

Resolved, That the question on the ratification of said amendment shall be stated on the ballot as follows: "Shall Section 3 of Article XI of the Constitution be amended to allow municipalities to finance public utilities by mortgaging the utility or its income instead of incurring a general indebtedness to be paid from taxes?"

[Jt. Res. No. 17, A.]

[Deposited May 7, 1931.]

No. 82, 1931.

JOINT RESOLUTION

Relating to a constitutional convention to amend or repeal the eighteenth amendment to the Constitution of the United States.

WHEREAS, The eighteenth amendment to the United States Constitution providing for nationwide prohibition represents a policy which has proven unworkable and is contrary to the wishes of the great majority of the people of this state; and

WHEREAS, Article V of the United States Constitution provides for the calling of a constitutional convention to propose amendments to the Constitution, when the requisite number of states request such a convention; therefore, be it

Resolved by the Assembly, the Senate concurring, That the legislature of the state of Wisconsin hereby respectfully memorializes the Congress of the United States, pursuant to Article V of the Constitution, to call a convention for the purpose of either amending or repealing the eighteenth amendment. Be it further

Resolved, That properly attested copies of this resolution be transmitted to both houses of the Congress of the United States and to each Wisconsin member thereof.

[Jt. Res. No. 13, A.]

[Published May 12, 1931.]

No. 86, 1931.

JOINT RESOLUTION

To amend section 1 of article IV and article XII of the constitution to give the people the power to propose laws and amend-

ments to the constitution and to enact or reject the same at the polls, and to approve and reject at the polls any act of the legislature.

Resolved by the Assembly, the Senate concurring, That section 1 of article IV of the constitution be amended to read: (Article IV) Section 1. 1. The legislative power shall be vested in a senate and assembly, but the people reserve to themselves power, as herein provided, to propose laws and to enact or reject the same at the polls, independent of the legislature, and to approve or reject at the polls any act of the legislature. The limitations expressed in the constitution on the power of the legislature to enact laws shall be deemed limitations on the power of the people to enact laws, except that approval by the governor shall not be necessary.

2. The laws which may be proposed by an initiative petition may be either a bill which was rejected by the preceding legislature with any amendments thereto which were also introduced in the legislature, as the petitioners may see fit to incorporate, or an entirely new bill. If such proposed law is a bill introduced in the preceding legislature the petitions shall be signed by not less than six per cent, and if a new bill by not less than eight per cent, of the qualified electors of the state calculated upon the whole number of votes cast for governor at the last preceding election, of whom not more than one-quarter shall be residents of any one county. Any law proposed by an initiative petition shall be drafted in the same form as are bills introduced in the legislature, except that the enacting clause shall read "The people of the state of Wisconsin do enact." Any such proposed law shall become effective thirty days after having been approved by a majority of the electors voting thereon, unless a different date is specified therein. Any law so enacted shall not be amended or repealed by the legislature, except upon a three-fifths vote of all members elected to each house.

3. By petition filed not later than ninety days after the publication of any law enacted by the legislature, six per cent of the qualified electors, calculated and distributed as provided in subsection 2, may order the submission of such law to a vote of the people. No act of the legislature shall take effect until after the

expiration of such ninety day period, and any act which within such period has been ordered submitted to a referendum shall not take effect until thirty days after it has been approved by a majority of the electors voting thereon; but this provision shall not apply to any law which by a three-fifths vote of the members elected to each house has been declared an emergency act. Any such emergency act shall be subject to referendum in the same manner as other acts of the legislature, but shall remain in force notwithstanding any petition for a referendum, until thirty days after it has been rejected by a majority of the qualified electors voting thereon. No act making any appropriation for maintaining the state government or any public institution, not exceeding the next previous appropriation for the same purpose, shall be subject to a referendum. The increase in any such appropriation shall take effect as in case of other acts, and such increase, or any part thereof, specified in the petition, may be referred to a vote of the people.

