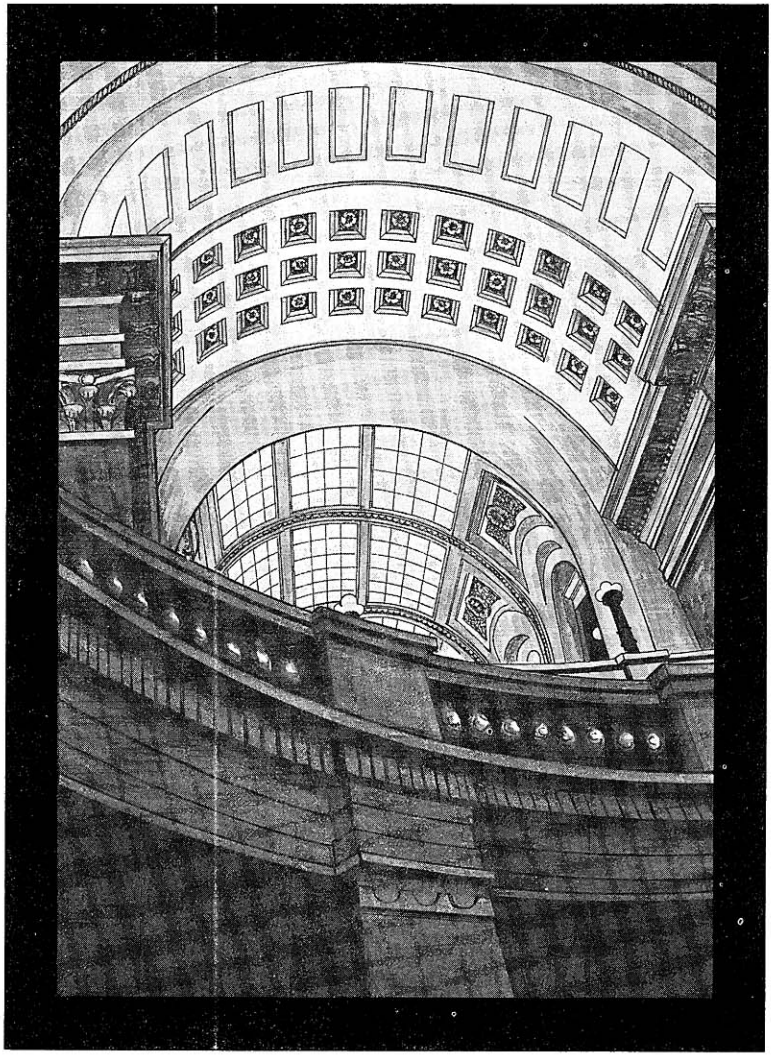
3

WISCONSIN CONSTITUTION

Wisconsin Constitution: text as amended through November 1982, votes on constitutional amendments and statewide referenda submitted to the people



Wisconsin Constitution

As Amended Through November 1982

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WISCONSIN CONSTITUTION

As amended through November 1982 *

PREAMBLE

We, the people of Wisconsin, grateful to Almighty God for our freedom, in order to secure its blessings, form a more perfect government, insure domestic tranquility and promote the general welfare, do establish this constitution.

ARTICLE I.
DECLARATION OF RIGHTS

Equality; inherent rights. SECTION 1. *[As amended November 1982]* All people are born equally free and independent, and have certain inherent rights; among these are life, liberty and the pursuit of happiness; to serve these rights, governments are instituted, deriving their just powers from the consent of the governed. *[1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1]*

Equality; inherent rights. SECTION 1. *[Original form]* All men are born equally free and independent, and have certain inherent rights; among these are life, liberty and the pursuit of happiness; to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Slavery prohibited. SECTION 2. There shall be neither slavery, nor involuntary servitude in this state, otherwise than for the punishment of crime, whereof the party shall have been duly convicted.

Free speech; libel. SECTION 3. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no laws shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions or indictments for libel, the truth may be given in evidence, and if it shall appear to the jury that the matter charged as libelous be true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

Right to assemble and petition. SECTION 4. The right of the people peaceably to assemble, to consult for the common good, and to petition the government, or any department thereof, shall never be abridged.

Trial by jury; verdict in civil cases. SECTION 5. *[As amended November 1922]* The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases in the manner prescribed by law. Provided, however, that the legislature may, from time to time, by statute provide that a valid verdict, in civil cases, may be based on the votes of a specified number of the jury, not less than five-sixths thereof. *[1919 AJR-26; 1921 AJR-14; 1921 c. 504]*

Trial by jury. SECTION 5. *[Original form]* The right of trial by jury shall remain inviolate; and shall extend to all cases at law, without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases, in the manner prescribed by law.

Excessive bail; cruel punishments. SECTION 6. Excessive bail shall not be required nor shall excessive fines be imposed, nor cruel and unusual punishments inflicted.

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* Present provisions of the constitution are printed in 8-point type running the full width of the page, and previous forms (if any) follow each active provision in 6-point type set in two columns. Any section not followed by 2-column text is still in the form ratified by the people of Wisconsin when they adopted the Wisconsin Constitution on March 13 of 1848.

The full text of additional constitutional amendments ratified in the election of April 1983 — if any — will be shown in the INDEX volume of the Legislature's weekly *Bulletin of Proceedings*.

Rights of accused. SECTION 7. In all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face; to have compulsory process to compel the attendance of witnesses in his behalf; and in prosecution by indictment, or information, to a speedy public trial by an impartial jury of the county or district wherein the offense shall have been committed; which county or district shall have been previously ascertained by law.

Prosecutions; double jeopardy; self-incrimination; bail; habeas corpus. SECTION 8. *[As amended per certification of the Board of State Canvassers dated April 7, 1982]* (1) No person may be held to answer for a criminal offense without due process of law, and no person for the same offense may be put twice in jeopardy of punishment, nor may be compelled in any criminal case to be a witness against himself or herself.

(2) All persons, before conviction, shall be eligible for release under reasonable conditions designed to assure their appearance in court, protect members of the community from serious bodily harm or prevent the intimidation of witnesses. Monetary conditions of release may be imposed at or after the initial appearance only upon a finding that there is a reasonable basis to believe that the conditions are necessary to assure appearance in court. The legislature may authorize, by law, courts to revoke a person's release for a violation of a condition of release.

(3) The legislature may by law authorize, but may not require, circuit courts to deny release for a period not to exceed 10 days prior to the hearing required under this subsection to a person who is accused of committing a murder punishable by life imprisonment or a sexual assault punishable by a maximum imprisonment of 20 years, or who is accused of committing or attempting to commit a felony involving serious bodily harm to another or the threat of serious bodily harm to another and who has a previous conviction for committing or attempting to commit a felony involving serious bodily harm to another or the threat of serious bodily harm to another. The legislature may authorize by law, but may not require, circuit courts to continue to deny release to those accused persons for an additional period not to exceed 60 days following the hearing required under this subsection, if there is a requirement that there be a finding by the court based on clear and convincing evidence presented at a hearing that the accused committed the felony and a requirement that there be a finding by the court that available conditions of release will not adequately protect members of the community from serious bodily harm or prevent intimidation of witnesses. Any law enacted under this subsection shall be specific, limited and reasonable. In determining the 10-day and 60-day periods, the court shall omit any period of time found by the court to result from a delay caused by the defendant or a continuance granted which was initiated by the defendant.

(4) The privilege of the writ of habeas corpus shall not be suspended unless, in cases of rebellion or invasion, the public safety requires it. *[June 1980 Spec.Sess. AJR-9; 1981 AJR-5]*

Prosecutions; second jeopardy; self-incrimination; bail; habeas corpus. SECTION 8. *[As amended November 1870]* No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it. *[1869 AJR-6; 1870 SJR-3; 1870 c. 118]*

Criminal procedure. SECTION 8. *[Original form]* No person shall be held to answer for a criminal offense, unless on the presentment, or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia when in actual service in time of war, or public danger; and no person for the same offence shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself; all persons shall, before conviction, be bailable by sufficient sureties except for capital offences when the proof is evident, or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion, or invasion, the public safety may require.

Remedy for wrongs. SECTION 9. Every person is entitled to a certain remedy in the laws for all injuries, or wrongs which he may receive in his person, property, or character; he ought to obtain justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay, conformably to the laws.

Treason. SECTION 10. Treason against the state shall consist only in levying war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Searches and seizures. SECTION 11. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Attainder; ex post facto; contracts. SECTION 12. No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

Private property for public use. SECTION 13. The property of no person shall be taken for public use without just compensation therefor.

Feudal tenures; leases; alienation. SECTION 14. All lands within the state are declared to be allodial, and feudal tenures are prohibited. Leases and grants of agricultural land for a longer term than fifteen years in which rent or service of any kind shall be reserved, and all fines and like restraints upon alienation reserved in any grant of land, hereafter made, are declared to be void.

Equal property rights for aliens and citizens. SECTION 15. No distinction shall ever be made by law between resident aliens and citizens, in reference to the possession, enjoyment or descent of property.

Imprisonment for debt. SECTION 16. No person shall be imprisoned for debt arising out of or founded on a contract, expressed or implied.

Exemption of property of debtors. SECTION 17. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted.

Freedom of worship; liberty of conscience; state religion; public funds. SECTION 18. [*As amended November 1982*] The right of every person to worship Almighty God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend, erect or support any place of worship, or to maintain any ministry, without consent; nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments or modes of worship; nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries. [*1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1*]

Freedom of worship; liberty of conscience; state religion; public funds. SECTION 18. [*Original form*] The right of every man to worship Almighty God according to the dictates of his own conscience shall never be infringed; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent; nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments or modes of worship; nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries.

Religious tests prohibited. SECTION 19. No religious tests shall ever be required as a qualification for any office of public trust under the state, and no person shall be rendered incompetent to give evidence in any court of law or equity in consequence of his opinions on the subject of religion.

Military subordinate to civil power. SECTION 20. The military shall be in strict subordination to the civil power.

Rights of suitors. SECTION 21. [*As amended April 1977*] (1) Writs of error shall never be prohibited, and shall be issued by such courts as the legislature designates by law.

(2) In any court of this state, any suitor may prosecute or defend his suit either in his own proper person or by an attorney of the suitor's choice. [*1975 AJR-11; 1977 SJR-9*]

Writs of error. SECTION 21. [*Original form*] Writs of error shall never be prohibited by law.

Maintenance of free government. SECTION 22. The blessings of a free government can only be maintained by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

Transportation of school children. SECTION 23. [*As created April 1967*] Nothing in this constitution shall prohibit the legislature from providing for the safety and welfare of children by provid-

ing for the transportation of children to and from any parochial or private school or institution of learning. [*1965 AJR-70; 1967 AJR-7*]

Use of school buildings. SECTION 24. [*As created April 1972*] Nothing in this constitution shall prohibit the legislature from authorizing, by law, the use of public school buildings by civic, religious or charitable organizations during nonschool hours upon payment by the organization to the school district of reasonable compensation for such use. [*1969 AJR-74; 1971 AJR-10*]

ARTICLE II.
BOUNDARIES

State boundary. SECTION 1. It is hereby ordained and declared that the state of Wisconsin doth consent and accept of the boundaries prescribed in the act of congress entitled "An act to enable the people of Wisconsin territory to form a constitution and state government, and for the admission of such state into the Union," approved August sixth, one thousand eight hundred and forty-six, to wit: Beginning at the northeast corner of the state of Illinois — that is to say, at a point in the center of Lake Michigan where the line of forty-two degrees and thirty minutes of north latitude crosses the same; thence running with the boundary line of the state of Michigan, through Lake Michigan, Green Bay, to the mouth of the Menominee river; thence up the channel of the said river to the Brule river; thence up said last-mentioned river to Lake Brule; thence along the southern shore of Lake Brule in a direct line to the center of the channel between Middle and South Islands, in the Lake of the Desert; thence in a direct line to the head waters of the Montreal river, as marked upon the survey made by Captain Cram; thence down the main channel of the Montreal river to the middle of Lake Superior; thence through the center of Lake Superior to the mouth of the St. Louis river; thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nicollet's map; thence due south to the main branch of the river St. Croix; thence down the main channel of said river to the Mississippi; thence down the center of the main channel of that river to the northwest corner of the state of Illinois; thence due east with the northern boundary of the state of Illinois to the place of beginning, as established by "An act to enable the people of the Illinois territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," approved April 18th, 1818.

Alternate boundary. [*An additional paragraph, adopted by the convention as part of Art. II, sec. 1, was rejected by the act which admitted Wisconsin into the Union (9 U.S. Stat. Ch. L, pp. 233-235)*]:

Provided, however, that the following alteration of the foresaid boundary be, and hereby is proposed to the congress of the United States as the preference of the state of Wisconsin, and if the same shall be assented and agreed to by the congress of the United States, then the same shall be and forever remain obligatory on the state of Wisconsin, viz.: Leaving the aforesaid boundary line at the foot of the rapids of the St. Louis river; thence in a direct line, bearing south-westerly, to the mouth of the Iskodewabo, or Rum river, where the same empties into the Mississippi river, thence down the main channel of said Mississippi river as prescribed in the aforesaid boundary.

Enabling act accepted. SECTION 2. [*As amended April 1951*] The propositions contained in the act of congress are hereby accepted, ratified and confirmed, and shall remain irrevocable without the consent of the United States; and it is hereby ordained that this state shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations congress may find necessary for securing the title in such soil to bona fide purchasers thereof; and in no case shall nonresident proprietors be taxed higher than residents. Provided, that nothing in this constitution, or in the act of congress aforesaid, shall in any manner prejudice or affect the right of the state of Wisconsin to 500,000 acres of land granted to said state, and to be hereafter selected and located and under the act of congress entitled "An act to appropriate the proceeds of the sales of the public lands, and grant pre-emption rights," approved September fourth, one thousand eight hundred and forty-one. [*1949 AJR-64; 1951 AJR-7*]

Enabling act accepted. SECTION 2. [*Original form*] The propositions contained in the act of congress are hereby accepted, ratified and confirmed, and shall remain irrevocable without the consent of the United States; and it is hereby ordained that this state shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations congress may find necessary for securing the title in such soil to bona fide purchasers thereof; and no tax shall be imposed on land the property of the United States; and in no case shall nonresident proprietors be taxed higher than residents. Provided, that nothing in this constitution, or in the act of congress aforesaid, shall in any manner prejudice or affect the right of the state of Wisconsin to five hundred thousand acres of land granted to said state, and to be hereafter selected and located by and under the act of congress entitled "An act to appropriate the proceeds of the sales of the public lands, and grant pre-emption rights," approved September fourth, one thousand eight hundred and forty-one.

ARTICLE III.
SUFFRAGE

Electors. SECTION 1. *[As amended November 1934]* 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 been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast on that question at such election; and provided further, that the legislature may provide for the registration of electors, and prescribe proper rules and regulations therefor. *[1931 AJR-52; 1933 SJR-74]*

Termination of voting by resident aliens. *[Subdivision 2* (of the text adopted in 1882), *as amended November 1908]* 2. Persons of foreign birth who, prior to the first day of December, A.D. 1908, shall have declared their intentions to become citizens conformable to the laws of the United States on the subject of naturalization, provided that the rights hereby granted to such persons shall cease on the first day of December, A.D. 1912. *[1905 AJR-16; 1907 AJR-47; 1907 c. 661]*

Qualifications of electors. SECTION 1. *[As amended November 1882]* Every male 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 foreign birth who shall have declared their intention to become citizens, conformably to the laws of the United States on the subject of naturalization.

3. 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.

4. Civilized persons of Indian descent not members of any tribe; provided that 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 been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast at such election; and provided further, that in incorporated cities and villages, the legislature may provide for the registration of electors and prescribe proper rules and regulations therefor. *[1881 AJR-26; 1882 SJR-18; 1882 c. 272]*

Equal suffrage to colored persons. In *Gillespie v. Palmer*, 20 Wis. (1866) 544, the Wisconsin Supreme Court ruled that Chapter 137, Laws of 1849, extending *equal suffrage to colored persons*, was approved by the voters on November 6, 1849.

Qualifications of electors. SECTION 1. *[Original form]* Every male 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, shall be deemed a qualified elector at such election:

[First.] White citizens of the United States.

[Second.] White persons of foreign birth who shall have declared their intention to become citizens, conformably to the laws of the United States on the subject of naturalization.

[Third.] 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.

[Fourth.] Civilized persons of Indian descent, not members of any tribe. Provided, that 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 been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast at such election.

Who not electors. SECTION 2. No person under guardianship, non compos mentis or insane shall be qualified to vote at any election; nor shall any person convicted of treason or felony be qualified to vote at any election unless restored to civil rights.

Votes to be by ballot. SECTION 3. All votes shall be given by ballot except for such township officers as may by law be directed or allowed to be otherwise chosen.

Residence saved. SECTION 4. No person shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state.

Military stationing does not confer residence. SECTION 5. No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this state in consequence of being stationed within the same.

Exclusion from suffrage. SECTION 6. Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery or larceny, or of any infamous crime, and depriving every person who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election from the right to vote at such election.

ARTICLE IV.
LEGISLATIVE

Legislative power. SECTION 1. The legislative power shall be vested in a senate and assembly.

Legislature, how constituted. SECTION 2. The number of the members of the assembly shall never be less than fifty-four nor more than one hundred. The senate shall consist of a number not more than one-third nor less than one-fourth of the number of the members of the assembly.

