



## 1995 ASSEMBLY JOINT RESOLUTION 56

September 20, 1995 - Introduced by Representatives WASSERMAN, HANDRICK, RYBA, F. LASEE and WILDER. Referred to Committee on Elections and Constitutional Law.

1 To amend so as in effect **to repeal** sections 5 and 19 of article IV and section 6 of  
2 article XIII; **to renumber and amend** section 9 of article IV; **to amend**  
3 sections 1 to 4, 7, 8, 10, 14, 17 (1), 20, 22, 23, 25, 26 (2) (b) and (3) and 30 of article  
4 IV, sections 3, 4 and 10 (2) of article V, section 2 of article VI, sections 1 and 13  
5 of article VII, sections 6, 7 (2) (e) and (g) and 8 of article VIII, sections 1 and 2  
6 of article XII and section 10 (2) of article XIII; and **to create** section 9 (2) of  
7 article IV and section 17 of article XIV of the constitution; **relating to:** the  
8 establishment of a unicameral legislature (first consideration).

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### ***Analysis by the Legislative Reference Bureau***

This constitutional amendment, proposed to the 1995 legislature on first consideration, transforms the Wisconsin legislature from a bicameral legislature that consists of an assembly and a senate into a unicameral legislature that consists of only one house, beginning with the legislature elected at the general election in 2002.

The unicameral legislature will have 75 members elected from single-member districts on a nonpartisan basis for staggered 4-year terms.

Under the constitution presently, the assembly has the power of impeachment and the senate is the court for the trial of impeachments. Under this proposal, the legislature has the power of impeachment and is the court for the trial of impeachments.

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

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1           ***Resolved by the assembly, the Senate concurring, That:***

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

3           [Article IV] Section 1. The legislative power shall be vested in a ~~senate and~~  
4           ~~assembly~~ the legislature consisting of one chamber.

5           **SECTION 2.** Section 2 of article IV of the constitution is amended to read:

6           [Article IV] Section 2. ~~The number of the members of the assembly legislature~~  
7           ~~shall never be less than fifty-four nor more than one hundred. The senate shall~~  
8           ~~consist of a number not more than one-third nor less than one-fourth of the number~~  
9           ~~of the 75 members of the assembly.~~

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

11          [Article IV] Section 3. At its first session after each enumeration made by the  
12          authority of the United States, the legislature shall apportion and district anew the  
13          ~~members of the senate and assembly~~ legislative districts, according to the number  
14          of inhabitants.

15          **SECTION 4.** Section 4 of article IV of the constitution is amended to read:

16          [Article IV] Section 4. The members of the ~~assembly~~ legislature shall be chosen  
17          biennially, by single districts. The districts shall be numbered in the regular series,  
18          and the members shall be chosen, alternately from the odd-numbered and  
19          even-numbered districts, for the term of 4 years, on the Tuesday succeeding the first  
20          Monday of November in even-numbered years, by the qualified electors of the  
21          several districts, ~~such.~~ The districts to shall be bounded by county, precinct, town or  
22          ward lines, to consist of contiguous territory and be in as compact form as practicable.  
23          Each member shall be nominated and elected in a nonpartisan manner and without

1 any indication on the ballot of affiliation with or endorsement by any political party  
2 or organization.

3 **SECTION 5.** Section 5 of article IV of the constitution is amended so as in effect  
4 to repeal said section:

5 [Article IV] Section 5. ~~The senators shall be elected by single districts of~~  
6 ~~convenient contiguous territory, at the same time and in the same manner as~~  
7 ~~members of the assembly are required to be chosen; and no assembly district shall~~  
8 ~~be divided in the formation of a senate district. The senate districts shall be~~  
9 ~~numbered in the regular series, and the senators shall be chosen alternately from the~~  
10 ~~odd and even-numbered districts for the term of 4 years.~~

11 **SECTION 6.** Section 7 of article IV of the constitution is amended to read:

12 [Article IV] Section 7. ~~Each house~~ The legislature shall be the judge of the  
13 elections, returns and qualifications of its ~~own~~ members; and a majority of each shall  
14 constitute a quorum to do business, but a smaller number may adjourn from day to  
15 day, and may compel the attendance of absent members in such manner and under  
16 such penalties as ~~each house~~ it may provide.

