



## 2005 ASSEMBLY JOINT RESOLUTION 96

March 27, 2006 – Introduced by Representatives WASSERMAN and BLACK. Referred to Committee on Rules.

1 To amend so as in effect *to repeal* section 19 of article IV and section 6 of article XIII;  
2 *to renumber and amend* section 9 of article IV; *to amend* section 1 of article  
3 IV, section 2 of article IV, section 3 of article IV, section 4 of article IV, section  
4 5 of article IV, section 7 of article IV, section 8 of article IV, section 10 of article  
5 IV, section 14 of article IV, section 17 (1) of article IV, section 20 of article IV,  
6 section 22 of article IV, section 23 of article IV, section 25 of article IV, section  
7 26 (2) (b) of article IV, section 26 (3) of article IV, section 30 of article IV, section  
8 3 of article V, section 4 of article V, section 10 (2) of article V, section 2 of article  
9 VI, section 1 of article VII, section 13 of article VII, section 6 of article VIII,  
10 section 7 (2) (e) and (g) of article VIII, section 8 of article VIII, section 1 of article  
11 XII, section 2 of article XII and section 10 (2) of article XIII; and *to create*

1 section 9 (2) of article IV and section 17 of article XIV of the constitution;  
2 **relating to:** the establishment of a unicameral legislature (first consideration).

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

This proposed constitutional amendment, proposed to the 2005 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 2008.

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

Currently, under the constitution, 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.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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

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

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

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

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

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

13 [Article IV] Section 3. At its first session after each enumeration made by the  
14 authority of the United States, the legislature shall apportion and district anew the

1 ~~members of the senate and assembly legislative districts,~~ according to the number  
2 of inhabitants.

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

4 [Article IV] Section 4. The members of the ~~assembly legislature~~ shall be chosen  
5 biennially, by single districts. ~~The districts shall be numbered in the regular series,~~  
6 ~~and the members shall be chosen, alternately from the odd-numbered and~~  
7 ~~even-numbered districts, for the term of 4 years,~~ on the Tuesday succeeding the first  
8 Monday of November in even-numbered years, by the qualified electors of the  
9 several districts, ~~such.~~ The districts to shall be bounded by county, precinct, town or  
10 ward lines, to consist of contiguous territory and be in as compact form as practicable.  
11 Each member shall be nominated and elected in a nonpartisan manner and without  
12 any indication on the ballot of affiliation with or endorsement by any political party  
13 or organization.

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

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

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

23 [Article IV] Section 7. ~~Each house~~ The legislature shall be the judge of the  
24 elections, returns and qualifications of its ~~own~~ members; and a majority of each shall  
25 constitute a quorum to do business, but a smaller number may adjourn from day to

1 day, and may compel the attendance of absent members in such manner and under  
2 such penalties as each house it may provide.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 [Article IV] Section 25. The legislature shall provide by law that all stationery  
25 required for the use of the state, and all printing authorized and required by ~~them~~

1 the legislature to be done for ~~their~~ the use of the legislature, or for the state, shall  
2 be let by contract to the lowest bidder, but the legislature may establish a maximum  
3 price; no member of the legislature or other state officer shall be interested, either  
4 directly or indirectly, in any such contract.

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

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

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

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

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

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

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

22 [Article V] Section 3. The governor and lieutenant governor shall be elected by  
23 the qualified electors of the state at the times and places of choosing members of the  
24 legislature. They shall be chosen jointly, by the casting by each voter of a single vote  
25 applicable to both offices beginning with the general election in 1970. The persons

1 respectively having the highest number of votes cast jointly for them for governor  
2 and lieutenant governor shall be elected; but in case ~~two~~ 2 or more slates shall have  
3 an equal and the highest number of votes for governor and lieutenant governor, the  
4 ~~two houses of the legislature~~, at its next annual session shall forthwith, by joint  
5 ballot, choose one of the slates so having an equal and the highest number of votes  
6 for governor and lieutenant governor. The returns of election for governor and  
7 lieutenant governor shall be made in such manner as shall be provided by law.

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

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

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

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

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

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

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

23 [Article V] Section 10 (2) (a) If the governor rejects the bill, the governor shall  
24 return the bill, together with the objections in writing, to the ~~house in which the bill~~  
25 ~~originated~~ legislature. ~~The house of origin~~ legislature shall enter the objections at

1 large upon the journal and proceed to reconsider the bill. If, after such  
2 reconsideration, two-thirds of the members present agree to pass the bill  
3 notwithstanding the objections of the governor, it shall ~~be sent, together with the~~  
4 ~~objections, to the other house, by which it shall likewise be reconsidered, and if~~  
5 ~~approved by two-thirds of the members present it shall become law.~~

6 (b) The rejected part of an appropriation bill, together with the governor's  
7 objections in writing, shall be returned to the ~~house in which the bill originated~~  
8 legislature. The ~~house of origin~~ legislature shall enter the objections at large upon  
9 the journal and proceed to reconsider the rejected part of the appropriation bill. If,  
10 after such reconsideration, two-thirds of the members present agree to approve the  
11 rejected part notwithstanding the objections of the governor, it shall ~~be sent, together~~  
12 ~~with the objections, to the other house, by which it shall likewise be reconsidered, and~~  
13 ~~if approved by two-thirds of the members present the rejected part shall become law.~~