Apportionment. SECTION 3. [*As amended November 1982*] At its first session after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and assembly, according to the number of inhabitants. [*1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1*]

Apportionment. SECTION 3. [*As amended November 1962*] At their first session after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and assembly, according to the number of inhabitants, excluding soldiers, and officers of the United States army and navy. [*1959 SJR–12; 1961 SJR–11*]

Senate district area factor. SECTIONS 3, 4 and 5. [*Approved by voters April 1953*] An amendment to Art. IV, secs. 3, 4, 5, relating to senate apportionment based on area and population, was approved by 1951 SJR–*50 and 1953 AJR–7. However, the Supreme Court held the amendment not validly submitted to the voters in State ex rel. Thomson v. Zimmerman*, 264 W. 644, 60 NW (2d) 416.

Apportionment. SECTION 3. [*As amended November 1910*] At their first session after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and assembly, according to the number of inhabitants, excluding Indians not taxed, soldiers, and officers of the United States army and navy. [*1907 SJR–18; 1909 SJR–35; 1909 c. 478*]

Census and apportionment. SECTION 3. [*Original form*] The legislature shall provide by law for an enumeration of the inhabitants of the state in the year one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and at their first session after such enumeration, and also after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and assembly, according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

Representatives to the assembly, how chosen. SECTION 4. [*As amended November 1982*] The members of the assembly shall be chosen biennially, by single districts, on the Tuesday succeeding the first Monday of November in even-numbered years, by the qualified electors of the several districts, such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory and be in as compact form as practicable. [*1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1*]

Representatives to the assembly, how chosen. SECTION 4. [*As amended November 1881*] The members of the assembly shall be chosen biennially, by single districts, on the Tuesday succeeding the first Monday of November after the adoption of this amendment, by the qualified electors of the several districts, such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory and be in as compact form as practicable. [*1880 SJR–9; 1881 AJR–7; 1881 c. 262*]

Assemblymen, how chosen. SECTION 4. [*Original form*] The members of the assembly shall be chosen annually by single districts, on the Tuesday succeeding the first Monday of November, by the qualified electors of the several districts. Such districts to be bounded by county, precinct, town, or ward lines, to consist of contiguous territory, and be in as compact form as practicable.

Senators, how chosen. SECTION 5. [*As amended November 1982*] The senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the assembly are required to be chosen; and no assembly district shall be divided in the formation of a senate district. The senate districts shall be numbered in the regular series, and the senators shall be chosen alternately from the odd and even-numbered districts for the term of 4 years. [*1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1*]

Senators, how chosen. SECTION 5. [*As amended November 1881*] The senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the assembly are required to be chosen, and no assembly district shall be divided in the formation of a senate district. The senate districts shall be numbered in the regular series, and the senators shall be chosen alternately from the odd and even-numbered districts. The senators elected or holding over at the time of the adoption of this amendment shall continue in office till their successors are duly elected and qualified; and after the adoption of this amendment all senators shall be chosen for the term of four years. [*1880 SJR–9; 1881 AJR–7; 1881 c. 262*]

Senators, how chosen. SECTION 5. [*Original form*] The senators shall be chosen by single districts of convenient contiguous territory, at the same time and in the same manner as members of the assembly are required to be chosen, and no assembly district shall be divided in the formation of a senate district. The senate districts shall be numbered in regular series, and the senators chosen by the odd-numbered districts shall go out of office at the expiration of the first year, and the senators chosen by the even-numbered districts shall go out of office at the expiration of the second year, and thereafter the senators shall be chosen for the term of two years.

Qualifications of legislators. SECTION 6. No person shall be eligible to the legislature who shall not have resided one year within the state, and be a qualified elector in the district which he may be chosen to represent.

Organization of legislature; quorum; compulsory attendance. SECTION 7. Each house shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner under such penalties as each house may provide.

Rules; contempts; expulsion. SECTION 8. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause.

Officers. SECTION 9. [*As amended April 1979*] Each house shall choose its presiding officers from its own members. [*1977 SJR-51; 1979 SJR-1*]

Officers. SECTION 9. [*Original form*] Each house shall choose its own officers, and the senate shall choose a temporary president when the lieutenant governor shall not attend as president, or shall act as governor.

Journals; open doors; adjournments. SECTION 10. Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each house shall be kept open except when the public welfare shall require secrecy. Neither house shall, without consent of the other, adjourn for more than three days.

Meeting of legislature. SECTION 11. [*As amended April 1968*] The legislature shall meet at the seat of government at such time as shall be provided by law, unless convened by the governor in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened. [*1965 AJR-5; 1967 AJR-15*]

Meeting of legislature. SECTION 11. [*As amended November 1881*] The legislature shall meet at the seat of government at such time as shall be provided by law, once in two years, and no oftener, unless convened by the governor, in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened. [*1880 SJR-9; 1881 AJR-7; 1881 c. 262*]

Place and time of meeting. SECTION 11. [*Original form*] The legislature shall meet at the seat of government, at such time as shall be provided by law, once in each year and not oftener, unless convened by the governor.

Ineligibility of legislators to office. SECTION 12. No member of the legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Ineligibility of federal officers. SECTION 13. [*As amended April 1966*] No person being a member of congress, or holding any military or civil office under the United States, shall be eligible to a seat in the legislature; and if any person shall, after his election as a member of the legislature, be elected to congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat. This restriction shall not prohibit a legislator from accepting short periods of active duty as a member of the reserve or from serving in the armed forces during any emergency declared by the executive. [*1963 SJR-24; 1965 SJR-15*]

Ineligibility of federal officers. SECTION 13. [*Original form*] No person being a member of congress, or holding any military or civil office under the United States, shall be eligible to a seat in the legislature; and if any person shall, after his election as a member of the legislature, be elected to congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

Filling vacancies. SECTION 14. The governor shall issue writs of election to fill such vacancies as may occur in either house of the legislature.

Exemption from arrest and civil process. SECTION 15. Members of the legislature shall in all cases, except treason, felony and breach of the peace, be privileged from arrest; nor shall they be subject to any civil process, during the session of the legislature, nor for fifteen days next before the commencement and after the termination of each session.

Privilege in debate. SECTION 16. No member of the legislature shall be liable in any civil action, or criminal prosecution whatever, for words spoken in debate.

Enactment of laws. SECTION 17. [*As amended April 1977*] (1) The style of all laws of the state shall be "The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:".

(2) No law shall be enacted except by bill. No law shall be in force until published.

(3) The legislature shall provide by law for the speedy publication of all laws. [*1975 AJR–11; 1977 SJR–9*]

Style of laws; bills. SECTION 17. [*Original form*] The style of the laws of the state shall be "The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:" and no law shall be enacted except by bill.

Title of private bills. SECTION 18. No private or local bill which may be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title.

Origin of bills. SECTION 19. Any bill may originate in either house of the legislature, and a bill passed by one house may be amended by the other.

Yeas and nays. SECTION 20. The yeas and nays of the members of either house on any question shall, at the request of one-sixth of those present, be entered on the journal.

SECTION 21. [*Repealed. 1927 SJR–61; 1929 SJR–7; vote April 1929*]

Compensation of members. SECTION 21. [*As amended November 1881*] Each member of the legislature shall receive for his services, for and during a regular session, the sum of five hundred dollars, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature on the most usual route. In case of an extra session of the legislature, no additional compensation shall be allowed to any member thereof, either directly or indirectly, except for mileage to be computed at the same rate as for a regular session. No stationery, newspapers, postage or other prerequisite except the salary and mileage above provided, shall be received from the state by any member of the legislature for his services, or in any other manner as such member. [*1880 SJR–9; 1881 AJR–7; 1881 c. 262*]

Compensation of members. SECTION 21. [*As amended November 1867*] Each member of the legislature shall receive for his services three hundred and fifty dollars per annum and ten cents for every mile he shall travel in going to and returning from the place of the meeting of the legislature on the most usual route. In case of an extra session of the legislature no additional compensation shall be allowed to any member thereof either directly or indirectly. [*1865 SJR–26; 1866 SJR–16; 1867 c. 25*]

Compensation of members. SECTION 21. [*Original form*] Each member of the legislature shall receive for his services two dollars and fifty cents for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of the meeting of the legislature, on the most usual route.

Powers of county boards. SECTION 22. The legislature may confer upon the boards of supervisors of the several counties of the state such powers of a local, legislative and administrative character as they shall from time to time prescribe.

Town and county government. SECTION 23. [*As amended April 1972*] The legislature shall establish but one system of town government, which shall be as nearly uniform as practicable, but the legislature may provide for the election at large once in every 4 years of a chief executive officer in any county with such powers of an administrative character as they may from time to time prescribe in accordance with this section and shall establish one or more systems of county government. [*1969 SJR–58; 1971 SJR–4*]

Uniform town and county government. SECTION 23. [*As amended April 1969*] The legislature shall establish but one system of town and county government, which shall be as nearly uniform as practicable, except that the requirement of uniformity shall not apply to the administrative means of exercising powers of a local legislative character conferred by section 22 upon the boards of supervisors of the several counties; but the legislature may provide for the election at large once in every 4 years of a chief executive officer in any county with such powers of an administrative character as they may from time to time prescribe in accordance with this section. [*1967 AJR–18; 1969 SJR–8*]

Uniform town and county government. SECTION 23. [*As amended November 1962*] The legislature shall establish but one system of town and county government, which shall be as nearly uniform as practicable; but the legislature may provide for the election at large once in every four years of a chief executive officer in any county having a population of five hundred thousand or more with such powers of an administrative character as they may from time to time prescribe in accordance with this section. [*1959 AJR–121; 1961 AJR–61*]

Uniform town and county government. SECTION 23. [*Original form*] The legislature shall establish but one system of town and county government, which shall be as nearly uniform as practicable.

Chief executive officer to approve or veto resolutions or ordinances; proceedings on veto. SECTION 23a. [*As amended April 1969*] Every resolution or ordinance passed by the county board in any county shall, before it becomes effective, be presented to the chief executive officer. If he approves, he shall sign it; if not, he shall return it with his objections, which objections shall be entered at large upon the journal and the board shall proceed to reconsider the matter. Appro-

priations may be approved in whole or in part by the chief executive officer and the part approved shall become law, and the part objected to shall be returned in the same manner as provided for in other resolutions or ordinances. If, after such reconsideration, two-thirds of the members-elect of the county board agree to pass the resolution or ordinance or the part of the resolution or ordinance objected to, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. In all such cases, the votes of the members of the county board shall be determined by ayes and noes and the names of the members voting for or against the resolution or ordinance or the part thereof objected to shall be entered on the journal. If any resolution or ordinance is not returned by the chief executive officer to the county board at its first meeting occurring not less than 6 days, Sundays excepted, after it has been presented to him, it shall become effective unless the county board has recessed or adjourned for a period in excess of 60 days, in which case it shall not be effective without his approval. *[1967 AJR-18; 1969 SJR-8]*

Chief executive officer to approve or veto resolutions or ordinances; proceedings on veto. SECTION 23a. *[Created November 1962]* Every resolution or ordinance passed by the county board in any county having a population of five hundred thousand or more shall, before it becomes effective, be presented to the chief executive officer. If he approves, he shall sign it; if not, he shall return it with his objections, which objections shall be entered at large upon the journal and the board shall proceed to reconsider the matter. Appropriations may be approved in whole or in part by the chief executive officer and the part approved shall become law, and the part objected to shall be returned in the same manner as provided for in other resolutions or ordinances. If, after such reconsideration, two-thirds of the members-elect of the county board agree to pass the resolution or ordinance or the part of the resolution or ordinance objected to, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. In all such cases, the votes of the members of the county board shall be determined by ayes and nays and the names of the members voting for or against the resolution or ordinance or the part thereof objected to shall be entered on the journal. If any resolution or ordinance is not returned by the chief executive officer to the county board at its first meeting occurring not less than six days, Sundays excepted, after it has been presented to him, it shall become effective unless the county board has recessed or adjourned for a period in excess of sixty days, in which case it shall not be effective without his approval. *[1959 AJR-121; 1961 AJR-61]*

Lotteries and divorces. SECTION 24. *[As amended April 1977]* The legislature shall never authorize any lottery or grant any divorce.

(1) The legislature may authorize bingo games licensed by the state, and operated by religious, charitable, service, fraternal or veterans' organizations or those to which contributions are deductible for federal or state income tax purposes. All profits must inure to the licensed organization and no salaries, fees or profits shall be paid to any other organization or person.

(2) The legislature may authorize raffle games licensed by the state, and operated by local religious, charitable, service, fraternal or veterans' organizations or those to which contributions are deductible for federal or state income tax purposes. The legislature shall limit the number of raffles conducted by any such organization. All profits must inure to the licensed local organization and no salaries, fees or profits shall be paid to any other organization or person.

(3) Except as the legislature may provide otherwise, the following activities do not constitute consideration as an element of a lottery:

(a) To listen to or watch a television or radio program.

(b) To fill out a coupon or entry blank, whether or not proof of purchase is required.

(c) To visit a mercantile establishment or other place without being required to make a purchase or pay an admittance fee. *[1975 AJR-43; 1977 AJR-10]*

Lotteries and divorces. SECTION 24. *[As amended April 1973]* The legislature shall never authorize any lottery, or grant any divorce, but may authorize bingo games licensed by the state, and operated by religious, charitable, service, fraternal or veterans' organizations or those to which contributions are deductible for federal or state income tax purposes. All profits must inure to the licensed organization and no salaries, fees or profits shall be paid to any other organization or person. Except as the legislature may provide otherwise, to listen to or watch a television or radio program, to fill out a coupon or entry blank, whether or not proof of purchase is required, or to visit a mercantile establishment or other place without being required to make a purchase or pay an admittance fee does not constitute consideration as an element of a lottery. *[1971 SJR-13; 1973 AJR-6]*

Lotteries and divorces. SECTION 24. *[As amended April 1965]* The legislature shall never authorize any lottery, or grant any divorce. Except as the legislature may provide otherwise, to listen to or watch a television or radio program, to fill out a coupon or entry blank, whether or not proof of purchase is required, or to visit a mercantile establishment or other place without being required to make a purchase or pay an admittance fee does not constitute consideration as an element of a lottery. *[1963 SJR-42; 1965 SJR-13]*

Lotteries and divorces. SECTION 24. *[Original form]* The legislature shall never authorize any lottery, or grant any divorce.

Stationery and printing. SECTION 25. The legislature shall provide by law that all stationery required for the use of the state, and all printing authorized and required by them to be done for their use, or for the state, shall be let by contract to the lowest bidder, but the legislature may establish a maximum price; no member of the legislature or other state officer shall be interested, either directly or indirectly, in any such contract.

Extra compensation; salary change. SECTION 26. [*As amended April 1977*] The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased or diminished during his term of office except that when any increase or decrease provided by the legislature in the compensation of the justices of the supreme court or judges of any court of record shall become effective as to any such justice or judge, it shall be effective from such date as to each of such justices or judges. This section shall not apply to increased benefits for persons who have been or shall be granted benefits of any kind under a retirement system when such increased benefits are provided by a legislative act passed on a call of ayes and noes by a three-fourths vote of all the members elected to both houses of the legislature, which act shall provide for sufficient state funds to cover the costs of the increased benefits. [*1975 AJR–11; 1977 SJR–9*]

Extra compensation; salary change. SECTION 26. [*As amended April 1974*] The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased or diminished during his term of office except that when any increase or decrease provided by the legislature in the compensation of the justices of the supreme court, or judges of the circuit court shall become effective as to any such justice or judge, it shall become effective from such date as to each of such justices or judges. This section shall not apply to increased benefits for persons who have been or shall be granted benefits of any kind under a retirement system when such increased benefits are provided by a legislative act passed on a call of yeas and nays by a three-fourths vote of all the members elected to both houses of the legislature, which act shall provide for sufficient state funds to cover the costs of the increased benefits. [*1971 SJR–3; 1973 SJR–15*]

Extra compensation; salary change. SECTION 26. [*As amended April 1967*] The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased or diminished during his term of office except that when any increase or decrease provided by the legislature in the compensation of the justices of the supreme court, or judges of the circuit court shall become effective as to any such justice or judge, it shall be effective from such date as to each of such justices or judges. This section shall not apply to increased benefits for teachers under a teachers' retirement system when such increased benefits are provided by a legislative act passed on a call of yeas and nays by a three-fourths vote of all the members elected to both houses of the legislature. [*1965 AJR–162; 1967 AJR–17*]

Extra compensation; salary change. SECTION 26. [*As amended April 1956*] The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased or diminished during his term of office. This section shall not apply to increased benefits for teachers under a teachers' retirement system when such increased benefits are provided by a legislative act passed on a call of yeas and nays by a three-fourths vote of all the members elected to both houses of the legislature. [*1953 SJR–21; 1955 SJR–8*]

Extra compensation; salary change. SECTION 26. [*Original form*] The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased or diminished during his term of office.

Suits against state. SECTION 27. The legislature shall direct by law in what manner and in what courts suits may be brought against the state.

Oath of office. SECTION 28. Members of the legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall before they enter upon the duties of their respective offices, take and subscribe an oath or affirmation to support the constitution of the United States and the constitution of the state of Wisconsin, and faithfully to discharge the duties of their respective offices to the best of their ability.

Militia. SECTION 29. The legislature shall determine what persons shall constitute the militia of the state, and may provide for organizing and disciplining the same in such manner as shall be prescribed by law.