4. An initiative or referendum petition shall set forth the full text of the bill proposed or to be referred and shall also state the names of the committee, not exceeding ten in number, which is to represent the petitioners. Such petition may be circulated and presented in parts, each part to have attached thereto the affidavit of the person circulating the same that all signatures thereon were made in the presence of the affiant and that to the best of his knowledge and belief each signature is genuine and that the person signing is a legal voter. No other verification shall be required to establish the genuineness of such signatures. Such petition shall be filed with the secretary of state, who shall within five days pass upon its sufficiency. If he finds that the requirements of this section have not been complied with, he shall at once notify the committee representing the petitioners who shall then have thirty days in which to supplement, correct or amend their petition.

5. If the petitioners or any other citizens are dissatisfied with any final decision of the secretary of state upon any initiative or referendum petition, an action to review such decision may be brought in the supreme court within ten days thereafter. Such court shall have original and exclusive jurisdiction in all such cases and shall render its decision within fifteen days after the filing of the action for review. In the event the sufficiency of any

petition is challenged the burden of proof shall be upon the persons who attack its validity.

6. The text of all measures to be voted upon by the people, together with a brief statement of the arguments submitted by those favoring and opposing these measures and a copy of the unofficial sample ballot to be used in the election, shall be published by the secretary of state in pamphlet form and mailed to the electors of the state.

7. The vote upon an initiative or referred bill shall be taken at the next election held generally throughout the state pursuant to law occurring not less than four months after the filing of the petition or at a special election called by the governor or by a petition signed by twenty per cent of the qualified electors of the state calculated and distributed as provided in subsection 2. The caption under which such bill shall be placed upon the ballot and the form of the question shall be determined by the secretary of state, subject to review by the supreme court in the manner provided in subsection 5. The question shall be so stated that an affirmative vote shall be a vote for the proposed or referred bill, and a negative against such bill. Until the legislature shall otherwise provide, the laws governing general elections shall govern all elections under this section.

8. Nothing in this section shall authorize the submission to a vote of the people of any law proposed by an initiative petition which abridges the constitutional rights of parents to educate their children according to their religious convictions.

9. This section shall be self-executing, but laws may be enacted to facilitate its operations. No law shall be enacted which restricts, hampers or impairs the exercise of the rights herein reserved to the people. No initiative or referendum petition or vote thereon shall be set aside for any irregularity, omission or defect, unless the court finds that such irregularity, omission or defect would have changed the results. Be it further

Resolved, That article XII of the constitution be amended by creating a new section to read: (Article XII) Section 3. 1. Ten per cent of the qualified electors of the state calculated upon the whole number of votes cast for governor at the last preceding election, of whom not more than one-quarter shall be residents of any one county, may by petition filed with the secretary of state not later than four months before any election held generally

throughout the state, propose an amendment to any part of this constitution, except article I. If any amendment proposed pursuant to this section is ratified by a majority of the electors voting thereon, it shall become a part of the constitution thirty days after the election at which approved. If more than one amendment is proposed in the same petition, such proposal shall be submitted in such manner that the people may vote for or against each amendment separately.

2. Except as otherwise provided in this section, the provisions of section 1 of article IV of this constitution relating to the enactment of laws by initiative shall apply to and govern the adoption of amendments to the constitution under this section.

[Jt. Res. No. 52, A.]

[Published May 26, 1931.]

No. 91, 1931.

JOINT RESOLUTION

To amend section 1 of article III of the constitution, relating to suffrage, to eliminate obsolete provisions.

Resolved by the Assembly, the Senate concurring, That section 1 of Article III of the constitution is amended to read: (Article III) Section 1. Every * * * person, of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have resided in the state for one year next preceding any election, and in the election district where he offers to vote such time as may be prescribed by the legislature, not exceeding thirty days, shall be deemed a qualified elector at such election:

* * * (1) Citizens of the United States.

* * *

* * * (2) Persons of Indian blood, who have once been declared by law of congress to be citizens of the United States, any subsequent law of congress to the contrary notwithstanding.

* * * (3) * * * The legislature may at any time extend, by law, the right of suffrage to persons not herein enumerated; but no such law shall be in force until the same shall have