ratification by the people of the amendment proposed in this 7 joint resolution, the subsections created shall be numbered and placed in a sequence 8 so that the subsections created by the joint resolution having the lowest enrolled joint 9 resolution number have the numbers designated in that joint resolution and the 10 subsections created by the other joint resolutions have numbers that are in the same 11 ascending order as are the numbers of the enrolled joint resolutions creating the 12subsections.

- 8 -

13 (10) The new paragraph (b) of subsection (2) of section 1 of article X of the 14constitution created in this joint resolution shall be designated by the next higher 15open whole paragraph letter in that subsection in that section in that article if, before 16 the ratification by the people of the amendment proposed in this joint resolution, any 17other 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 18 19 paragraph (b) of subsection (2) of section 1 of article X simultaneously with the 20 ratification by the people of the amendment proposed in this joint resolution, the 21paragraphs created shall be lettered and placed in a sequence so that the paragraphs 22created by the joint resolution having the lowest enrolled joint resolution number 23have the letters designated in that joint resolution and the paragraphs created by $\mathbf{24}$ the other joint resolutions have letters that are in the same ascending order as are 25the 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.

- 9 -

4

(END)