Elections by legislature. SECTION 30. [*As amended November 1982*] All elections made by the legislature shall be by roll call vote entered in the journals. [*1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1*]

Elections by legislature. SECTION 30. [*Original form*] In all elections to be made by the legislature the members thereof shall vote viva voce, and their votes shall be entered on the journal.

Special and private laws prohibited. SECTION 31. *[As amended November 1892]* The legislature is prohibited from enacting any special or private laws in the following cases:

1st. For changing the name of persons or constituting one person the heir at law of another.

2nd. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands may be granted by congress.

3rd. For authorizing persons to keep ferries across streams at points wholly within this state.

4th. For authorizing the sale or mortgage of real or personal property of minors or others under disability.

5th. For locating or changing any county seat.

6th. For assessment or collection of taxes or for extending the time for the collection thereof.

7th. For granting corporate powers or privileges, except to cities.

8th. For authorizing the apportionment of any part of the school fund.

9th. For incorporating any city, town or village, or to amend the charter thereof. *[1889 SJR-13; 1891 SJR-13; 1891 c. 362]*

Special or private laws. SECTION 31. *[Created November 1871]* The legislature is prohibited from enacting any special or private laws in the following cases:

1st. For changing the name of persons or constituting one person the heir-at-law of another.

2nd. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands may be granted by congress.

3rd. For authorizing persons to keep ferries across streams at points wholly within this state.

4th. For authorizing the sale or mortgage of real or personal property of minors or others under disability.

5th. For locating or changing any county seat.

6th. For assessment or collection of taxes or for extending the time for the collection thereof.

7th. For granting corporate powers or privileges, except to cities.

8th. For authorizing the apportionment of any part of the school fund.

9th. For incorporating any town or village or to amend the charter thereof. *[1870 SJR-14; 1871 AJR-29; 1871 c. 122]*

General laws on enumerated subjects. SECTION 32. *[Created November 1871]* The legislature shall provide general laws for the transaction of any business that may be prohibited by section thirty-one of this article, and all such laws shall be uniform in their operation throughout the state. *[1870 SJR-14; 1871 AJR-29; 1871 c. 122]*

Auditing of state accounts. SECTION 33. *[Created November 1946]* The legislature shall provide for the auditing of state accounts and may establish such offices and prescribe such duties for the same as it shall deem necessary. *[1943 SJR-35; 1945 SJR-24]*

Continuity of civil government. SECTION 34. *[Created April 1961]* The legislature, in order to ensure continuity of state and local governmental operations in periods of emergency resulting from enemy action in the form of an attack, shall (1) forthwith provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) adopt such other measures as may be necessary and proper for attaining the objectives of the section. *[1959 AJR-48; 1961 SJR-1]*

ARTICLE V.
EXECUTIVE

Governor; lieutenant governor; term. SECTION 1. *[As amended April 1979]* The executive power shall be vested in a governor who shall hold office for 4 years; a lieutenant governor shall be elected at the same time and for the same term. *[1977 SJR-51; 1979 SJR-1]*

Governor; lieutenant governor; term. SECTION 1. *[Original form]* The executive power shall be vested in a governor, who shall hold his office for two years; a lieutenant governor shall be elected at the same time, and for the same term.

SECTION 1m. *[Repealed. 1977 SJR-51; 1979 SJR-1; vote April 1979]*

Governor; 4-year term. SECTION 1m. *[Created April 1967]* Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be elected a governor to hold office for a term of four years. *[1965 AJR-4; 1967 AJR-9 and SJR-12]*

SECTION 1n. *[Repealed. 1977 SJR-51; 1979 SJR-1; vote April 1979]*

Lieutenant governor; 4-year term. SECTION 1n. [*Created April 1967*] Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be elected a lieutenant governor to hold office for a term of four years. [*1965 AJR-4; 1967 AJR-9 and SJR-12*]

Eligibility. SECTION 2. No person except a citizen of the United States and a qualified elector of the state shall be eligible to the office of governor or lieutenant governor.

Election. SECTION 3. [*As amended April 1967*] The governor and lieutenant governor shall be elected by the qualified electors of the state at the times and places of choosing members of the legislature. They shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices beginning with the general election in 1970. The persons respectively having the highest number of votes cast jointly for them for governor and lieutenant governor shall be elected; but in case two or more slates shall have an equal and the highest number of votes for governor and lieutenant governor, the two houses of the legislature, at its next annual session shall forthwith, by joint ballot, choose one of the slates so having an equal and the highest number of votes for governor and lieutenant governor. The returns of election for governor and lieutenant governor shall be made in such manner as shall be provided by law. [*1965 AJR-3; 1967 AJR-8 and SJR-11*]

Election. SECTION 3. [*Original form*] The governor and lieutenant governor shall be elected by the qualified electors of the state at the times and places of choosing members of the legislature. The persons respectively having the highest number of votes for governor and lieutenant governor shall be elected; but in case two or more shall have an equal and the highest number of votes for governor, or lieutenant governor, the two houses of the legislature, at its next annual session shall forthwith, by joint ballot, choose one of the persons so having an equal and the highest number of votes for governor, or lieutenant governor. The returns of election for governor and lieutenant governor shall be made in such manner as shall be provided by law.

Powers and duties. SECTION 4. The governor shall be commander in chief of the military and naval forces of the state. He shall have power to convene the legislature on extraordinary occasions, and in case of invasion, or danger from the prevalence of contagious disease at the seat of government, he may convene them at any other suitable place within the state. He shall communicate to the legislature, at every session, the condition of the state, and recommend such matters to them for their consideration as he may deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the legislature, and shall take care that the laws be faithfully executed.

SECTION 5. [*Repealed. 1929 SJR-81; 1931 SJR-6; vote November 1932*]

Compensation of governor. SECTION 5. [*As amended November 1926*] The governor shall receive, during his continuance in office, an annual compensation of not less than five thousand dollars, to be fixed by law, which shall be in full for all traveling or other expenses incident to his duties. The compensation prescribed for governor immediately prior to the adoption of this amendment shall continue in force until changed by the legislature in a manner consistent with the other provisions of this constitution. [*1923 AJR-88; 1925 AJR-50; 1925 c. 413*]

Compensation of governor. SECTION 5. [*As amended November 1869*] The governor shall receive during his continuance in office, an annual compensation of five thousand dollars which shall be in full for all traveling or other expenses incident to his duties. [*1868 AJR-13; 1869 SJR-6; 1869 c. 186*]

Compensation of governor. SECTION 5. [*Original form*] The governor shall receive during his continuance in office, an annual compensation of one thousand two hundred and fifty dollars.

Pardoning power. SECTION 6. The governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting, when the legislature shall either pardon, or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall annually communicate to the legislature each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the commutation, pardon or reprieve with his reasons for granting the same.

Lieutenant governor, when governor. SECTION 7. [*As amended April 1979*] (1) Upon the governor's death, resignation or removal from office, the lieutenant governor shall become governor for the balance of the unexpired term.

(2) If the governor is absent from this state, impeached, or from mental or physical disease, becomes incapable of performing the duties of the office, the lieutenant governor shall serve as

acting governor for the balance of the unexpired term or until the governor returns, the disability ceases or the impeachment is vacated. But when the governor, with the consent of the legislature, shall be out of this state in time of war at the head of the state's military force, the governor shall continue as commander in chief of the military force. *[1977 SJR-51; 1979 SJR-1]*

Lieutenant governor, when governor. SECTION 7. *[Original form]* In case of the impeachment of the governor, or his removal from office, death, inability from mental or physical disease, resignation, or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term or until the governor, absent or impeached, shall have returned, or the disability shall cease. But when the governor shall, with the consent of the legislature, be out of the state in time of war, at the head of the military force thereof, he shall continue commander in chief of the military force of the state.

Secretary of state, when governor. SECTION 8. *[As amended April 1979]* (1) If there is a vacancy in the office of lieutenant governor and the governor dies, resigns or is removed from office, the secretary of state shall become governor for the balance of the unexpired term.

(2) If there is a vacancy in the office of lieutenant governor and the governor is absent from this state, impeached, or from mental or physical disease becomes incapable of performing the duties of the office, the secretary of state shall serve as acting governor for the balance of the unexpired term or until the governor returns, the disability ceases or the impeachment is vacated. *[1977 SJR-51; 1979 SJR-1]*

Lieutenant governor president of senate; when secretary of state to be governor. SECTION 8. *[Original form]* The lieutenant governor shall be president of the senate, but shall have only a casting vote therein. If, during a vacancy in the office of the governor, the lieutenant governor shall be impeached, displaced, resign, die, or from mental or physical disease become incapable of performing the duties of his office, or be absent from the state, the secretary of state shall act as governor until the vacancy shall be filled or the disability shall cease.

SECTION 9. *[Repealed. 1929 SJR-82; 1931 SJR-7; vote November 1932]*

Compensation of lieutenant governor. SECTION 9. *[As amended November 1869]* The lieutenant governor shall receive during his continuance in office an annual compensation of one thousand dollars. *[1868 AJR-13; 1869 SJR-6; 1869 c. 186]*

Compensation of lieutenant governor. SECTION 9. *[Original form]* The lieutenant governor shall receive double the per diem allowance of members of the senate, for every day's attendance as president of the senate, and the same mileage as shall be allowed to members of the legislature.

Governor to approve or veto bills; proceedings on veto. SECTION 10. *[As amended November 1930]* Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journal and proceed to reconsider it. Appropriation bills may be approved in whole or in part by the governor, and the part approved shall become law, and the part objected to shall be returned in the same manner as provided for other bills. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, or the part of the bill objected to, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill or the part of the bill objected to, shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a law unless the legislature shall, by their adjournment, prevent its return, in which case it shall not be a law. *[1927 SJR-35; 1929 SJR-40]*

Approval of bills. SECTION 10. *[As amended November 1908]* Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a law unless the legislature shall, by their adjournment, prevent its return, in which case it shall not be a law. *[1905 AJR-45; 1907 AJR-46; 1907 c. 661]*

Approval of bills. SECTION 10. *[Original form]* Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journal, and proceed to reconsider it. If, after such reconsideration two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law. But in all such cases the votes of both houses shall be deter-

mined by yeas and nays, and the names of the members voting for or against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the legislature shall, by their adjournment, prevent its return, in which case it shall not be a law.

ARTICLE VI.
ADMINISTRATIVE

Election of secretary of state, treasurer and attorney general; term. SECTION 1. *[As amended April 1979]* The qualified electors of this state, at the times and places of choosing the members of the legislature, shall in 1970 and every 4 years thereafter elect a secretary of state, treasurer and attorney general who shall hold their offices for 4 years. *[1977 SJR-51; 1979 SJR-1]*

Election of secretary of state, treasurer and attorney-general; term. SECTION 1. *[Original form]* There shall be chosen by the qualified electors of the state, at the times and places of choosing the members of the legislature, a secretary of state, treasurer and attorney-general, who shall severally hold their offices for the term of two years.

SECTION 1m. *[Repealed. 1977 SJR-51; 1979 SJR-1; vote April 1979]*

Secretary of state; 4-year term. SECTION 1m. *[Created April 1967]* Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be chosen a secretary of state to hold office for a term of four years. *[1965 AJR-4; 1967 AJR-9 and SJR-12]*

SECTION 1n. *[Repealed. 1977 SJR-51; 1979 SJR-1; vote April 1979]*

Treasurer; 4-year term. SECTION 1n. *[Created April 1967]* Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be chosen a treasurer to hold office for a term of four years. *[1965 AJR-4; 1967 AJR-9 and SJR-12]*

SECTION 1p. *[Repealed. 1977 SJR-51; 1979 SJR-1; vote April 1979]*

Attorney general; 4-year term. SECTION 1p. *[Created April 1967]* Notwithstanding section 1, beginning with the general election in 1970 and every four years thereafter, there shall be chosen an attorney general to hold office for a term of four years. *[1965 AJR-4; 1967 AJR-9 and SJR-12]*

Secretary of state; duties, compensation. SECTION 2. *[As amended November 1946]* The secretary of state shall keep a fair record of the official acts of the legislature and executive department of the state, and shall, when required, lay the same and all matters relative thereto before either branch of the legislature. He shall perform such other duties as shall be assigned him by law. He shall receive as a compensation for his services yearly such sum as shall be provided by law, and shall keep his office at the seat of government. *[1943 SJR-35; 1945 SJR-24]*

Secretary of state. SECTION 2. *[Original form]* The secretary of state shall keep a fair record of the official acts of the legislature and executive department of the state, and shall, when required, lay the same and all matters relative thereto, before either branch of the legislature. He shall be ex officio auditor, and shall perform such other duties as shall be assigned him by law. He shall receive as a compensation for his services yearly, such sum as shall be provided by law, and shall keep his office at the seat of government.

Treasurer and attorney general; duties, compensation. SECTION 3. The powers, duties and compensation of the treasurer and attorney general shall be prescribed by law.

County officers; election, terms, removal; vacancies. SECTION 4. *[As amended April 1982]* (1) Sheriffs, coroners, registers of deeds, district attorneys, and all other elected county officers except judicial officers and chief executive officers, shall be chosen by the electors of the respective counties once in every 2 years.

(2) The offices of coroner and surveyor in counties having a population of 500,000 or more are abolished. Counties not having a population of 500,000 shall have the option of retaining the elective office of coroner or instituting a medical examiner system. Two or more counties may institute a joint medical examiner system.

(3) Sheriffs shall hold no other office. Sheriffs may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant.

(4) The governor may remove any elected county officer mentioned in this section, giving to the officer a copy of the charges and an opportunity of being heard.

(5) All vacancies in the offices of sheriff, coroner, register of deeds or district attorney shall be filled by appointment. The person appointed to fill a vacancy shall hold office only for the unexpired portion of the term to which appointed and until a successor shall be elected and qualified. *[1979 AJR-99; 1981 AJR-7]*

County officers; election, terms, removal; vacancies. SECTION 4. *[As amended April 1972]* Sheriffs, coroners, register of deeds, district attorneys, and all other county officers except judicial officers and chief executive officers, shall be cho-

sen by the electors of the respective counties once in every two years. The offices of coroner and surveyor in counties having a population of 500,000 or more are abolished. Counties not having a population of 500,000 shall have the option of retaining the elective office of coroner or instituting a medical examiner system. Two or more counties may institute a joint medical examiner system. Sheriffs shall hold no other office; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified. *[1969 SJR–63; 1971 SJR–38]*

County officers; election, terms, removal; vacancies. SECTION 4. *[As amended April 1967]* Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except judicial officers and chief executive officers, shall be chosen by the electors of the respective counties once in every two years. The offices of coroner and surveyor in counties having a population of 500,000 or more are abolished at the conclusion of the terms of office during which this amendment is adopted. Sheriffs shall hold no other office; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified. *[1965 AJR–72; 1967 SJR–7]*

County officers; election, terms, removal; vacancies. SECTION 4. *[As amended April 1965]* Sheriffs, coroners, register of deeds, district attorneys, and all other county officers except judicial officers and chief executive officers, shall be chosen by the electors of the respective counties once in every two years. The offices of coroner and surveyor in counties having a population of 500,000 or more are abolished at the conclusion of the terms of office during which this amendment is adopted. Sheriffs shall hold no other office, and shall not serve more than two terms or parts thereof in succession; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified. *[1963 AJR–14; 1965 SJR–17]*

County officers; election, terms, removal; vacancies. SECTION 4. *[As amended November 1962]* Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except judicial officers and chief executive officers, shall be chosen by the electors of the respective counties once in every two years. Sheriffs shall hold no other office, and shall not serve more than two terms or parts thereof in succession; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified. *[1959 AJR–121; 1961 AJR–61]*

County officers; election, terms, removal; vacancies. SECTION 4. *[As amended April 1929]* Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except judicial officers, shall be chosen by the electors of the respective counties once in every two years. Sheriffs shall hold no other office, and shall not serve more than two terms or parts thereof in succession; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified. *[1927 AJR–8; 1929 AJR–8]*

County officers. SECTION 4. *[As amended November 1882]* Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers, except judicial officers shall be chosen by the electors of the respective counties, once in every two years. Sheriffs shall hold no other office and be ineligible for two years next succeeding the termination of their offices; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed, and until his successor shall be elected and qualified. *[1881 AJR–16; 1882 SJR–20; 1882 c. 290]*

County officers. SECTION 4. *[Original form]* Sheriffs, coroners, registers of deeds and district attorneys shall be chosen by the electors of the respective counties, once in every two years, and as often as vacancies shall happen; sheriffs shall hold no other office, and be ineligible for two years next succeeding the termination of their offices. They may be required by law, to renew their security from time to time; and in default of giving such new security, their offices shall be deemed vacant. But the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such officer a copy of the charges against him, and an opportunity of being heard in his defence.

ARTICLE VII.
JUDICIARY

Impeachment; trial. SECTION 1. *[As amended November 1932]* The court for the trial of impeachments shall be composed of the senate. The assembly shall have the power of impeaching all civil officers of this state for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment

against the governor, the lieutenant governor shall not act as a member of the court. No judicial officer shall exercise his office, after he shall have been impeached, until his acquittal. Before the trial of an impeachment the members of the court shall take an oath or affirmation truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold any office of honor, profit or trust under the state; but the party impeached shall be liable to indictment, trial and punishment according to law. [*1929 SJR–103; 1931 SJR–8*]

Impeachments. SECTION 1. [*Original form*] The court for the trial of impeachments shall be composed of the senate. The house of representatives shall have the power of impeaching all civil officers of this state, for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the governor, the lieutenant governor shall not act as a member of the court. No judicial officer shall exercise his office, after he shall have been impeached, until his acquittal. Before the trial of an impeachment, the members of the court shall take an oath or affirmation, truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold any office of honor, profit or trust under the state; but the party impeached shall be liable to indictment, trial and punishment according to law.

