



1995 ASSEMBLY JOINT RESOLUTION 32

April 3, 1995 - Introduced by Representatives LADWIG, HANDRICK, KREIBICH, DOBYNS, OWENS, SERATTI, LAZICH, GROTHMAN, GOETSCH, OLSEN, HARS DORF, HAHN, UNDERHEIM, ALBERS, OTTE, RYBA, NASS, WALKER and F. LASEE, cosponsored by Senators LEEAN, SCHULTZ, ZIEN and FARROW. Referred to Committee on Elections and Constitutional Law.

1 **To renumber** section 2 of article V and section 1 of article VI; **to renumber and**
2 **amend** section 6 of article IV; **to amend** section 1 of article X; and **to create**
3 section 6 (2) of article IV, section 2 (2) of article V, section 1 (2) of article VI,
4 section 1 (2) (b) of article X and section 13 of article XIII of the constitution;
5 **relating to:** limiting the number of consecutive terms permitted for state
6 officers, members of the state legislature and members of the U.S. congress
7 from this state (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 1995 legislature on first consideration, limits state officers, members of the state legislature and members of the U.S. congress from this state to not more than 12 years of consecutive service in the same office. Time served in an initial partial term in the same office, or time served in a different office, is not counted as part of the 12-year limit. Terms are considered consecutive unless they are more than 2 years apart.

As a constitutional amendment, the proposal requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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

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

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

5 [Article IV] Section 6 (2) Beginning with the terms commencing after 1998, a
6 person may not serve more than 3 consecutive 4-year terms as a senator or more
7 than 6 consecutive 2-year terms as a representative to the assembly. Time served
8 during an initial partial term in the same house, or time served in the other house,
9 shall not be counted as part of the 12-year limits. Terms are consecutive unless they
10 are more than 2 years apart.

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) Beginning with the terms commencing after 1998, a
15 person may not serve more than 3 consecutive 4-year terms as governor or as
16 lieutenant governor. Time served during an initial partial term in the same state
17 office, or time served in a different state office, shall not be counted as part of the
18 12-year limits. Terms are consecutive unless they are more than 2 years apart.

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

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

22 [Article VI] Section 1 (2) Beginning with the terms commencing after 1998, a
23 person may not serve more than 3 consecutive 4-year terms as secretary of state, as
24 treasurer or as attorney general. Time served during an initial partial term in the

1 same state office, or time served in a different state office, shall not be counted as part
2 of the 12-year limits. Terms are consecutive unless they are more than 2 years apart.

3 **SECTION 7.** Section 1 of article X of the constitution is amended to read:

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

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

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

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

13 [Article X] Section 1 (2) (b) Beginning with the term commencing after 1998,
14 a person may not serve more than 3 consecutive 4-year terms as state
15 superintendent of public instruction. Time served during an initial partial term in
16 that state office, or time served in a different state office, shall not be counted as part
17 of the 12-year limit. Terms are consecutive unless they are more than 2 years apart.

18 **SECTION 9.** Section 13 of article XIII of the constitution is created to read:

19 [Article XIII] Section 13 (1) Beginning with the terms commencing after 1998,
20 a person may not serve more than 2 consecutive 6-year terms representing this state
21 in the senate of the United States or more than 6 consecutive 2-year terms
22 representing a congressional district of this state in the house of representatives of
23 the United States. Time served during an initial partial term in the same house, or
24 time served in the other house, shall not be counted as part of the 12-year limits.
25 Terms are consecutive unless they are more than 2 years apart.

1 (2) By their ratification of this section of their constitution, the people of this
2 state declare their support for a nationwide limit of 12 consecutive years of service
3 in the senate or house of representatives of the United States, and instruct the
4 governor and the members representing this state in the congress of the United
5 States to use their best efforts in working for such a limit.

6 (3) By their ratification of this section of their constitution, the people of this
7 state record their expectation that any person chosen by the people to represent this
8 state in the congress of the United States will voluntarily observe the 12-year limit
9 for consecutive service in the senate or house of representatives of the United States,
10 even if a court might declare a part of this section to be in conflict with the
11 constitution or laws of the United States.

12 **SECTION 10. Numbering of new provisions.** (1) ARTICLE IV. The new
13 subsection (2) of section 6 of article IV of the constitution created in this joint
14 resolution shall be designated by the next higher open whole subsection number in
15 that section if, prior to or simultaneously with the ratification by the people of the
16 amendment proposed in this joint resolution, any other ratified amendment has
17 created a subsection (2) of section 6 of article IV of the constitution of this state. If
18 several joint resolutions simultaneously create a subsection (2) of section 6 of article
19 IV, the chief of the legislative reference bureau shall determine the sequence and the
20 numbering.

21 (2) ARTICLE V. The new subsection (2) of section 2 of article V of the constitution
22 created in this joint resolution shall be designated by the next higher open whole
23 subsection number in that section if, prior to or simultaneously with the ratification
24 by the people of the amendment proposed in this joint resolution, any other ratified
25 amendment has created a subsection (2) of section 2 of article V of the constitution

1 of this state. If several joint resolutions simultaneously create a subsection (2) of
2 section 2 of article V, the chief of the legislative reference bureau shall determine the
3 sequence and the numbering.

4 (3) ARTICLE VI. The new subsection (2) of section 1 of article VI of the
5 constitution created in this joint resolution shall be designated by the next higher
6 open whole subsection number in that section if, prior to or simultaneously with the
7 ratification by the people of the amendment proposed in this joint resolution, any
8 other ratified amendment has created a subsection (2) of section 1 of article VI of the
9 constitution of this state. If several joint resolutions simultaneously create a
10 subsection (2) of section 1 of article VI, the chief of the legislative reference bureau
11 shall determine the sequence and the numbering.

12 (4) ARTICLE X. The new paragraph (b) of subsection (2) of section 1 of article X
13 of the constitution created in this joint resolution shall be designated by the next
14 higher open whole paragraph letter in that subsection if, prior to or simultaneously
15 with the ratification by the people of the amendment proposed in this joint
16 resolution, any other ratified amendment has created a paragraph (b) of subsection
17 (2) of section 1 of article X of the constitution of this state. If several joint resolutions
18 simultaneously create a paragraph (b) of subsection (2) of section 1 of article X, the
19 chief of the legislative reference bureau shall determine the sequence and the
20 numbering.

21 (5) ARTICLE XIII. The new section 13 of article XIII of the constitution created
22 in this joint resolution shall be designated by the next higher open whole section
23 number in that article if, prior to or simultaneously with the ratification by the
24 people of the amendment proposed in this joint resolution, any other ratified
25 amendment has created a section 13 of article XIII of the constitution of this state.

1 If several joint resolutions simultaneously create a section 13 of article XIII, the chief
2 of the legislative reference bureau shall determine the sequence and the numbering.

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

6 (END)