17 **SECTION 7.** Section 8 of article IV of the constitution is amended to read:

18 [Article IV] Section 8. ~~Each house~~ The legislature may determine the rules of  
19 its ~~own~~ proceedings, punish for contempt and disorderly behavior, and with the  
20 concurrence of two-thirds of all the members elected, expel a member; but no  
21 member shall be expelled a second time for the same cause.

22 **SECTION 8.** Section 9 of article IV of the constitution is renumbered section 9  
23 (1) of article IV and amended to read:

24 [Article IV] Section 9 (1) ~~Each house~~ The legislature shall ~~choose~~ elect its  
25 presiding officers from its ~~own~~ members.

1           **SECTION 9.** Section 9 (2) of article IV of the constitution is created to read:

2           [Article IV] Section 9 (2) The legislature shall elect a chief clerk and a sergeant  
3 at arms, from outside its membership, for the biennial session of the legislature.

4           **SECTION 10.** Section 10 of article IV of the constitution is amended to read:

5           [Article IV] Section 10. ~~Each house~~ The legislature shall keep a journal of its  
6 proceedings and publish the same, except such parts as require secrecy. The doors  
7 of ~~each house~~ the legislature shall be kept open except when the public welfare shall  
8 require secrecy. ~~Neither house shall, without consent of the other, adjourn for more~~  
9 ~~than three days.~~

10          **SECTION 11.** Section 14 of article IV of the constitution is amended to read:

11          [Article IV] Section 14. The governor shall issue writs of election to fill such  
12 vacancies as may occur in ~~either house of~~ the legislature.

13          **SECTION 12.** Section 17 (1) of article IV of the constitution is amended to read:

14          [Article IV] Section 17 (1) The style of all laws of the state shall be "The people  
15 of the state of Wisconsin, represented in ~~senate and assembly~~ the legislature, do  
16 enact as follows:".

17          **SECTION 13.** Section 19 of article IV of the constitution is amended so as in effect  
18 to repeal said section:

19          [Article IV] Section 19. ~~Any bill may originate in either house of the legislature,~~  
20 ~~and a bill passed by one house may be amended by the other.~~

21          **SECTION 14.** Section 20 of article IV of the constitution is amended to read:

22          [Article IV] Section 20. The yeas and nays of the members of ~~either house~~ the  
23 legislature on any question shall, at the request of one-sixth of those present, be  
24 entered on the journal.

25          **SECTION 15.** Section 22 of article IV of the constitution is amended to read:

1 [Article IV] Section 22. The legislature may confer upon the boards of  
2 supervisors of the several counties of the state such powers of a local, legislative and  
3 administrative character as ~~they~~ the legislature shall from time to time prescribe.

4 **SECTION 16.** Section 23 of article IV of the constitution is amended to read:

5 [Article IV] Section 23. The legislature shall establish but one system of town  
6 government, which shall be as nearly uniform as practicable; but the legislature may  
7 provide for the election at large once in every 4 years of a chief executive officer in  
8 any county with such powers of an administrative character as ~~they~~ the legislature  
9 may from time to time prescribe in accordance with this section and shall establish  
10 one or more systems of county government.

11 **SECTION 17.** Section 25 of article IV of the constitution is amended to read:

12 [Article IV] Section 25. The legislature shall provide by law that all stationery  
13 required for the use of the state, and all printing authorized and required by ~~them~~  
14 the legislature to be done for ~~their~~ the use of the legislature, or for the state, shall  
15 be let by contract to the lowest bidder, but the legislature may establish a maximum  
16 price; no member of the legislature or other state officer shall be interested, either  
17 directly or indirectly, in any such contract.

18 **SECTION 18.** Section 26 (2) (b) of article IV of the constitution is amended to  
19 read:

20 [Article IV] Section 26 (2) (b) Any increase in the compensation of members of  
21 the legislature shall take effect, for all ~~senators and representatives to the assembly~~  
22 members of the legislature, after the next general election beginning with the new  
23 ~~assembly term~~ biennial session of the legislature.

24 **SECTION 19.** Section 26 (3) of article IV of the constitution is amended to read:

1 [Article IV] Section 26 (3) Subsection (1) shall not apply to increased benefits  
2 for persons who have been or shall be granted benefits of any kind under a retirement  
3 system when such increased benefits are provided by a legislative act passed on a call  
4 of ayes and noes by a three-fourths vote of all the members elected to ~~both houses~~  
5 of the legislature and such act provides for sufficient state funds to cover the costs  
6 of the increased benefits.