Court system. SECTION 2. [*As amended April 1977*] The judicial power of this state shall be vested in a unified court system consisting of one supreme court, a court of appeals, a circuit court, such trial courts of general uniform statewide jurisdiction as the legislature may create by law, and a municipal court if authorized by the legislature under section 14. [*1975 AJR–11; 1977 SJR–9*]

Judicial power, where vested. SECTION 2. [*As amended April 1966*] The judicial power of this state, both as to matters of law and equity, shall be vested in a supreme court, circuit courts, and courts of probate. The legislature may also vest such jurisdiction as shall be deemed necessary in municipal courts, and may authorize the establishment of inferior courts in the several counties, cities, villages or towns, with limited civil and criminal jurisdiction. Provided, that the jurisdiction which may be vested in municipal courts shall not exceed in their respective municipalities that of circuit courts in their respective circuits as prescribed in this constitution; and that the legislature shall provide as well for the election of judges of the municipal courts as of the judges of inferior courts, by the qualified electors of the respective jurisdictions. The term of office of the judges of the said municipal and inferior courts shall not be longer than that of the judges of the circuit courts. [*1963 SJR–32; 1965 SJR–26*]

Judicial power, where vested. SECTION 2. [*Original form*] The judicial power of this state, both as to matters of law and equity, shall be vested in a supreme court, circuit courts, courts of probate, and in justices of the peace. The legislature may also vest such jurisdiction as shall be deemed necessary in municipal courts, and shall have power to establish inferior courts in the several counties, with limited civil and criminal jurisdiction. Provided, that the jurisdiction which may be vested in municipal courts shall not exceed in their respective municipalities that of circuit courts in their respective circuits as prescribed in this constitution; and that the legislature shall provide as well for the election of judges of the municipal courts as of the judges of inferior courts, by the qualified electors of the respective jurisdictions. The term of office of the judges of the said municipal and inferior courts shall not be longer than that of the judges of the circuit courts.

Supreme court: jurisdiction. SECTION 3. [*As amended April 1977*] (1) The supreme court shall have superintending and administrative authority over all courts.

(2) The supreme court has appellate jurisdiction over all courts and may hear original actions and proceedings. The supreme court may issue all writs necessary in aid of its jurisdiction.

(3) The supreme court may review judgments and orders of the court of appeals, may remove cases from the court of appeals and may accept cases on certification by the court of appeals. [*1975 AJR–11; 1977 SJR–9*]

Supreme court, jurisdiction. SECTION 3. [*Original form*] The supreme court, except in cases otherwise provided in this constitution, shall have appellate jurisdiction only, which shall be coextensive with the state; but in no case removed to the supreme court shall a trial by jury be allowed. The supreme court shall have a general superintending control over all inferior courts; it shall have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and other original and remedial writs, and to hear and determine the same.

Supreme court: election, chief justice, court system administration. SECTION 4. [*As amended April 1977*] (1) The supreme court shall have 7 members who shall be known as justices of the supreme court. Justices shall be elected for 10-year terms of office commencing with the August 1 next succeeding the election. Only one justice may be elected in any year. Any 4 justices shall constitute a quorum for the conduct of the court's business.

(2) The justice having been longest a continuous member of said court, or in case 2 or more such justices shall have served for the same length of time, the justice whose term first expires, shall be the chief justice. The justice so designated as chief justice may, irrevocably, decline to

serve as chief justice or resign as chief justice but continue to serve as a justice of the supreme court.

(3) The chief justice of the supreme court shall be the administrative head of the judicial system and shall exercise this administrative authority pursuant to procedures adopted by the supreme court. The chief justice may assign any judge of a court of record to aid in the proper disposition of judicial business in any court of record except the supreme court. *[1975 AJR–11; 1977 SJR–9]*

Supreme court justices; term; election; quorum. SECTION 1 [4]. *[As amended April 1903]* The chief justice and associate justices of the supreme court shall be severally known as the justices of said court, with the same terms of office of ten years respectively as now provided. The supreme court shall consist of seven justices, any four of whom shall be a quorum, to be elected as now provided, not more than one each year. The justice having been longest a continuous member of said court, or in case two or more such senior justices shall have served for the same length of time, then the one whose commission first expires shall be ex officio, the chief justice. *[1901 AJR–33; 1903 AJR–5; 1903 c. 10]*

Supreme court, how constituted. SECTION 1 [4]. *[As amended April 1889]* The chief justice and associate justices of the supreme court shall be severally known as justices of said court with the same terms of office, respectively, as now provided. The supreme court shall consist of five justices (any three of whom shall be a quorum), to be elected as now provided. The justice having been longest a continuous member of the court (or in case two or more of such senior justices having served for the same length of time, then the one whose commission first expires), shall be ex officio the chief justice. *[1887 SJR–19; 1889 AJR–7; 1889 c. 22]*

Supreme court, how constituted. SECTION 4. *[As amended November 1877]* The supreme court shall consist of one chief justice and four associate justices, to be elected by the qualified electors of the state. The legislature shall at its first session after the adoption of this amendment provide by law for the election of two associate justices of said court to hold their offices respectively for terms ending two and four years respectively after the end of the term of the justice of the said court, then last to expire. And thereafter the chief justice and associate justices of the said court shall be elected and hold their offices respectively for the term of ten years. *[1876 SJR–16; 1877 SJR–2; 1877 c. 48]*

Supreme court, how constituted. SECTION 4. *[Original form]* For the term of five years, and thereafter until the legislature shall otherwise provide, the judges of the several circuit courts, shall be judges of the supreme court, four of whom shall constitute a quorum, and the concurrence of a majority of the judges present shall be necessary to a decision. The legislature shall have power, if they should think it expedient and necessary to provide by law, for the organization of a separate supreme court, with the jurisdiction and powers prescribed in this constitution, to consist of one chief justice, and two associate justices, to be elected by the qualified electors of the state, at such time and in such manner as the legislature may provide. The separate supreme court when so organized, shall not be changed or discontinued by the legislature; the judges thereof shall be so classified that but one of them shall go out of office at the same time; and their term of office shall be the same as is provided for the judges of the circuit court. And whenever the legislature may consider it necessary to establish a separate supreme court, they shall have power to reduce the number of circuit court judges to four, and subdivide the judicial circuits, but no such subdivision or reduction shall take effect until after the expiration of the term of some one of said judges, or till a vacancy occur by some other means.

SECTION 5. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Judicial circuits. SECTION 5. *[Original form]* The state shall be divided into five judicial circuits, to be composed as follows: The first circuit shall comprise the counties of Racine, Walworth, Rock and Green; the second circuit, the counties of Milwaukee, Waukesha, Jefferson and Dane; the third circuit, the counties of Washington, Dodge, Columbia, Marquette, Sauk and Portage; the fourth circuit, the counties of Brown, Manitowoc, Sheboygan, Fond du Lac, Winnebago and Calumet; and the fifth circuit shall comprise the counties of Iowa, LaFayette, Grant, Crawford and St. Croix; and the county of Richland shall be attached to Iowa, the county of Chippewa to the county of Crawford, and the county of La Pointe to the county of St. Croix, for judicial purposes, until otherwise provided by the legislature.

Court of appeals. SECTION 5. *[Created April 1977]* [1] The legislature shall by law combine the judicial circuits of the state into one or more districts for the court of appeals and shall designate in each district the locations where the appeals court shall sit for the convenience of litigants.

(2) For each district of the appeals court there shall be chosen by the qualified electors of the district one or more appeals judges as prescribed by law, who shall sit as prescribed by law. Appeals judges shall be elected for 6-year terms and shall reside in the district from which elected. No alteration of district or circuit boundaries shall have the effect of removing an appeals judge from office during the judge's term. In case of an increase in the number of appeals judges, the first judge or judges shall be elected for full terms unless the legislature prescribes a shorter initial term for staggering of terms.

(3) The appeals court shall have such appellate jurisdiction in the district, including jurisdiction to review administrative proceedings, as the legislature may provide by law, but shall have no original jurisdiction other than by prerogative writ. The appeals court may issue all writs necessary in aid of its jurisdiction and shall have supervisory authority over all actions and proceedings in the courts in the districts. *[1975 AJR–11; 1977 SJR–9]*

Circuit court: boundaries. SECTION 6. *[As amended April 1977]* The legislature shall prescribe by law the number of judicial circuits, making them as compact and convenient as practicable, and

bounding them by county lines. No alteration of circuit boundaries shall have the effect of removing a circuit judge from office during the judge's term. In case of an increase of circuits, the first judge or judges shall be elected. [*1975 AJR–11; 1977 SJR–9*]

Alteration of circuits. SECTION 6. [*Original form*] The legislature may alter the limits or increase the number of circuits, making them as compact and convenient as practicable, and bounding them by county lines; but no such alteration or increase shall have the effect to remove a judge from office. In case of an increase of circuits, the judge or judges shall be elected as provided in this constitution and receive a salary of not less than that herein provided for judges of the circuit court.

Circuit court: election. SECTION 7. [*As amended April 1977*] For each circuit there shall be chosen by the qualified electors thereof one or more circuit judges as prescribed by law. Circuit judges shall be elected for 6-year terms and shall reside in the circuit from which elected. [*1975 AJR–11; 1977 SJR–9*]

Circuit judges; election, eligibility, term, salary. SECTION 7. [*As amended November 1924*] For each circuit there shall be chosen by the qualified electors thereof one circuit judge, except that in any circuit in which there is a county that had a population in excess of eighty-five thousand, according to the last state or United States census, the legislature may, from time to time, authorize additional circuit judges to be chosen. Every circuit judge shall reside in the circuit from which he is elected, and shall hold his office for such term and receive such compensation as the legislature shall prescribe. [*1921 SJR–24; 1923 SJR–27; 1923 c. 408*]

Circuit judges, election. SECTION 7. [*As amended April 1897*] For each circuit there shall be chosen by the qualified electors thereof, one circuit judge, except that in any circuit composed of one county only, which county shall contain a population, according to the last state or United States census, of one hundred thousand inhabitants or over, the legislature may from time to time authorize additional circuit judges to be chosen. Every circuit judge shall reside in the circuit from which he is elected and shall hold his office for such term and receive such compensation as the legislature shall prescribe. [*1895 SJR–9; 1897 SJR–10; 1897 c. 69*]

Circuit judges, election. SECTION 7. [*Original form*] For each circuit there shall be a judge chosen by the qualified electors therein, who shall hold his office as is provided in this constitution, and until his successor shall be chosen and qualified; and after he shall have been elected, he shall reside in the circuit for which he was elected. One of said judges shall be designated as chief justice in such manner as the legislature shall provide. And the legislature shall at its first session provide by law as well for the election of, as for classifying the judges of the circuit court to be elected under this constitution, in such manner that one of said judges shall go out of office in two years, one in three years, one in four years, one in five years and one in six years, and thereafter the judge elected to fill the office shall hold the same for six years.

Circuit court: jurisdiction. SECTION 8. [*As amended April 1977*] Except as otherwise provided by law, the circuit court shall have original jurisdiction in all matters civil and criminal within this state and such appellate jurisdiction in the circuit as the legislature may prescribe by law. The circuit court may issue all writs necessary in aid of its jurisdiction. [*1975 AJR–11; 1977 SJR–9*]

Circuit court, jurisdiction. SECTION 8. [*Original form*] The circuit courts shall have original jurisdiction in all matters civil and criminal within this state, not excepted in this constitution, and not hereafter prohibited by law; and appellate jurisdiction from all inferior courts and tribunals, and a supervisory control over the same. They shall also have the power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and all other writs necessary to carry into effect their orders, judgments and decrees, and give them a general control over inferior courts and jurisdictions.

Judicial elections, vacancies. SECTION 9. [*As amended April 1977*] When a vacancy occurs in the office of justice of the supreme court or judge of any court of record, the vacancy shall be filled by appointment by the governor, which shall continue until a successor is elected and qualified. There shall be no election for a justice or judge at the partisan general election for state or county officers, nor within 30 days either before or after such election. [*1975 AJR–11; 1977 SJR–9*]

Vacancies; judicial elections. SECTION 9. [*As amended April 1953*] When a vacancy shall happen in the office of judge of the supreme or circuit courts, such vacancy shall be filled by an appointment of the governor, which shall continue until a successor is elected and qualified; and a supreme court justice when so elected shall hold his office for a term of 10 years and a circuit judge when so elected shall hold his office for such term as the legislature prescribes for circuit judges elected under section seven of this article. There shall be no election for a judge or judges at any general election for state or county officers, nor within 30 days either before or after such election. [*1951 SJR–3; 1953 SJR–5*]

Vacancies; judicial elections. SECTION 9. [*Original form*] When a vacancy shall happen in the office of judge of the supreme or circuit courts, such vacancy shall be filled by an appointment of the governor, which shall continue until a successor is elected and qualified; and when elected such successor shall hold his office the residue of the unexpired term. There shall be no election for a judge or judges at any general election for state or county officers, nor within thirty days either before or after such election.

Judges: eligibility to office. SECTION 10. [*As amended April 1977*] (1) No justice of the supreme court or judge of any court of record shall hold any other office of public trust, except a judicial office, during the term for which elected. No person shall be eligible to the office of judge who

shall not, at the time of election or appointment, be a qualified elector within the jurisdiction for which chosen.

(2) Justices of the supreme court and judges of the courts of record shall receive such compensation as the legislature may authorize by law, but may not receive fees of office. *[1975 AJR-11; 1977 SJR-9]*

Compensation and qualifications of judges. SECTION 10. *[As amended November 1912]* Each of the judges of the supreme and circuit courts shall receive a salary, payable at such time as the legislature shall fix, of not less than one thousand five hundred dollars annually; they shall receive no fees of office, or other compensation than their salary; they shall hold no office of public trust, except a judicial office, during the term for which they are respectively elected, and all votes for either of them for any office, except a judicial office, given by the legislature or the people, shall be void. No person shall be eligible to the office of judge who shall not, at the time of his election, be a citizen of the United States and have attained the age of twenty-five years, and be a qualified elector within the jurisdiction for which he may be chosen. *[1909 AJR-36; 1911 AJR-26; 1911 c. 665]*

Compensation and qualifications of judges. SECTION 10. *[Original form]* Each of the judges of the supreme and circuit courts shall receive a salary, payable quarterly, of not less than one thousand five hundred dollars annually; they shall receive no fees of office, or other compensation than their salaries; they shall hold no office of public trust, except a judicial office, during the term for which they are respectively elected, and all votes for either of them for any office, except a judicial office, given by the legislature or the people, shall be void. No person shall be eligible to the office of judge, who shall not, at the time of his election, be a citizen of the United States, and have attained the age of twenty-five years, and be a qualified elector within the jurisdiction for which he may be chosen.

SECTION 11. *[Repealed. 1975 AJR-11; 1977 SJR-9; vote April 1977]*

Terms of courts; change of judges. SECTION 11. *[Original form]* The supreme court shall hold at least one term annually, at the seat of government of the state, at such time as shall be provided by law. And the legislature may provide for holding other terms and at other places when they may deem it necessary. A circuit court shall be held at least twice in each year in each county of this state organized for judicial purposes. The judges of the circuit court may hold courts for each other, and shall do so when required by law.

Disciplinary proceedings. SECTION 11. *[Created April 1977]* Each justice or judge shall be subject to reprimand, censure, suspension, removal for cause or for disability, by the supreme court pursuant to procedures established by the legislature by law. No justice or judge removed for cause shall be eligible for reappointment or temporary service. This section is alternative to, and cumulative with, the methods of removal provided in sections 1 and 13 of this article and section 12 of article XIII. *[1975 AJR-11; 1977 SJR-9]*

Clerks of circuit and supreme courts. SECTION 12. *[As amended November 1882]* There shall be a clerk of the circuit court chosen in each county organized for judicial purposes by the qualified electors thereof, who shall hold his office for two years, subject to removal as shall be provided by law; in case of a vacancy, the judge of the circuit court shall have power to appoint a clerk until the vacancy shall be filled by an election; the clerk thus elected or appointed shall give such security as the legislature may require. The supreme court shall appoint its own clerk, and a clerk of the circuit court may be appointed a clerk of the supreme court. *[1881 AJR-16; 1882 SJR-20; 1882 c. 290]*

Clerks of courts. SECTION 12. *[Original form]* There shall be a clerk of the circuit court chosen in each county organized for judicial purposes, by the qualified electors thereof, who shall hold his office for two years, subject to removal, as shall be provided by law. In case of a vacancy, the judge of the circuit court shall have the power to appoint a clerk until the vacancy shall be filled by an election. The clerk thus elected or appointed shall give such security as the legislature may require; and when elected shall hold his office for a full term. The supreme court shall appoint its own clerk, and the clerk of a circuit court may be appointed clerk of the supreme court.