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

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

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



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

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

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

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

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

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

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

1 [Article VIII] Section 6. For the purpose of defraying extraordinary  
2 expenditures the state may contract public debts (, but such debts shall never in the  
3 aggregate exceed ~~one hundred thousand dollars~~) \$100,000. Every such debt shall be  
4 authorized by law, for some purpose or purposes to be distinctly specified therein; and  
5 the vote of a majority of all the members elected to ~~each house~~ the legislature, to be  
6 taken by yeas and nays, shall be necessary to the passage of such law; and every such  
7 law shall provide for levying an annual tax sufficient to pay the annual interest of  
8 such debt and the principal within ~~five~~ 5 years from the passage of such law, and shall  
9 specially appropriate the proceeds of such taxes to the payment of such principal and  
10 interest; and such appropriation shall not be repealed, nor the taxes be postponed  
11 or diminished, until the principal and interest of such debt shall have been wholly  
12 paid.

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

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

23 (g) At any time after January 1, 1972, by vote of a majority of the members  
24 elected to ~~each of the 2 houses of the legislature~~, the legislature may declare that an  
25 emergency exists and submit to the people a proposal to authorize the state to

1 contract a specific amount of public debt for a purpose specified in such proposal,  
2 without regard to the limit provided in paragraph (b). Any such authorization shall  
3 be effective if approved by a majority of the electors voting thereon. Public debt  
4 contracted pursuant to such authorization shall thereafter be deemed to have been  
5 contracted pursuant to paragraph (a), but neither such public debt nor any public  
6 debt contracted to fund or refund such public debt shall be considered in computing  
7 the debt limit provided in paragraph (b). Not more than one such authorization shall  
8 be thus made in any 2-year period.

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

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

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

18 [Article XII] Section 1. Any amendment or amendments to this constitution  
19 may be proposed ~~in either house of~~ by the legislature, and if the same shall be agreed  
20 to by a majority of the members elected to ~~each of the two houses~~ legislature, such  
21 proposed amendment or amendments shall be entered on ~~their journals~~ its journal,  
22 with the yeas and nays taken thereon, and referred to the legislature to be chosen  
23 at the next general election, and shall be published for ~~three~~ 3 months previous to  
24 the time of holding such election; and if, in the legislature so next chosen, such  
25 proposed amendment or amendments shall be agreed to by a majority of all the

1 members elected to ~~each house~~ the legislature, then it shall be the duty of the  
2 legislature to submit such proposed amendment or amendments to the people in  
3 such manner and at such time as the legislature shall prescribe; and if the people  
4 shall approve and ratify such amendment or amendments by a majority of the  
5 electors voting thereon, such amendment or amendments shall become part of the  
6 constitution; provided, that if more than one amendment be submitted, they shall be  
7 submitted in such manner that the people may vote for or against such amendments  
8 separately.

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

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

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

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

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

23 [Article XIII] Section 10 (2) Whenever there is a vacancy in the office of  
24 lieutenant governor, the governor shall nominate a successor to serve for the balance

1 of the unexpired term, who shall take office after confirmation by the senate and by  
2 the assembly legislature.

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

4 [Article XIV] Section 17 (1) The changes to the constitution made by this  
5 2005/2007 amendment establishing a unicameral legislature first apply to the  
6 legislature chosen on the Tuesday succeeding the first Monday of November, 2008;  
7 to the powers, duties, and procedures concerning, and prohibitions against, that  
8 legislature; to the election to that legislature on that date; and to the apportioning  
9 and districting anew of the legislative districts for that election.

10 (2) If a senator is elected before November 2008 to a term of office expiring after  
11 the first Monday of January, 2009, the term expires on the first Monday of January,  
12 2009.

13 (3) Notwithstanding section 4 of article IV, the terms of members of the  
14 legislature elected in November 2008 to even-numbered districts shall be for 2 years  
15 and the terms of members of the legislature elected in November 2008 to  
16 odd-numbered districts shall be for 4 years.

17 **SECTION 35. Numbering of new provisions.** (1) The new section 17 of article  
18 XIV of the constitution created in this joint resolution shall be designated by the next  
19 higher open whole section number in that article if, before the ratification by the  
20 people of the amendment proposed in this joint resolution, any other ratified  
21 amendment has created a section 17 of article XIV of the constitution of this state.  
22 If one or more joint resolutions create a section 17 of article XIV simultaneously with  
23 the ratification by the people of the amendment proposed in this joint resolution, the  
24 sections created shall be numbered and placed in a sequence so that the section  
25 created by the joint resolution having the lowest enrolled joint resolution number has

1 the number designated in the joint resolution and the sections created by the other  
2 joint resolutions have the numbers in the sequence that are in the same ascending  
3 order as are the numbers of the enrolled joint resolutions creating the sections.

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

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

20 (END)