7 **SECTION 20.** Section 30 of article IV of the constitution is amended to read:

8 [Article IV] Section 30. All elections made by the legislature shall be by roll call  
9 vote entered in the ~~journals~~ journal.

10 **SECTION 21.** Section 3 of article V of the constitution is amended to read:

11 [Article V] Section 3. The governor and lieutenant governor shall be elected by  
12 the qualified electors of the state at the times and places of choosing members of the  
13 legislature. They shall be chosen jointly, by the casting by each voter of a single vote  
14 applicable to both offices beginning with the general election in 1970. The persons  
15 respectively having the highest number of votes cast jointly for them for governor  
16 and lieutenant governor shall be elected; but in case two or more slates shall have  
17 an equal and the highest number of votes for governor and lieutenant governor, the  
18 ~~two houses of the legislature~~, at its next annual session shall forthwith, by ~~joint~~  
19 ballot, choose one of the slates so having an equal and the highest number of votes  
20 for governor and lieutenant governor. The returns of election for governor and  
21 lieutenant governor shall be made in such manner as shall be provided by law.

22 **SECTION 22.** Section 4 of article V of the constitution is amended to read:

23 [Article V] Section 4 (1) The governor shall be commander in chief of the  
24 military and naval forces of the state. ~~He shall have power to~~

1           (2) The governor may convene the legislature on extraordinary occasions, and  
2 in case of invasion, or danger from the prevalence of contagious disease at the seat  
3 of government, ~~he the governor~~ may convene them the legislature at any other  
4 suitable place within the state. He

5           (3) The governor shall communicate to the legislature, at every session, the  
6 condition of the state, and recommend such matters to ~~them the legislature~~ for ~~their~~  
7 its consideration as ~~he may deem~~ the governor deems expedient. He

8           (4) The governor shall transact all necessary business with the officers of the  
9 government, civil and military. He

10          (5) The governor shall expedite all such measures as may be resolved upon by  
11 the legislature, and shall take care that the laws be faithfully executed.

12          **SECTION 23.** Section 10 (2) of article V of the constitution is amended to read:

13          [Article V] Section 10 (2) (a) If the governor rejects the bill, the governor shall  
14 return the bill, together with the objections in writing, to the ~~house in which the bill~~  
15 originated legislature. The ~~house of origin~~ legislature shall enter the objections at  
16 large upon the journal and proceed to reconsider the bill. If, after such  
17 reconsideration, two-thirds of the members present agree to pass the bill  
18 notwithstanding the objections of the governor, it shall ~~be sent, together with the~~  
19 objections, to the other house, by which it shall likewise be reconsidered, and if  
20 approved by two-thirds of the members present it shall become law.

21          (b) The rejected part of an appropriation bill, together with the governor's  
22 objections in writing, shall be returned to the ~~house in which the bill originated~~  
23 legislature. The ~~house of origin~~ legislature shall enter the objections at large upon  
24 the journal and proceed to reconsider the rejected part of the appropriation bill. If,  
25 after such reconsideration, two-thirds of the members present agree to approve the

1 rejected part notwithstanding the objections of the governor, it shall be sent, together  
2 with the objections, to the other house, by which it shall likewise be reconsidered, and  
3 if approved by two-thirds of the members present the rejected part shall become law.

4 (c) In all such cases the votes of both houses the legislature shall be determined  
5 by ayes and noes, and the names of the members voting for or against passage of the  
6 bill or the rejected part of the bill notwithstanding the objections of the governor shall  
7 be entered on the journal of each house respectively.

8 **SECTION 24.** Section 2 of article VI of the constitution is amended to read:

9 [Article VI] Section 2. The secretary of state shall keep a fair record of the  
10 official acts of the legislature and executive department of the state, and shall, when  
11 required, lay the same and all matters relative thereto before ~~either branch of the~~  
12 legislature. ~~He~~ The secretary of state shall perform such other duties as ~~shall be~~ are  
13 assigned ~~him to the secretary of state~~ by law. ~~He~~ The secretary of state shall receive  
14 as a compensation for ~~his~~ services yearly such sum as ~~shall be~~ is provided by law, and  
15 shall keep ~~his~~ the office of the secretary of state at the seat of government.