Justices and judges: removal by address. SECTION 13. *[As amended April 1977]* Any justice or judge may be removed from office by address of both houses of the legislature, if two-thirds of all the members elected to each house concur therein, but no removal shall be made by virtue of this section unless the justice or judge complained of is served with a copy of the charges, as the ground of address, and has had an opportunity of being heard. On the question of removal, the ayes and noes shall be entered on the journals. *[1975 AJR-11; 1977 SJR-9]*

Removal of judges. SECTION 13. *[As amended April 1974]* Any judge of the supreme, circuit, county or municipal court may be removed from office by address of both houses of the legislature, if two-thirds of all the members elected to each house concur therein, but no removal shall be made by virtue of this section unless the judge complained of shall have been served with a copy of the charges against him, as the ground of address, and shall have had an opportunity of being heard in his defense. On the question of removal, the ayes and noes shall be entered on the journals. *[1971 AJR-31; 1973 AJR-55]*

Removal of judges. SECTION 13. *[Original form]* Any judge of the supreme or circuit court may be removed from office by address of both houses of the legislature, if two-thirds of all the members elected to each house concur therein, but no removal shall be made by virtue of this section unless the judge complained of shall have been served with a copy of the charges against him, as the ground of address, and shall have had an opportunity of being heard in his defense. On the question of removal, the ayes and noes shall be entered on the journals.

Municipal court. SECTION 14. *[As amended April 1977]* The legislature by law may authorize each city, village and town to establish a municipal court. All municipal courts shall have uniform jurisdiction limited to actions and proceedings arising under ordinances of the municipality in which established. Judges of municipal courts may receive such compensation as provided by the municipality in which established, but may not receive fees of office. *[1975 AJR–11; 1977 SJR–9]*

Judges of probate. SECTION 14. *[Original form]* There shall be chosen in each county, by the qualified electors thereof, a judge of probate, who shall hold his office for two years and until his successor shall be elected and qualified, and whose jurisdiction, powers and duties shall be prescribed by law. Provided, however, that the legislature shall have power to abolish the office of judge of probate in any county, and to confer probate powers upon such inferior courts as may be established in said county.

SECTION 15. *[Repealed. 1963 SJR–32; 1965 SJR–26; vote April 1966]*

Justices of the peace. SECTION 15. *[As amended April 1945]* The electors of the several towns at their annual town meeting, and the electors of cities and villages at their charter elections except in cities of the first class, shall, in such manner as the legislature may direct, elect justices of the peace, whose term of office shall be for 2 years and until their successors in office shall be elected and qualified. In case of an election to fill a vacancy occurring before the expiration of a full term, the justice elected shall hold for the residue of the unexpired term. Their number and classification shall be regulated by law. And the tenure of 2 years shall in no wise interfere with the classification in the first instance. The justices thus elected shall have such civil and criminal jurisdiction as shall be prescribed by law. *[1943 SJR–9; 1945 SJR–6]*

Justices of the peace. SECTION 15. *[Original form]* The electors of the several towns, at their annual town meeting, and the electors of cities and villages, at their charter elections, shall in such manner as the legislature may direct, elect justices of the peace, whose term of office shall be for two years, and until their successors in office shall be elected and qualified. In case of an election to fill a vacancy, occurring before the expiration of a full term, the justice elected shall hold for the residue of the unexpired term. Their number and classification shall be regulated by law. And the tenure of two years shall in no wise interfere with the classification in the first instance. The justices, thus elected, shall have such civil and criminal jurisdiction as shall be prescribed by law.

SECTION 16. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Tribunals of conciliation. SECTION 16. *[Original form]* The legislature shall pass laws for the regulation of tribunals of conciliation, defining their powers and duties. Such tribunals may be established in and for any township, and shall have power to render judgment to be obligatory on the parties when they shall voluntarily submit their matter in difference to arbitration, and agree to abide the judgment or assent thereto in writing.

SECTION 17. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Style of writs; indictments. SECTION 17. *[Original form]* The style of all writs and process shall be, "The state of Wisconsin;" all criminal prosecutions shall be carried on in the name and by the authority of the same, and all indictments shall conclude against the peace and dignity of the state.

SECTION 18. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Suit tax. SECTION 18. *[Original form]* The legislature shall impose a tax on all civil suits commenced or prosecuted in the municipal, inferior or circuit courts, which shall constitute a fund to be applied toward the payment of the salary of judges.

SECTION 19. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Testimony in equity suits; master in chancery. SECTION 19. *[Original form]* The testimony in causes in equity shall be taken in like manner as in cases at law, and the office of master in chancery is hereby prohibited.

SECTION 20. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]* See Art. I, sec. 21.

Rights of suitors. SECTION 20. *[Original form]* Any suitor, in any court of this state, shall have the right to prosecute or defend his suit either in his own proper person, or by an attorney or agent of his choice.

SECTION 21. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]* See Art. IV, sec. 17.

Publication of laws and decisions. SECTION 21. *[Original form]* The legislature shall provide by law for the speedy publication of all statute laws, and of such judicial decisions, made within the state, as may be deemed expedient. And no general law shall be in force until published.

SECTION 22. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Commissioners to revise code of practice. SECTION 22. *[Original form]* The legislature, at its first session after the adoption of this constitution, shall provide for the appointment of three commissioners, whose duty it shall be to inquire into, revise and simplify the rules of practice, pleadings, forms and proceedings, and arrange a system adapted to the courts of record of this state, and report the same to the legislature, subject to their modification and adoption; and such commission shall terminate upon the rendering of the report, unless otherwise provided by law.

SECTION 23. *[Repealed. 1975 AJR–11; 1977 SJR–9; vote April 1977]*

Court commissioners. SECTION 23. *[Original form]* The legislature may provide for the appointment of one or more persons in each organized county, and may vest in such persons such judicial powers as shall be prescribed by law. Provided, that said power shall not exceed that of a judge of a circuit court at chambers.

Justices and judges: eligibility for office; retirement. SECTION 24. *[As amended April 1977]* (1) To be eligible for the office of supreme court justice or judge of any court of record, a person must be an attorney licensed to practice law in this state and have been so licensed for 5 years immediately prior to election or appointment.

(2) Unless assigned temporary service under subsection (3), no person may serve as a supreme court justice or judge of a court of record beyond the July 31 following the date on which such person attains that age, of not less than 70 years, which the legislature shall prescribe by law.

(3) A person who has served as a supreme court justice or judge of a court of record may, as provided by law, serve as a judge of any court of record except the supreme court on a temporary basis if assigned by the chief justice of the supreme court. *[1975 AJR-11; 1977 SJR-9]*

Retirement and eligibility for office of justices and circuit judges. SECTION 24. *[As amended April 1968]* No person seventy years of age or over may take office as a supreme court justice or circuit judge. No person may take or hold such office unless he is licensed to practice law in this state and has been so licensed for five years immediately prior to his election or appointment. No supreme court justice or circuit judge may serve beyond the July 31 following the date on which he attains the age of seventy. A person who has served eight or more years as a supreme court justice or circuit judge may serve temporarily, on appointment by the chief justice of the supreme court or by any associate justice designated by the supreme court, as a judge of a circuit court, under such general laws as the legislature may enact. *[1965 SJR-36; 1967 SJR-96]*

Retirement and eligibility for office of justices and circuit judges. SECTION 24. *[Created April 1955]* No person seventy years of age or over may take office as a supreme court justice or circuit judge. No person may take or hold such office unless he is licensed to practice law in this state and has been so licensed for five years immediately prior to his election or appointment. No supreme court justice or circuit judge may serve beyond the end of the month in which he attains the age of seventy, but any such justice or judge may complete the term in which he is serving or to which he has been elected when this section takes effect. Any person retired under the provisions of this section may, at the request of the chief justice of the supreme court, serve temporarily as a circuit judge and shall be compensated as the legislature provides. This section shall take effect on July first following the referendum at which it is approved. *[1953 SJR-6; 1955 SJR-10]*

ARTICLE VIII.
FINANCE

Rule of taxation uniform; income, privilege and occupation taxes. SECTION 1. *[As amended April 1974]* The rule of taxation shall be uniform but the legislature may empower cities, villages or towns to collect and return taxes on real estate located therein by optional methods. Taxes shall be levied upon such property with such classifications as to forests and minerals including or separate or severed from the land, as the legislature shall prescribe. Taxation of agricultural land and undeveloped land, both as defined by law, need not be uniform with the taxation of each other nor with the taxation of other real property. Taxation of merchants' stock-in-trade, manufacturers' materials and finished products, and livestock need not be uniform with the taxation of real property and other personal property, but the taxation of all such merchants' stock-in-trade, manufacturers' materials and finished products and livestock shall be uniform, except that the legislature may provide that the value thereof shall be determined on an average basis. Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided. *[1971 AJR-2; 1973 AJR-1]*

Rule of taxation uniform; income, privilege and occupation taxes. SECTION 1. *[As amended April 1961]* The rule of taxation shall be uniform but the legislature may empower cities, villages or towns to collect and return taxes on real estate located therein by optional methods. Taxes shall be levied upon such property with such classifications as to forests and minerals including or separate or severed from the land, as the legislature shall prescribe. Taxation of merchants' stock-in-trade, manufacturers' materials and finished products, and livestock need not be uniform with the taxation of real property and other personal property, but the taxation of all such merchants' stock-in-trade, manufacturers' materials and finished products and livestock shall be uniform, except that the legislature may provide that the value thereof shall be determined on an average basis. Taxes may also be imposed on incomes; privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided. *[1959 AJR-120; 1961 SJR-34]*

Rule of taxation uniform; income, privilege and occupation taxes. SECTION 1. *[As amended April 1941]*. The rule of taxation shall be uniform but the legislature may empower cities, villages or towns to collect and return taxes on real estate located therein by optional methods. Taxes shall be levied upon such property with such classifications as to forests and minerals including or separate or severed from the land, as the legislature shall prescribe. Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided. *[1939 AJR-37; 1941 AJR-15]*

Rules of taxation; income taxes. SECTION 1. *[As amended April 1927]* The rule of taxation shall be uniform, and taxes shall be levied upon such property with such classifications as to forests and minerals, including or separate or severed from the land, as the legislature shall prescribe. Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and

reasonable exemptions may be provided. [*1925 AJR–51; 1927 AJR–3*]

Uniform rule of taxation; income tax. SECTION 1. [*As amended November 1908*] The rule of taxation shall be uniform, and taxes shall be levied upon such property as the legislature shall prescribe. Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided. [*1905 AJR–12; 1907 SJR–19; 1907 c. 661*]

Uniform rule of taxation. SECTION 1. [*Original form*] The rule of taxation shall be uniform, and taxes shall be levied upon such property as the legislature shall prescribe.

Appropriation; limitation. SECTION 2. [*As amended November 1877*] No money shall be paid out of the treasury except in pursuance of an appropriation by law. No appropriation shall be made for the payment of any claim against the state except claims of the United States and judgments, unless filed within six years after the claim accrued. [*1876 SJR–14; 1877 SJR–5; 1877 c. 158*]

Appropriations. SECTION 2. [*Original form*] No money shall be paid out of the treasury, except in pursuance of an appropriation by law.

Credit of state. SECTION 3. [*As amended April 1975*] Except as provided in s. 7 (2) (a), the credit of the state shall never be given, or loaned, in aid of any individual, association or corporation. [*1973 AJR–145; 1975 AJR–1*]

Credit of state. SECTION 3. [*Original form*] The credit of the state shall never be given, or loaned, in aid of any individual, association or corporation.

Contracting state debts. SECTION 4. The state shall never contract any public debt except in the cases and manner herein provided.

Annual tax levy to equal expenses. SECTION 5. The legislature shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year, and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses of such ensuing year.

Public debt for extraordinary expense; taxation. SECTION 6. For the purpose of defraying extraordinary expenditures the state may contract public debts (but such debts shall never in the aggregate exceed one hundred thousand dollars). Every such debt shall be authorized by law, for some purpose or purposes to be distinctly specified therein; and the vote of a majority of all the members elected to each house, to be taken by yeas and nays, shall be necessary to the passage of such law; and every such law shall provide for levying an annual tax sufficient to pay the annual interest of such debt and the principal within five years from the passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished, until the principal and interest of such debt shall have been wholly paid.

Public debt for public defense; bonding for public purposes. SECTION 7. [*As amended April 1975*] (1) The legislature may also borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

(2) Any other provision of this constitution to the contrary notwithstanding:

(a) The state may contract public debt and pledges to the payment thereof its full faith, credit and taxing power:

1. To acquire, construct, develop, extend, enlarge or improve land, waters, property, highways, buildings, equipment or facilities for public purposes.

2. To make funds available for veterans' housing loans.

(b) The aggregate public debt contracted by the state in any calendar year pursuant to paragraph (a) shall not exceed an amount equal to the lesser of:

1. Three-fourths of one per centum of the aggregate value of all taxable property in the state; or

2. Five per centum of the aggregate value of all taxable property in the state less the sum of: a. the aggregate public debt of the state contracted pursuant to this section outstanding as of January 1 of such calendar year after subtracting therefrom the amount of sinking funds on hand on January 1 of such calendar year which are applicable exclusively to repayment of such outstanding public debt and, b. the outstanding indebtedness as of January 1 of such calendar year

of any entity of the type described in paragraph (d) to the extent that such indebtedness is supported by or payable from payments out of the treasury of the state.

(c) The state may contract public debt, without limit, to fund or refund the whole or any part of any public debt contracted pursuant to paragraph (a), including any premium payable with respect thereto and any interest to accrue thereon, or to fund or refund the whole or any part of any indebtedness incurred prior to January 1, 1972, by any entity of the type described in paragraph (d), including any premium payable with respect thereto and any interest to accrue thereon.

(d) No money shall be paid out of the treasury, with respect to any lease, sublease or other agreement entered into after January 1, 1971, to the Wisconsin State Agencies Building Corporation, Wisconsin State Colleges Building Corporation, Wisconsin State Public Building Corporation, Wisconsin University Building Corporation or any similar entity existing or operating for similar purposes pursuant to which such nonprofit corporation or such other entity undertakes to finance or provide a facility for use or occupancy by the state or an agency, department or instrumentality thereof.

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

(f) The full faith, credit and taxing power of the state are pledged to the payment of all public debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and instalments of principal of all such public debt as the same falls due, but, in any event, suit may be brought against the state to compel such payment.

(g) At any time after January 1, 1972, by vote of a majority of the members elected to each of the 2 houses of the legislature, the legislature may declare that an emergency exists and submit to the people a proposal to authorize the state to contract a specific amount of public debt for a purpose specified in such proposal, without regard to the limit provided in paragraph (b). Any such authorization shall be effective if approved by a majority of the electors voting thereon. Public debt contracted pursuant to such authorization shall thereafter be deemed to have been contracted pursuant to paragraph (a), but neither such public debt nor any public debt contracted to fund or refund such public debt shall be considered in computing the debt limit provided in paragraph (b). Not more than one such authorization shall be thus made in any 2-year period. *[1973 AJR-145; 1975 AJR-1]*

Public debt for public defense; bonding for public purposes. SECTION 7. *[As amended April 1969]* (1) The legislature may also borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

(2) Any other provision of this constitution to the contrary notwithstanding:

(a) The state may contract public debt and pledges to the payment thereof its full faith, credit and taxing power to acquire, construct, develop, extend, enlarge or improve land, waters, property, highways, buildings, equipment or facilities for public purposes.

(b) The aggregate public debt contracted by the state in any calendar year pursuant to paragraph (a) shall not exceed an amount equal to the lesser of:

1. Three-fourths of one per centum of the aggregate value of all taxable property in the state; or

2. Five per centum of the aggregate value of all taxable property in the state less the sum of: a. the aggregate public debt of the state contracted pursuant to this section outstanding as of January 1 of such calendar year after subtracting therefrom the amount of sinking funds on hand on January 1 of such calendar year which are applicable exclusively to repayment of such outstanding public debt and, b. the outstanding indebtedness as of January 1 of such calendar year of any entity of the type described in paragraph (d) to the extent that such indebtedness is supported by or payable from payments out of the treasury of the state.

(c) The state may contract public debt, without limit, to fund or refund the whole or any part of any public debt contracted pursuant to paragraph (a), including any premium payable with respect thereto and any interest to accrue thereon, or to fund or refund the whole or any part of any indebtedness incurred prior to January 1, 1972, by any entity of the type described in paragraph (d), including any premium payable with respect thereto and any interest to accrue thereon.

(d) No money shall be paid out of the treasury, with respect to any lease, sublease or other agreement entered into after January 1, 1971, to the Wisconsin State Agencies Building Corporation, Wisconsin State Colleges Building Corporation, Wisconsin State Public Building Corporation, Wisconsin University Building Corporation or any similar entity existing or operating for similar purposes pursuant to which such nonprofit corporation or such other entity undertakes to finance or provide a facility for use or occupancy

by the state or an agency, department or instrumentality thereof.

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

(f) The full faith, credit and taxing power of the state are pledged to the payment of all public debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and instalments of principal of all such public debt as the same falls due, but, in any event, suit may be brought against the state to compel such payment.

(g) At any time after January 1, 1972, by vote of a majority of the members elected to each of the 2 houses of the legislature, the legislature may declare that an emergency exists and submit to the people a proposal to authorize the state to contract a specific amount of public debt for a purpose specified in such proposal, without regard to the limit provided in paragraph (b). Any such authorization shall be effective if approved by a majority of the electors voting thereon. Public debt contracted pursuant to such authorization shall thereafter be deemed to have been contracted pursuant to paragraph (a), but neither such public debt nor any public debt contracted to fund or refund such public debt shall be considered in computing the debt limit provided in paragraph (b). Not more than one such authorization shall be thus made in any 2-year period. [*1967 AJR–1; 1969 AJR–1*]

Public debt for public defense. SECTION 7. [*Original form*] The legislature may also borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

Vote on fiscal bills; quorum. SECTION 8. On the passage in either house of the legislature of any law which imposes, continues or renews a tax, or creates a debt or charge, or makes, continues or renews an appropriation of public or trust money, or releases, discharges or commutes a claim or demand of the state, the question shall be taken by yeas and nays, which shall be duly entered on the journal; and three-fifths of all the members elected to such house shall in all such cases be required to constitute a quorum therein.

Evidences of public debt. SECTION 9. No scrip, certificate, or other evidence of state debt, whatsoever, shall be issued, except for such debts as are authorized by the sixth and seventh sections of this article.

Internal improvements. SECTION 10. [*As amended April 1968*] The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion. Provided, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways or the development, improvement and construction of airports or other aeronautical projects or the acquisition, improvement or construction of veterans' housing or the improvement of port facilities. Provided, that the state may appropriate moneys for the purpose of acquiring, preserving and developing the forests of the state; of the moneys appropriated under the authority of this section in any one year an amount not to exceed two-tenths of one mill of the taxable property of the state as determined by the last preceding state assessment may be raised by a tax on property. [*1965 SJR–28; 1967 SJR–18*]

Internal improvements. SECTION 10. [*As amended April 1960*] The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion. Provided, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways or the development, improvement and construction of airports or other aeronautical projects or the acquisition, improvement or construction of veterans' housing or the improvement of port facilities. Provided, that the state may appropriate moneys for the purpose of acquiring, preserving and developing the forests of the state; but there shall not be appropriated under the authority of this section in any one year an amount to exceed two-tenths of one mill of the taxable property of the state as determined by the last preceding state assessment. [*1957 AJR–39; 1959 SJR–20*]

Internal improvements. SECTION 10. [*As amended April 1949*] The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion. Provided, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways or the development, improvement and construction of airports or other aeronautical projects or the acquisition, improvement or construction of veterans' housing. Provided, that the state may appropriate moneys for the purpose of acquiring, preserving and developing the forests of the state; but there

shall not be appropriated under the authority of this section in any one year an amount to exceed two-tenths of one mill of the taxable property of the state as determined by the last preceding state assessment. [*1948 Spec.Sess. SJR–2; 1949 SJR–5*]

Internal improvements. SECTION 10. [*As amended April 1945*] The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works, and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion. Provided, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways or the development, improvement and construction of airports or other aeronautical projects. Provided, that the state may appropriate moneys for the purpose of acquiring, preserving and developing the forests of the state; but there shall not be appropriated under the authority of this section in any one year an amount to exceed two-tenths of one mill of the taxable property of the state as determined by the last preceding state assessment. [*1943 SJR–16; 1945 SJR–7*]

Internal improvements. SECTION 10. [*As amended November 1924*] The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works, and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion. Provided, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways. Provided, that the state may appropriate moneys for the purpose of acquiring, preserving and developing the forests of the state; but there shall not be appropriated under the authority of this section in any one year an amount to exceed two-tenths of one mill of the taxable property of the state as determined by the last preceding state assessment. [*1921 SJR–30; 1923 AJR–70; 1923 c. 289*]

Water power and forests. SECTION 10. [*Approved by voters November 1910*] An amendment to Art. VIII, sec. 10, authorizing a state property tax of two-tenths of one mill to finance appropriations for acquisition and development of water power and forests was approved by 1907 SJR–43. *There was no "second consideration" resolution but 1909 SB–553 enacted the proposal into law as Chap. 514, Laws of 1909. The procedure was declared invalid by the Supreme Court in State ex rel. Owen v. Donald,* 160 W 21, 151 NW 331.

Public highways. [*As amended November 1908, a new sentence was added at the end of the section*] Provided, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways. [*1905 SJR–14; 1907 SJR–22; 1907 c. 238*]

Internal improvements. SECTION 10. [*Original form*] The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works, but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvements, the state may carry on such particular works, and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

ARTICLE IX.
EMINENT DOMAIN AND PROPERTY OF THE STATE

Jurisdiction on rivers and lakes; navigable waters. SECTION 1. The state shall have concurrent jurisdiction on all rivers and lakes bordering on this state so far as such rivers or lakes shall form a common boundary to the state and any other state or territory now or hereafter to be formed, and bounded by the same; and the river Mississippi and the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the state as to the citizens of the United States, without any tax, impost or duty therefor.

Territorial property. SECTION 2. The title to all lands and other property which have accrued to the territory of Wisconsin by grant, gift, purchase, forfeiture, escheat or otherwise shall vest in the state of Wisconsin.

Ultimate property in lands; escheats. SECTION 3. The people of the state, in their right of sovereignty, are declared to possess the ultimate property, in and to all lands within the jurisdiction of the state; and all lands the title to which shall fall from a defect of heirs shall revert or escheat to the people.

ARTICLE X.
EDUCATION

Superintendent of public instruction. SECTION 1. [*As amended November 1982*] The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold office for 4 years from the succeeding first Monday in July. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law. [*1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1*]

Superintendent of public instruction. SECTION 1. *[As amended November 1902]* The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold his office for four years from the succeeding first Monday in July. The state superintendent chosen at the general election in November, 1902, shall hold and continue in his office until the first Monday in July, 1905, and his successor shall be chosen at the time of the judicial election in April, 1905. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law. *[1899 SJR–21; 1901 SJR–24; 1901 c. 258]*

Superintendent of public instruction. SECTION 1. *[Original form]* The supervision of public instruction shall be vested in a state superintendent, and such other officers as the legislature shall direct. The state superintendent shall be chosen by the qualified electors of the state, in such manner as the legislature shall provide; his powers, duties and compensation shall be prescribed by law. Provided, that his compensation shall not exceed the sum of twelve hundred dollars annually.

School fund created; income applied. SECTION 2. *[As amended November 1982]* The proceeds of all lands that have been or hereafter may be granted by the United States to this state for educational purposes (except the lands heretofore granted for the purpose of a university) and all moneys and the clear proceeds of all property that may accrue to the state by forfeiture or escheat; and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, and all moneys arising from any grant to the state where the purposes of such grant are not specified, and the 500,000 acres of land to which the state is entitled by the provisions of an act of congress, entitled 'An act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights,' approved September 4, 1841; and also the 5 percent of the net proceeds of the public lands to which the state shall become entitled on admission into the union (if congress shall consent to such appropriation of the 2 grants last mentioned) shall be set apart as a separate fund to be called 'the school fund,' the interest of which and all other revenues derived from the school lands shall be exclusively applied to the following objects, to wit:

(1) To the support and maintenance of common schools, in each school district, and the purchase of suitable libraries and apparatus therefor.

(2) The residue shall be appropriated to the support and maintenance of academies and normal schools, and suitable libraries and apparatus therefor. *[1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1]*

School fund created; income applied. SECTION 2. *[Original form]* The proceeds of all lands that have been or hereafter may be granted by the United States to this state for educational purposes (except the lands heretofore granted for the purpose of a university) and all moneys and the clear proceeds of all property that may accrue to the state by forfeiture or escheat, and all moneys which may be paid as an equivalent for exemption from military duty; and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, and all moneys arising from any grant to the state where the purposes of such grant are not specified, and the five hundred thousand acres of land to which the state is entitled by the provisions of an act of congress, entitled "An act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights," approved the fourth day of September, one thousand eight hundred and forty-one; and also the five per centum of the net proceeds of the public lands to which the state shall become entitled on her admission into the union (if congress shall consent to such appropriation of the two grants last mentioned) shall be set apart as a separate fund to be called "the school fund," the interest of which and all other revenues derived from the school lands shall be exclusively applied to the following objects, to wit:

1. To the support and maintenance of common schools, in each school district, and the purchase of suitable libraries and apparatus therefor.

2. The residue shall be appropriated to the support and maintenance of academies and normal schools, and suitable libraries and apparatus therefor.

District schools; tuition; sectarian instruction; released time. SECTION 3. *[As amended April 1972]* The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of 4 and 20 years; and no sectarian instruction shall be allowed therein; but the legislature by law may, for the purpose of religious instruction outside the district schools, authorize the release of students during regular school hours. *[1969 AJR–41; 1971 AJR–17]*

District schools; tuition; sectarian instruction. SECTION 3. *[Original form]* The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of four and twenty years; and no sectarian instruction shall be allowed therein.

Annual school tax. SECTION 4. Each town and city shall be required to raise by tax, annually, for the support of common schools therein, a sum not less than one-half the amount received by such town or city respectively for school purposes from the income of the school fund.

Income of school fund. SECTION 5. Provision shall be made by law for the distribution of the income of the school fund among the several towns and cities of the state for the support of

common schools therein, in some just proportion to the number of children and youth resident therein between the ages of four and twenty years, and no appropriation shall be made from the school fund to any city or town for the year in which said city or town shall fail to raise such tax; nor to any school district for the year in which a school shall not be maintained at least three months.

State university; support. SECTION 6. Provision shall be made by law for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state as the interests of education may require. The proceeds of all lands that have been or may hereafter be granted by the United States to the state for the support of a university shall be and remain a perpetual fund to be called "the university fund," the interest of which shall be appropriated to the support of the state university, and no sectarian instruction shall be allowed in such university.

Commissioners of public lands. SECTION 7. The secretary of state, treasurer and attorney general, shall constitute a board of commissioners for the sale of the school and university lands and for the investment of the funds arising therefrom. Any two of said commissioners shall be a quorum for the transaction of all business pertaining to the duties of their office.

Sale of public lands. SECTION 8. Provision shall be made by law for the sale of all school and university lands after they shall have been appraised; and when any portion of such lands shall be sold and the purchase money shall not be paid at the time of the sale, the commissioners shall take security by mortgage upon the lands sold for the sum remaining unpaid, with seven per cent interest thereon, payable annually at the office of the treasurer. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands, and to discharge any mortgages taken as security, when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other university and school funds, in such manner as the legislature shall provide, and shall give such security for the faithful performance of their duties as may be required by law.

ARTICLE XI.
CORPORATIONS

Corporations; how formed. SECTION 1. *[As amended April 1981]* Corporations without banking powers or privileges may be formed under general laws, but shall not be created by special act, except for municipal purposes. All general laws or special acts enacted under the provisions of this section may be altered or repealed by the legislature at any time after their passage. *[1979 AJR-53; 1981 AJR-13]*

Corporations; how formed. SECTION 1. *[Original form]* Corporations without banking powers or privileges may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the legislature, the objects of the corporation cannot be attained under general laws. All general laws or special acts enacted under the provisions of this section may be altered or repealed by the legislature at any time after their passage.

Property taken by municipality. SECTION 2. *[As amended April 1961]* No municipal corporation shall take private property for public use, against the consent of the owner, without the necessity thereof being first established in the manner prescribed by the legislature. *[1959 AJR-22; 1961 SJR-8]*

Property taken by municipality. SECTION 2. *[Original form]* No municipal corporation shall take private property for public use, against the consent of the owner, without the necessity thereof being first established by the verdict of a jury.

Municipal home rule; debt limit; tax to pay debt. SECTION 3. *[As amended April 1981]* (1) Cities and villages organized pursuant to state law may determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or every village. The method of such determination shall be prescribed by the legislature.

(2) No county, city, town, village, school district, sewerage district or other municipal corporation may become indebted in an amount that exceeds an allowable percentage of the taxable property located therein equalized for state purposes as provided by the legislature. In all cases the allowable percentage shall be 5 percent except as specified in pars. (a) and (b):

(a) For any city authorized to issue bonds for school purposes, an additional 10 percent shall be permitted for school purposes only, and in such cases the territory attached to the city for school purposes shall be included in the total taxable property supporting the bonds issued for school purposes.

(b) For any school district which offers no less than grades one to 12 and which at the time of incurring such debt is eligible for the highest level of school aids, 10 percent shall be permitted.

(3) Any county, city, town, village, school district, sewerage district or other municipal corporation incurring any indebtedness under sub. (2) shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within 20 years from the time of contracting the same.

(4) When indebtedness under sub. (2) is incurred in the acquisition of lands by cities, or by counties or sewerage districts having a population of 150,000 or over, for public, municipal purposes, or for the permanent improvement thereof, or to purchase, acquire, construct, extend, add to or improve a sewage collection or treatment system which services all or a part of such city or county, the city, county or sewerage district incurring the indebtedness shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding 50 years from the time of contracting the same.

(5) An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village, city or special district, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village, city or special district, and shall not be included in arriving at the debt limitation under sub. (2). *[1979 SJR-28; 1981 SJR-5]*

Municipal home rule; debt limit; tax to pay debt. SECTION 3. *[As amended April 1966]* Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district or other municipal corporation may become indebted in an amount that exceeds an allowable percentage of the taxable property located therein equalized for state purposes as provided by the legislature. In all cases the allowable percentage shall be five per centum except as follows: (a) For any city authorized to issue bonds for school purposes, an additional ten per centum shall be permitted for school purposes only, and in such cases the territory attached to the city for school purposes shall be included in the total taxable property supporting the bonds issued for school purposes. (b) For any school district which offers no less than grades one to twelve and which at the time of incurring such debt is eligible for the highest level of school aids, ten per centum shall be permitted. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village, city or special district, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village, city or special district, and shall not be included in arriving at such debt limitation. *[1963 SJR-59; 1965 AJR-10]*

Municipal home rule; debt limit; tax to pay debt. SECTION 3. *[As amended April 1963]* Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district or other municipal corporation may become indebted in an amount that exceeds an allowable percentage of the taxable property located therein equalized for state purposes as provided by the legislature. In all cases the allowable percentage shall be five per centum except as follows: (a) For any city authorized to issue bonds for school purposes, an additional ten per centum shall be permitted for school purposes only, and in such cases the territory attached to the city for school purposes shall be included in the total taxable property supporting the bonds issued for school purposes. (b) For any school district which offers no less than grades one to twelve and which at the time of incurring such debt is eligible for the highest level of school aids, ten per centum shall be permitted. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax suffi-

cient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such five or eight per centum debt limitation. *[1961 AJR-92; 1963 AJR-19]*

Municipal home rule; debt limit; tax to pay debt. SECTION 3. *[As amended April 1961]* Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained, other than for school districts and counties having a population of 500,000 or over, by the last assessment for state and county taxes previous to the incurring of such indebtedness and for school districts and counties having a population of 500,000 or over by the value of such property as equalized for state purposes; except that for any city which is authorized to issue bonds for school purposes the total indebtedness of such city shall not exceed in the aggregate eight per centum of the value of such property as equalized for state purposes and except that for any school district offering no less than grades one to twelve and which is at the time of incurring such debt eligible for the highest level of school aids, the total indebtedness of such school district shall not exceed ten per centum of the value of such property as equalized for state purposes; the manner and method of determining such equalization for state purposes to be provided by the legislature. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such five or eight per centum debt limitation. *[1959 SJR-6; 1961 AJR-1]*

Municipal home rule; debt limit; tax to pay debt. SECTION 3. *[As amended November 1960]* Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained, other than for school districts and counties having a population of 500,000 or over, by the last assessment for state and county taxes previous to the incurring of such indebtedness and for school districts and counties having a population of 500,000 or over by the value of such property as equalized for state purposes; except that for any city which is authorized to issue bonds for school purposes the total indebtedness of such city shall not exceed in the aggregate eight per centum of the value of such property as equalized for state purposes; the manner and method of determining such equalization for state purposes to be provided by the legislature. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. Providing, that an indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such five or eight per centum debt limitation. *[1957 SJR-47; 1959 SJR-53]*

Municipal home rule; debt limit; tax to pay debt. SECTION 3. *[As amended April 1955]* Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained, other than for school district, by the last assessment for state and county taxes previous to the incurring of such indebtedness and for school districts by the value of such property as equalized for state purposes; except that for any city which is authorized to issue bonds for school purposes the total indebtedness of such city shall not exceed in the aggregate eight per centum of the value of such property as equalized for state purposes; the manner and method of determining such equalization for state purposes to be provided by the legislature. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand

or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. Providing, that an indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such five or eight per centum debt limitation. [*1953 SJR–17; 1955 AJR–18*]

Municipal home rule; debt limit; tax to pay debt. SECTION 3. [*As amended April 1951*] Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding 5 per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness; except that for any city which is authorized to issue bonds for school purposes the total indebtedness of such city shall not exceed in the aggregate 8 per centum of the value of such property. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within 20 years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of 150,000 or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding 50 years from the time of contracting the same. Providing, that an indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such 5 or 8 per centum debt limitation. [*1949 SJR–11; 1951 SJR–9*]

Municipal home rule; debt limit; tax to pay debt. SECTION 3. [*As amended November 1932*] Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. Providing, that an indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such five per centum debt limitation. [*1929 AJR–61; 1931 AJR–14*]

Municipal home rule; debt limit; tax to pay debt. SECTION 3. [*As amended November 1924*] Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. [*1921 SJR–5; 1923 SJR–18; 1923 c. 203*]

Organization of cities and villages. SECTION 3. [*As amended November 1912*] It shall be the duty of the legislature, and they are hereby empowered to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient

to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. *[1909 SJR-32; 1911 SJR-26; 1911 c. 665]*

Municipal debt limit. *[An amendment approved by the voters in November 1874 added two new paragraphs at the end of the section]*

No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

Any county, city, town, village, school district or other municipal corporation incurring any indebtedness as aforesaid, shall before or at the time of doing so provide for the collection of a direct annual tax sufficient to pay the interest on said debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same. *[1872 AJR-17; 1873 SJR-6; 1874 c. 37]*

Organization of cities and villages. SECTION 3. *[Original form]* It shall be the duty of the legislature, and they are hereby empowered, to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations.