16 **SECTION 25.** Section 1 of article VII of the constitution is amended to read:

17 [Article VII] Section 1 (1) The court for the trial of impeachments shall be  
18 composed of the ~~senate~~ legislature. The ~~assembly~~ legislature shall have the power  
19 of impeaching all civil officers of this state for corrupt conduct in office, or for crimes  
20 and misdemeanors; but a majority of all the members elected shall concur in an  
21 impeachment. ~~On the trial of an impeachment against the governor, the lieutenant~~  
22 ~~governor shall not act as a member of the court.~~ No judicial officer shall exercise his  
23 ~~that~~ office, after ~~he shall have~~ the judicial officer has been impeached, until his  
24 ~~acquittal~~ acquitted.



1           (2) Before the trial of an impeachment the members of the court shall take an  
2 oath or affirmation truly and impartially to try the impeachment according to  
3 evidence; and no person shall be convicted without the concurrence of two-thirds of  
4 the members ~~present~~ of the court.

5           (3) Judgment in cases of impeachment shall not extend further than to removal  
6 from office, or removal from office and disqualification to hold any office of honor,  
7 profit or trust under the state; but the party impeached shall be liable to indictment,  
8 trial and punishment according to law.

9           **SECTION 26.** Section 13 of article VII of the constitution is amended to read:

10           [Article VII] Section 13. Any justice or judge may be removed from office by  
11 address of ~~both houses of the legislature~~, if two-thirds of all the members elected to  
12 ~~each house~~ the legislature concur therein, but no removal shall be made by virtue of  
13 this section unless the justice or judge complained of is served with a copy of the  
14 charges, as the ground of address, and has had an opportunity of being heard. On  
15 the question of removal, the ayes and noes shall be entered on the journals journal.

16           **SECTION 27.** Section 6 of article VIII of the constitution is amended to read:

17           [Article VIII] Section 6. For the purpose of defraying extraordinary  
18 expenditures the state may contract public debts ~~(, but such debts shall never in the~~  
19 ~~aggregate exceed one hundred thousand dollars)~~ \$100,000. Every such debt shall  
20 be authorized by law, for some purpose or purposes to be distinctly specified therein;  
21 and the vote of a majority of all the members elected to ~~each house~~ the legislature,  
22 to be taken by yeas and nays, shall be necessary to the passage of such law; and every  
23 such law shall provide for levying an annual tax sufficient to pay the annual interest  
24 of such debt and the principal within five years from the passage of such law, and  
25 shall specially appropriate the proceeds of such taxes to the payment of such

1 principal and interest; and such appropriation shall not be repealed, nor the taxes  
2 be postponed or diminished, until the principal and interest of such debt shall have  
3 been wholly paid.

4 **SECTION 28.** Section 7 (2) (e) and (g) of article VIII of the constitution are  
5 amended to read:

6 [Article VIII] Section 7 (2) (e) The legislature shall prescribe all matters  
7 relating to the contracting of public debt pursuant to paragraph (a), including: the  
8 public purposes for which public debt may be contracted; by vote of a majority of the  
9 members elected to ~~each of the 2 houses of the legislature~~, the amount of public debt  
10 which may be contracted for any class of such purposes; the public debt or other  
11 indebtedness which may be funded or refunded; the kinds of notes, bonds or other  
12 evidence of public debt which may be issued by the state; and the manner in which  
13 the aggregate value of all taxable property in the state shall be determined.

14 (g) At any time after January 1, 1972, by vote of a majority of the members  
15 elected to ~~each of the 2 houses of the legislature~~, the legislature may declare that an  
16 emergency exists and submit to the people a proposal to authorize the state to  
17 contract a specific amount of public debt for a purpose specified in such proposal,  
18 without regard to the limit provided in paragraph (b). Any such authorization shall  
19 be effective if approved by a majority of the electors voting thereon. Public debt  
20 contracted pursuant to such authorization shall thereafter be deemed to have been  
21 contracted pursuant to paragraph (a), but neither such public debt nor any public  
22 debt contracted to fund or refund such public debt shall be considered in computing  
23 the debt limit provided in paragraph (b). Not more than one such authorization shall  
24 be thus made in any 2-year period.

25 **SECTION 29.** Section 8 of article VIII of the constitution is amended to read:

1           [Article VIII] Section 8. On the passage ~~in either house of~~ by the legislature of  
2 any law which imposes, continues or renews a tax, or creates a debt or charge, or  
3 makes, continues or renews an appropriation of public or trust money, or releases,  
4 discharges or commutes a claim or demand of the state, the question shall be taken  
5 by yeas and nays, which shall be duly entered on the journal; and three-fifths of all  
6 the members elected to ~~such house~~ the legislature shall in all such cases be required  
7 to constitute a quorum therein.