Acquisition of lands by state and subdivisions; sale of excess. SECTION 3a. *[As amended April 3, 1956]* The state or any of its counties, cities, towns or villages may acquire by gift, dedication, purchase, or condemnation lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial grounds, streets, highways, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; and after the establishment, layout, and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate, so as to protect such public works and improvements, and their environs, and to preserve the view, appearance, light, air, and usefulness of such public works. If the governing body of a county, city, town or village elects to accept a gift or dedication of land made on condition that the land be devoted to a special purpose and the condition subsequently becomes impossible or impracticable, such governing body may by resolution or ordinance enacted by a two-thirds vote of its members elect either to grant the land back to the donor or dedicator or his heirs or accept from the donor or dedicator or his heirs a grant relieving the county, city, town or village of the condition; however, if the donor or dedicator or his heirs are unknown or cannot be found, such resolution or ordinance may provide for the commencement of proceedings in the manner and in the courts as the legislature shall designate for the purpose of relieving the county, city, town or village from the condition of the gift or dedication. *[1953 SJR-29; 1955 SJR-9]*

Acquisition of lands by state and cities; sale of excess. SECTION 3a. *[Created November 1912]* The state or any of its cities may acquire by gift, purchase, or condemnation lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; and after the establishment, layout, and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate, so as to protect such public works and improvements, and their environs, and to preserve the view, appearance, light, air, and usefulness of such public works. *[1909 SJR-63; 1911 SJR-25; 1911 c. 665]*

SECTION 4. *[Repealed. 1899 AJR-16; 1901 SJR-25; 1901 c. 73; vote November 1902]*

Legislature prohibited from incorporating banks. SECTION 4. *[Original form]* The legislature shall not have power to create, authorize or incorporate, by any general, or special law, any bank, or banking power or privilege, or any institution or corporation having any banking power or privilege whatever, except as provided in this article.

SECTION 5. *[Repealed. 1899 AJR-16; 1901 SJR-25; 1901 c. 73; vote November 1902]*

Referendum on banking laws. SECTION 5. *[Original form]* The legislature may submit to the voters, at any general election, the question of "bank," or "no bank," and if at any such election a number of votes equal to a majority of all the votes cast at such election on that subject shall be in favor of banks, then the legislature shall have power to grant bank charters, or to pass a general banking law, with such restrictions and under such regulations as they may deem expedient and proper for the security of the bill holders. Provided, that no such grant or law shall have any force or effect until the same shall have been submitted to a vote of the electors of the state, at some general election, and been approved by a majority of the votes cast on that subject at such election.

General banking law. SECTION 4. *[As amended April 1981]* The legislature may enact a general banking law for the creation of banks, and for the regulation and supervision of the banking business. *[1979 AJR-53; 1981 AJR-13]*

General banking law. SECTION 4. [*Created November 1902. This section was proposed and adopted as a substitute for sections 4 and 5 of this article, above*] The legislature shall have power to enact a general banking law for the creation of banks, and for the regulation and supervision of the banking business, provided that the vote of two-thirds of all the members elected to each house, to be taken by yeas and nays, be in favor of the passage of such law. [*1899 AJR–16; 1901 SJR–25; 1901 c. 73*]

ARTICLE XII.
AMENDMENTS

Constitutional amendments. SECTION 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the legislature to be chosen at the next general election, and shall be published for three months previous to the time of holding such election; and if, in the legislature so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors voting thereon, such amendment or amendments shall become part of the constitution; provided that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendment separately.

Constitutional conventions. SECTION 2. If at any time a majority of the senate and assembly shall deem it necessary to call a convention to revise or change this constitution, they shall recommend to the electors to vote for or against a convention at the next election for members of the legislature. And if it shall appear that a majority of the electors voting thereon have voted for a convention, the legislature shall, at its next session, provide for calling such convention.

ARTICLE XIII.
MISCELLANEOUS PROVISIONS

Political year; elections. SECTION 1. [*As amended November 1884*] The political year for the state of Wisconsin shall commence on the first Monday in January in each year, and the general election shall be holden on the Tuesday next succeeding the first Monday in November. The first general election for all state and county officers, except judicial officers, after the adoption of this amendment, shall be holden in the year A.D. 1884, and thereafter the general election shall be held biennially. All state, county or other officers elected at the general election in the year 1881, and whose term of office would otherwise expire on the first Monday of January in the year 1884, shall hold and continue in such offices respectively until the first Monday in January in the year 1885. [*1881 AJR–16; 1882 SJR–20; 1882 c. 290*]

Political year; general election. SECTION 1. [*Original form*] The political year for the state of Wisconsin shall commence on the first Monday in January in each year, and the general election shall be holden on the Tuesday succeeding the first Monday in November in each year.

SECTION 2. [*Repealed. 1973 SJR–6; 1975 SJR–4; vote April 1975*]

Dueling. SECTION 2. [*Original form*] Any inhabitant of this state who may hereafter be engaged, either directly or indirectly, in a duel, either as principal or accessory, shall forever be disqualified as an elector, and from holding any office under the constitution and laws of this state, and may be punished in such other manner as shall be prescribed by law.

Eligibility to office. SECTION 3. No member of congress, nor any person holding any office of profit or trust under the United States (postmasters excepted) or under any foreign power; no person convicted of any infamous crime in any court within the United States; and no person being a defaulter to the United States or to this state, or to any county or town therein, or to any state or territory within the United States, shall be eligible to any office of trust, profit or honor in this state.

Great seal. SECTION 4. It shall be the duty of the legislature to provide a great seal for the state, which shall be kept by the secretary of state, and all official acts of the governor, his approbation of the laws excepted, shall be thereby authenticated.

Residents on Indian lands, where to vote. SECTION 5. All persons residing upon Indian lands, within any county of the state, and qualified to exercise the right of suffrage under the constitution, shall be entitled to vote at the polls which may be held nearest their residence, for state, United States or county officers. Provided, that no person shall vote for county officers out of the county in which he resides.

Legislative officers. SECTION 6. The elective officers of the legislature, other than the presiding officers, shall be a chief clerk and a sergeant at arms, to be elected by each house.

Division of counties. SECTION 7. No county with an area of nine hundred square miles or less shall be divided or have any part stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county voting on the question shall vote for the same.

Removal of county seats. SECTION 8. No county seat shall be removed until the point to which it is proposed to be removed shall be fixed by law, and a majority of the voters of the county voting on the question shall have voted in favor of its removal to such point.

Election or appointment of statutory officers. SECTION 9. All county officers whose election or appointment is not provided for by this constitution shall be elected by the electors of the respective counties, or appointed by the boards of supervisors, or other county authorities, as the legislature shall direct. All city, town and village officers whose election or appointment is not provided for by this constitution shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof as the legislature shall designate for that purpose. All other officers whose election or appointment is not provided for by this constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people or appointed, as the legislature may direct.

Vacancies in office. SECTION 10. [*As amended April 1979*] (1) The legislature may declare the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy, where no provision is made for that purpose in this constitution.

(2) Whenever there is a vacancy in the office of lieutenant governor, the governor shall nominate a successor to serve for the balance of the unexpired term, who shall take office after confirmation by the senate and by the assembly. [*1977 SJR-51; 1979 SJR-1*]

Vacancies in office. SECTION 10. [*Original form*] The legislature may declare the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy, where no provision is made for that purpose in this constitution.

Passes, franks and privileges. SECTION 11. [*As amended November 1936*] No person, association, copartnership, or corporation, shall promise, offer or give, for any purpose, to any political committee, or any member or employe thereof, to any candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality, of this state, or to any person at the request or for the advantage of all or any of them, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

No political committee, and no member or employe thereof, no candidate for and no incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality of this state, shall ask for, or accept, from any person, association, copartnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

Any violation of any of the above provisions shall be bribery and punished as provided by law, and if any officer or any member of the legislature be guilty thereof, his office shall become vacant.

No person within the purview of this act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence.

Notaries public and regular employes of a railroad or other public utilities who are candidates for or hold public offices for which the annual compensation is not more than three hundred dollars to whom no passes or privileges are extended beyond those which are extended to

other regular employes of such corporations are excepted from the provisions of this section. [*1933 AJR-50; 1935 AJR-67*]

Free passes forbidden. SECTION 11. [*Created November 1902*] No person, association, co-partnership, or corporation, shall promise, offer or give, for any purpose, to any political committee, or any member or employee thereof, to any candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality, of this state, or to any person at the request or for the advantage of all or any of them, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

No political committee, and no member or employee thereof, no candidate for and no incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality of this state, shall ask for, or accept, from any person, association, co-partnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

Any violation of any of the above provisions shall be bribery and punished as provided by law, and if any officer or any member of the legislature be guilty thereof, his office shall become vacant.

No person within the purview of this act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence.

The railroad commissioner and his deputy in the discharge of duty are excepted from the provisions of this amendment. [*1899 SJR-12; 1901 AJR-8; 1901 c. 437*]

Recall of elective officers. SECTION 12. [*As amended April 1981*] The qualified electors of the state, of any congressional, judicial or legislative district or of any county may petition for the recall of any incumbent elective officer after the first year of the term for which the incumbent was elected, by filing a petition with the filing officer with whom the nomination petition to the office in the primary is filed, demanding the recall of the incumbent.

(1) The recall petition shall be signed by electors equaling at least twenty-five percent of the vote cast for the office of governor at the last preceding election, in the state, county or district which the incumbent represents.

(2) The filing officer with whom the recall petition is filed shall call a recall election for the Tuesday of the 6th week after the date of filing the petition or, if that Tuesday is a legal holiday, on the first day after that Tuesday which is not a legal holiday.

(3) The incumbent shall continue to perform the duties of the office until the recall election results are officially declared.

(4) Unless the incumbent declines within 10 days after the filing of the petition, the incumbent shall without filing be deemed to have filed for the recall election. Other candidates may file for the office in the manner provided by law for special elections. For the purpose of conducting elections under this section:

(a) When more than 2 persons compete for a nonpartisan office, a recall primary shall be held. The 2 persons receiving the highest number of votes in the recall primary shall be the 2 candidates in the recall election, except that if any candidate receives a majority of the total number of votes cast in the recall primary, that candidate shall assume the office for the remainder of the term and a recall election shall not be held.

(b) For any partisan office, a recall primary shall be held for each political party which is by law entitled to a separate ballot and from which more than one candidate competes for the party's nomination in the recall election. The person receiving the highest number of votes in the recall primary for each political party shall be that party's candidate in the recall election. Independent candidates and candidates representing political parties not entitled by law to a separate ballot shall be shown on the ballot for the recall election only.

(c) When a recall primary is required, the date specified under sub. (2) shall be the date of the recall primary and the recall election shall be held on the Tuesday of the 4th week after the recall primary or, if that Tuesday is a legal holiday, on the first day after that Tuesday which is not a legal holiday.

(5) The person who receives the highest number of votes in the recall election shall be elected for the remainder of the term.

(6) After one such petition and recall election, no further recall petition shall be filed against the same officer during the term for which he was elected.

(7) This section shall be self-executing and mandatory. Laws may be enacted to facilitate its operation but no law shall be enacted to hamper, restrict or impair the right of recall. [*1979 SJR-5; 1981 SJR-2*]

Recall of elective officers. SECTION 12. *[Created November 1926]* The qualified electors of the state or of any county or of any congressional, judicial or legislative district may petition for the recall of any elective officer after the first year of the term for which he was elected, by filing a petition with the officer with whom the petition for nomination to such office in the primary election is filed, demanding the recall of such officer. Such petition shall be signed by electors equal in number to at least twenty-five per cent of the vote cast for the office of governor at the last preceding election, in the state, county or district from which such officer is to be recalled. The officer with whom such petition is filed shall call a special election to be held not less than forty nor more than forty-five days from the filing of such petition. The officer against whom such petition has been filed shall continue to perform the duties of his office until the result of such special election shall have been officially declared. Other candidates for such office may be nominated in the manner as is provided by law in primary elections. The candidate who shall receive the highest number of votes shall be deemed elected for the remainder of the term. The name of the candidate against whom the recall petition is filed shall go on the ticket unless he resigns within ten days after the filing of the petition. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected. This article shall be self-executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict or impair the right of recall. *[1923 SJR-39; 1925 SJR-12; 1925 c. 270]*

ARTICLE XIV.
SCHEDULE

Effect of change from territory to state. SECTION 1. That no inconvenience may arise by reason of a change from a territorial to a permanent state government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no such change had taken place; and all process which may be issued under the authority of the territory of Wisconsin previous to its admission into the union of the United States shall be as valid as if issued in the name of the state.

Territorial laws continued. SECTION 2. All laws now in force in the territory of Wisconsin which are not repugnant to this constitution shall remain in force until they expire by their own limitation or be altered or repealed by the legislature.

SECTION 3. *[Repealed. 1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1; vote November 1982]*

Territorial fines accrue to state. SECTION 3. *[Original form]* All fines, penalties, or forfeitures accruing to the territory of Wisconsin shall enure to the use of the state.

SECTION 4. *[Repealed. 1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1; vote November 1982]*

Rights of action and prosecution saved. SECTION 4. *[Original form]* All recognizances heretofore taken, or which may be taken before the change from territorial to a permanent state government, shall remain valid, and shall pass to and may be prosecuted in the name of the state; and all bonds executed to the governor of the territory, or to any other officer or court in his or their official capacity, shall pass to the governor or state authority and their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly; and all the estate, or property, real, personal or mixed, and all judgments, bonds, specialties, choses in action and claims or debts of whatsoever description of the territory of Wisconsin, shall enure to and vest in the state of Wisconsin, and may be sued for and recovered in the same manner and to the same extent by the state of Wisconsin as the same could have been by the territory of Wisconsin. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws of the territory of Wisconsin before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the state of Wisconsin with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the territory of Wisconsin at the time of the change from a territorial to a state government may be continued and transferred to any court of the state which shall have jurisdiction of the subject matter thereof.

SECTION 5. *[Repealed. 1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1; vote November 1982]*

Existing officers hold over. SECTION 5. *[Original form]* All officers, civil and military, now holding their offices under the authority of the United States or of the territory of Wisconsin shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.

SECTION 6. *[Repealed. 1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1; vote November 1982]*

Seat of government. SECTION 6. *[Original form]* The first session of the legislature of the state of Wisconsin shall commence on the first Monday in June next, and shall be held at the village of Madison, which shall be and remain the seat of government until otherwise provided by law.

SECTION 7. *[Repealed. 1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1; vote November 1982]*

Local officers hold over. SECTION 7. *[Original form]* All county, precinct, and township officers shall continue to hold their respective offices, unless removed by the competent authority, until the legislature shall, in conformity with the provisions of this constitution, provide for the holding of elections to fill such offices respectively.

SECTION 8. *[Repealed. 1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1; vote November 1982]*

Copy of constitution for president. SECTION 8. [*Original form*] The president of this convention shall, immediately after its adjournment, cause a fair copy of this constitution, together with a copy of the act of the legislature of this territory, entitled "An act in relation to the formation of a state government in Wisconsin, and to change the time of holding the annual session of the legislature," approved October 27, 1847, providing for the calling of this convention, and also a copy of so much of the last census of this territory as exhibits the number of its inhabitants, to be forwarded to the president of the United States to be laid before the congress of the United States at its present session.

SECTION 9. [*Repealed. 1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1; vote November 1982*]

Ratification of constitution; election of officers. SECTION 9. [*Original form*] This constitution shall be submitted at an election to be held on the second Monday in March next, for ratification or rejection, to all white male persons of the age of twenty-one years or upwards, who shall then be residents of this territory and citizens of the United States, or shall have declared their intention to become such in conformity with the laws of congress on the subject of naturalization; and all persons having such qualifications shall be entitled to vote for or against the adoption of this constitution, and for all officers first elected under it. And if the constitution be ratified by the said electors it shall become the constitution of the state of Wisconsin. On such of the ballots as are for the constitution shall be written or printed the word "yes," and on such as are against the constitution the word "no." The election shall be conducted in the manner now prescribed by law, and the returns made by the clerks of the boards of supervisors or county commissioners (as the case may be) to the governor of the territory at any time before the tenth day of April next. And in the event of the ratification of this constitution by a majority of all the votes given, it shall be the duty of the governor of this territory to make proclamation of the same, and to transmit a digest of the returns to the senate and assembly of the state on the first day of their session. An election shall be held for governor, lieutenant governor, treasurer, attorney-general, members of the state legislature, and members of congress, on the second Monday of May next; and no other for further notice of such election shall be required.

SECTION 10. [*Repealed. 1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1; vote November 1982*]

Congressional apportionment. SECTION 10. [*Original form*] Two members of congress shall also be elected on the second Monday of May next; and until otherwise provided by law, the counties of Milwaukee, Waukesha, Jefferson, Racine, Walworth, Rock and Green, shall constitute the first congressional district, and elect one member; and the counties of Washington, Sheboygan, Manitowoc, Calumet, Brown, Winnebago, Fond du Lac, Marquette, Sauk, Portage, Columbia, Dodge, Dane, Iowa, LaFayette, Grant, Richland, Crawford, Chippewa, St. Croix and La Pointe, shall constitute the second congressional district, and shall elect one member.