8           **SECTION 30.** Section 1 of article XII of the constitution is amended to read:

9           [Article XII] Section 1. Any amendment or amendments to this constitution  
10 may be proposed ~~in either house of~~ by the legislature, and if the same shall be agreed  
11 to by a majority of the members elected to ~~each of the two houses~~ legislature, such  
12 proposed amendment or amendments shall be entered on ~~their journals~~ its journal,  
13 with the yeas and nays taken thereon, and referred to the legislature to be chosen  
14 at the next general election, and shall be published for three months previous to the  
15 time of holding such election; and if, in the legislature so next chosen, such proposed  
16 amendment or amendments shall be agreed to by a majority of all the members  
17 elected to ~~each house~~ the legislature, then it shall be the duty of the legislature to  
18 submit such proposed amendment or amendments to the people in such manner and  
19 at such time as the legislature shall prescribe; and if the people shall approve and  
20 ratify such amendment or amendments by a majority of the electors voting thereon,  
21 such amendment or amendments shall become part of the constitution; provided,  
22 that if more than one amendment be submitted, they shall be submitted in such  
23 manner that the people may vote for or against such amendments separately.

24           **SECTION 31.** Section 2 of article XII of the constitution is amended to read:

1 [Article XII] Section 2. If at any time a majority of the ~~senate and assembly~~  
2 legislature shall deem it necessary to call a convention to revise or change this  
3 constitution, ~~they~~ the legislature shall recommend to the electors to vote for or  
4 against a convention at the next election for members of the legislature. And if it  
5 shall appear that a majority of the electors voting thereon have voted for a  
6 convention, the legislature shall, at its next session, provide for calling such  
7 convention.

8 **SECTION 32.** Section 6 of article XIII of the constitution is amended so as in  
9 effect to repeal said section:

10 [Article XIII] Section 6. ~~The elective officers of the legislature, other than the~~  
11 ~~presiding officers, shall be a chief clerk and a sergeant at arms, to be elected by each~~  
12 ~~house.~~

13 **SECTION 33.** Section 10 (2) of article XIII of the constitution is amended to read:

14 [Article XIII] Section 10 (2) Whenever there is a vacancy in the office of  
15 lieutenant governor, the governor shall nominate a successor to serve for the balance  
16 of the unexpired term, who shall take office after confirmation by the ~~senate and by~~  
17 ~~the assembly~~ legislature.

18 **SECTION 34.** Section 17 of article XIV of the constitution is created to read:

19 [Article XIV] Section 17 (1) The changes to the constitution made by this  
20 1995/1997 amendment establishing a unicameral legislature first apply to the  
21 legislature chosen on the Tuesday succeeding the first Monday of November, 2002;  
22 to the powers, duties and procedures concerning, and prohibitions against, that  
23 legislature; to the election to that legislature on that date; and to the apportioning  
24 and districting anew of the legislative districts for that election.

1           (2) If a senator is elected before November 2002 to a term of office expiring after  
2 the first Monday of January, 2003, the term expires on the first Monday of January,  
3 2003.

4           (3) Notwithstanding section 4 of article IV, the terms of members of the  
5 legislature elected in November 2002 to even-numbered districts shall be for 2 years  
6 and the terms of members of the legislature elected in November 2002 to  
7 odd-numbered districts shall be for 4 years.

8           **SECTION 35. Numbering of new provisions.** (1) The new section 17 of  
9 article XIV of the constitution created in this joint resolution shall be designated by  
10 the next higher open whole section number in that article if, prior to or  
11 simultaneously with the ratification by the people of the amendment proposed in this  
12 joint resolution, any other ratified amendment has created a section 17 of article XIV  
13 of the constitution of this state. If several joint resolutions simultaneously create a  
14 section 17 of article XIV, the chief of the legislative reference bureau shall determine  
15 the sequence and the numbering.

16           (2) The new subsection (2) of section 9 of article IV of the constitution created  
17 in this joint resolution shall be designated by the next higher open whole subsection  
18 number in that section if, prior to or simultaneously with the ratification by the  
19 people of the amendment proposed in this joint resolution, any other ratified  
20 amendment has created a subsection (2) of section 9 of article IV of the constitution  
21 of this state. If several joint resolutions simultaneously create a subsection (2) of  
22 section 9 of article IV, the chief of the legislative reference bureau shall determine  
23 the sequence and the numbering.