SECTION 11. [*Repealed. 1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1; vote November 1982*]

First elections. SECTION 11. [*Original form*] The several elections provided for in this article shall be conducted according to the existing laws of the territory; provided, that no elector shall be entitled to vote except in the town, ward or precinct where he resides. The returns of election for senators and members of assembly shall be transmitted to the clerk of the board of supervisors or county commissioners, as the case may be; and the votes shall be canvassed and certificates of election issued as now provided by law. In the first senatorial district the returns of the election for senator shall be made to the proper officer in the county of Brown; in the second senatorial district to the proper officer in the county of Columbia; in the third senatorial district to the proper officer in the county of Crawford; in the fourth senatorial district to the proper officer in the county of Fond du Lac; and in the fifth senatorial district to the proper officer in the county of Iowa. The returns of election for state officers and members of congress shall be certified and transmitted to the speaker of the assembly, at the seat of government, in the same manner as the vote for delegate to congress are required to be certified and returned by the laws of the territory of Wisconsin, to the secretary of said territory, and in such time that they may be received on the first Monday in June next; and as soon as the legislature shall be organized the speaker of the assembly and the president of the senate shall, in the presence of both houses, examine the returns and declare who are duly elected to fill the several offices hereinbefore mentioned, and give to each of the persons elected a certificate of his election.

SECTION 12. [*Repealed. 1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1; vote November 1982*]

Legislative apportionment. SECTION 12. [*Original form*] Until there shall be a new apportionment, the senators and members of the assembly shall be apportioned among the several districts, as hereinafter mentioned, and each district shall be entitled to elect one senator or member of the assembly, as the case may be. [*Enumeration of districts omitted as obsolete: see R.S. 1849 pp. 40-43; R.S. 1858 pp. 49-53*]

Common law continued in force. SECTION 13. Such parts of the common law as are now in force in the territory of Wisconsin, not inconsistent with this constitution, shall be and continue part of the law of this state until altered or suspended by the legislature.

SECTION 14. [*Repealed. 1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1; vote November 1982*]

Officers, when to enter on duties. SECTION 14. [*Original form*] The senators first elected in the even-numbered senate districts, the governor, lieutenant governor and other state officers first elected under this constitution, shall enter upon the duties of their respective offices on the first Monday of June next, and shall continue in office for one year from the first Monday of January next; the senators first elected in the odd-numbered senate districts, and the members of the assembly first elected, shall enter upon their duties respectively on the first Monday of June next, and shall continue in office until the first Monday in January next.

SECTION 15. [*Repealed. 1979 AJR–76; 1981 AJR–35; submit: May'82 Spec.Sess. AJR–1; vote November 1982*]

Oath of office. SECTION 15. [*Original form*] The oath of office may be administered by any judge or justice of the peace until the legislature shall otherwise direct.

Implementing revised structure of judicial branch. SECTION 16. [*As affected November 1982*] (1), (2), (3) and (5) [*Repealed*]

(4) [*Amended*] The terms of office of justices of the supreme court serving on August 1, 1978, shall expire on the July 31 next preceding the first Monday in January on which such terms would otherwise have expired, but such advancement of the date of term expiration shall not impair any retirement rights vested in any such justice if the term had expired on the first Monday in January. [*1979 AJR-76; 1981 AJR-35; submit: May'82 Spec.Sess. AJR-1*]

Implementing revised structure of judicial branch. SECTION 16. [*Created April 1977*] (1) The 1975/1977 amendment relating to a revised structure of the judicial branch shall take effect on August 1 of the year following the year of ratification by the voters.

(2) All county courts and the branches thereof in existence on the effective date of this amendment shall, as trial courts of general uniform statewide jurisdiction, continue after such effective date with the same jurisdiction, powers and duties conferred by law upon such courts and the branches and judges thereof until the legislature by law alters or abolishes such county courts and their jurisdiction, powers and duties.

(3) Subject to the jurisdiction established in section 14 of article VII, municipal courts and municipal court judges shall continue after the effective date of this amendment with the same jurisdiction, powers and duties as conferred upon such courts and judges as of the effective date until the legislature acts under sections 2 and 14 of article VII to alter or abolish such municipal courts and their jurisdiction, powers and duties.

(4) The terms of office of justices of the supreme court serving on the effective date shall expire on the July 31 next preceding the first Monday in January on which such terms would otherwise have expired, but such advancement of the date of term expiration shall not impair any retirement rights vested in any such justice if the term had expired on the first Monday in January.

(5) Prior to the effective date of this amendment the legislature shall by law establish one or more appeals court districts, provide for the election of appeals judges in such districts, and determine the jurisdiction of the court of appeals under section 21 of article I and section 5 of article VII as affected by this amendment, so that the court of appeals shall become operative on the effective date. [*1975 AJR-11; 1977 SJR-9*]

Note: For attached resolutions and signatures see end of Constitution as printed in the *Revised Statutes* of 1849 and 1858.

HISTORY OF CONSTITUTIONAL AMENDMENTS**

Art.	Sec.	Subject	First Approval			Second Approval			Submission to People		Date of Election	Vote For	Vote Against	Total Vote for Governor
IV	4	Assemblymen, 2-year terms		Ch.95	1853		Ch.89	1854	Ch.89	1854	Nov. 1854	6,549	11,580	—[1]
IV	5	Senators, 4-year terms		"	"		"	"	"	"	"	6,348	11,885	"
IV	11	Biennial legislative sessions		"	"		"	"	"	"	"	6,752	11,589	"
V	5	Governor's salary, changed from $1,250 to $2,500 a year	SJR 35	JR 4	1861	SJR 15	JR 6	1862	Ch.202	1862	Nov. 1862	14,519	32,612	—[1]
IV	21	*Legislators' pay changed to $350 a year	SJR 26	JR 9	1865	SJR 16	JR 3	1866	Ch.25	1867	Nov. 1867	58,363	24,418	142,522
V	5	*Governor's salary, changed from $1,250 to $5,000 a year	AJR 13	JR 9	1868	SJR 6	JR 2	1869	Ch.186	1869	Nov. 1869	47,353	41,764	130,781
V	9	*Lt. governor's salary increased to $1,000 a year	"	"	"	"	"	"	"	"	"	"	"	"
I	8	*Grand jury system modified	AJR 6	JR 7	1869	SJR 3	JR 3	1870	Ch.118	1870	Nov. 1870	48,894	18,606	146,953[2]
IV	31,32	*Private and local laws, prohibited on 9 subjects	SJR 14	JR 13	1870	AJR 29	JR 1	1871	Ch.122	1871	Nov. 1871	54,087	3,675	147,274
VII	4	Supreme court, 1 chief and 4 associate justices	SJR 12	JR 2	1871	AJR 16	JR 8	1872	Ch.111	1872	Nov. 1872	16,272	29,755	—[1]
XI	3	*Indebtedness of municipalities limited to 5%	AJR 17	JR 11	1872	SJR 6	JR 4	1873	Ch.37	1874	Nov. 1874	66,061	1,509	—[1]
VII	4	*Supreme court, 1 chief and 4 associate justices	SJR 16	JR 10	1876	SJR 2	JR 1	1877	Ch.48	1877	Nov. 1877	79,140	16,763	178,122
VIII	2	*Claims against state, 6-year limit	SJR 14	JR 7	1876	SJR 5	JR 4	1877	Ch.158	1877	"	33,046	3,371	"
IV	4,5,11	*Biennial sessions; assemblymen 2-year, senators 4-year terms	SJR 9	none	1880	AJR 7	none	1881	Ch.262	1881	Nov. 1881	53,532	13,936	171,856
IV	21	*Legislators' pay changed to $500 a year	"	"	"	"	"	"	"	"	"	"	"	"
III	1	*Voting residence 30 days; in municipalities voter registration	AJR 26	none	1881	SJR 18	JR 5	1882	Ch.272	1882	Nov. 1882	36,223	5,347	—[1]
VI	4	*County officers except judicial, vacancies filled by appointment	AJR 16	none	1881	SJR 20	JR 3	1882	Ch.290	1882	"	60,091	8,089	"
VII	12	*Clerk of court, full term election	"	"	"	"	"	"	"	"	"	"	"	"
XIII	1	*Political year; biennial elections	"	"	"	"	"	"	"	"	"	"	"	"
X	1	State superintendent, qualifications and pay fixed by legislature	AJR 16	JR 34	1885	AJR 2	JR 4	1887	Ch.357	1887	Nov. 1888	12,967	18,342	354,714
VII	4	*Supreme court, composed of 5 justices of supreme court	SJR 19	JR 5	1887	AJR 7	JR 3	1889	Ch.22	1889	Apr. 1889	125,759	14,712	211,111[3]
IV	31	*Cities incorporated by general law	SJR 13	JR 4	1889	SJR 13	JR 4	1891	Ch.362	1891	Nov. 1892	15,718	9,015	371,559
X	1	State superintendent, pay fixed by law	AJR 15	JR 10	1893	SJR 7	JR 2	1895	Ch.177	1895	Nov. 1896	38,752	56,506	444,110
VIII	7	*Circuit judges, additional in populous counties	SJR 9	JR 8	1895	SJR 10	JR 9	1897	Ch.69	1897	Apr. 1897	45,823	41,513	119,572[3]
X	1	*State supt., nonpartisan election 4-year term, pay fixed by law	SJR 21	JR 16	1899	SJR 24	JR 3	1901	Ch.258	1901	Nov. 1902	71,550	57,411	365,676
XI	4	*General banking law authorized	AJR 16	JR 13	1899	SJR 25	JR 2	1901	Ch.73	1901	"	64,836	44,620	"
XI	5	*Banking law referenda requirement repealed	"	"	"	"	"	"	"	"	"	"	"	"
XIII	11	*Free passes prohibited	SJR 12	JR 8	1899	AJR 8	JR 9	1901	Ch.437	1901	"	67,781	40,697	"

HISTORY OF CONSTITUTIONAL AMENDMENTS**—Cont.

Art.	Sec.	Subject	First Approval	Second Approval	Submission to People	Date of Election	Vote For	Vote Against	Total Vote for Governor
VII	4	*Supreme court, 7 justices, 10-year terms	AJR 33 JR 8 1901	AJR 5 JR 7 1903	Ch.10 1903	Apr. 1903	51,377	39,857	114,468[3]
III	1	*Suffrage for full citizens only	AJR 16 JR 15 1905	AJR 47 JR 25 1907	Ch.661 1907	Nov. 1908	85,838	36,733	449,656
V	10	*Governor's approval of bills in 6 days	AJR 45 JR 14 1905	AJR 46 JR 13 1907	Ch.661 1907	"	85,958	27,270	"
VIII	1	*Income tax	AJR 12 JR 12 1905	SJR 19 JR 29 1907	" "	"	85,696	37,729	"
VIII	10	*Highways, appropriations for	SJR 14 JR 11 1905	SJR 22 JR18 1907	Ch.238 1907	"	116,421	46,739	"
IV	3	*Apportionment after each federal census	SJR 18 JR 30 1907	SJR 35 JR 55 1909	Ch.478 1909	Nov. 1910	54,932	52,634	319,522
IV	21	Legislators' pay $1,000 a year	AJR 8 JR 35 1907	AJR 33 JR 7 1909	Ch.508 1909	"	44,153	76,278	"
VIII	10	[5]Water power and forests, appropriations for	SJR 43 JR 31 1907	SB 553 1909	Ch.514 1909	"	62,468	45,924	"
VII	10	*Judges' salaries, time of payment	AJR 36 JR 34 1909	AJR 26 JR 24 1911	Ch.665 1911	Nov. 1912	44,855	34,865	393,849
XI	3	*City or county debt for lands, discharge within 50 years	SJR 32 JR 44 1909	SJR 26 JR 42 1911	" "	"	46,369	34,975	"
XI	3a	*Public parks, playgrounds, etc.	SJR 63 JR 38 1909	SJR 25 JR 48 1911	" "	"	48,424	33,931	"
IV	1	Initiative and referendum	AJR 36 JR 74 1911	AJR 4 JR 22 1913	Ch.770 1913	Nov. 1914	84,934	148,536	325,430
IV	21	Legislators' pay $600 a year, 2 cents a mile for additional round trips	AJR 78 JR 66 1911	AJR 8 JR 24 1913	" "	"	68,907	157,202	"
VII	6,7	Judicial circuits, decreased number, additional judges	AJR 134JR 67 1911	AJR 11 JR 26 1913	" "	"	63,311	154,827	"
VIII	new	State annuity insurance	SJR 72 JR 65 1911	AJR 38 JR 35 1913	" "	"	59,909	170,338	"
VIII	new	State insurance	AJR 119JR 56 1911	AJR 9 JR 12 1913	" "	"	58,490	165,966	"
XI	new	Home rule of cities and villages	SJR 31 JR 73 1911	SJR 19 JR 21 1913	" "	"	86,020	141,472	"
XI	new	Municipal power of excess condemnation	AJR 104JR 37 1911	AJR 10 JR 25 1913	" "	"	61,122	154,945	"
XII	1	Constitutional amendments, submission after 3/5 approval by one legislature	SJR 57 JR 71 1911	SJR 22 JR 17 1913	" "	"	71,734	160,761	"
XII	new	Constitution amended upon petition	AJR 36 JR 74 1911	AJR 4 JR 22 1913	" "	"	68,435	150,215	"
XIII	new	Recall of civil officers	SJR 9 JR 41 1911	SJR 18 JR 15 1913	" "	"	81,628	144,386	"
IV	21	Legislators' pay fixed by law	AJR 16 JR 23 1917	AJR 13 JR 37 1919	Ch.480 1919	Apr. 1920	126,243	132,258	——[1]
VII	6,7	Judicial circuits, decreased number, additional judges	AJR 74 JR 20 1917	SJR 100 JR 92 1919	Ch.604 1919	"	113,786	116,436	"
I	5	*Jury verdict, 5/6 in civil cases	AJR 26 JR 58 1919	AJR 14 JR 17 1921	Ch.504 1921	Nov. 1922	171,433	156,820	481,828
VI	4	Sheriffs, no limit on successive terms	AJR 22 JR 38 1919	AJR 39 JR 36 1921	Ch.437 1921	"	161,832	207,594	"
XI	new	Municipal indebtedness for public utilities	AJR 21 JR 54 1919	AJR 16 JR 37 1921	Ch.566 1921	"	105,234	219,639	"
IV	21	Legislators' pay $750 a year	SJR 8 JR 28 1921	SJR 5 JR 18 1923	Ch.241 1923	Apr. 1924	189,635	250,236	344,137[3]
VII	7	*Circuit judges, additional in populous counties	SJR 24 JR 24 1921	SJR 27 JR 64 1923	Ch.408 1923	Nov. 1924	240,207	226,562	796,432
VIII	10	*Forestry, appropriations for	SJR 30 JR 29 1921	AJR 70 JR 57 1923	Ch.289 1923	"	336,360	173,563	"
XI	3	*Home rule for cities and villages	SJR 5 JR 39 1921	SJR 18 JR 34 1923	Ch.203 1923	"	299,792	190,165	"
V	5	*Governor's salary fixed by law	AJR 88 JR 79 1923	AJR 50 JR 52 1925	Ch.413 1925	Nov. 1926	202,156	188,302	552,912
XIII	12	*Recall of elective officials	SJR 39 JR 39 1923	SJR 12 JR 16 1925	Ch.270 1925	"	205,868	201,125	"

NOTE: JR 41 of 1925, which became Joint Rule 16 of the Wis. legislature, established a new procedure to incorporate the "submission to the people" clause into the proposal at second approval.

Art.	Sec.	Subject	First Approval			Second Approval			Date of Election	Vote For	Vote Against	Total Vote for Governor
IV	21	Legislators' pay $1,000 for session	AJR 16	JR 33	1925	AJR 2	JR 12	1927	Apr. 1927	151,786	199,260	308,885[3]
VIII	1	*Severance tax: forests, minerals	AJR 51	JR 61	1925	AJR 3	JR 13	1927	"	179,217	141,888	"
IV	21	*Legislators' salary repealed; to be fixed by law	SJR 61	JR 57	1927	SJR 7	JR 6	1929	Apr. 1929	237,250	212,846	397,912[2]
VI	4	*Sheriffs succeeding themselves for 2 terms	AJR 8	JR 24	1927	AJR 8	JR 13	1929	"	259,881	210,964	"
V	10	*Item veto on appropriation bills	SJR 35	JR 37	1927	SJR 40	JR 43	1929	Nov. 1930	252,655	153,703	606,825
V	5	*Governor's salary provision repealed; fixed by law	SJR 81	JR 69	1929	SJR 6	JR 52	1931	Nov. 1932	452,605	275,175	1,124,502
V	9	*Lieutenant governor's salary repealed; fixed by law	SJR 82	JR 70	1929	SJR 7	JR 53	1931	"	427,768	267,120	"
VII	1	*Wording of section corrected	SJR 103	JR 72	1929	SJR 8	JR 58	1931	"	436,113	221,563	"
XI	3	*Municipal indebtedness for public utilities	AJR 61	JR 74	1929	AJR 14	JR 71	1931	"	401,194	279,631	"
III	1	*Woman suffrage	AJR 52	JR 91	1931	SJR 74	JR 76	1933	Nov. 1934	411,088	166,745	953,797
XIII	11	*Free passes, permitted as specified	AJR 50	JR 63	1933	AJR 67	JR 98	1935	Nov. 1936	365,971	361,799	1,237,095[2]
VIII	1	*Installment payment of real estate taxes	AJR 37	JR 88	1939	AJR 15	JR 18	1941	Apr. 1941	330,971	134,808	547,213[2]
VII	15	*Justice of peace, abolish office in first class cities	SJR 9	JR 27	1943	SJR 6	JR 2	1945	Apr. 1945	160,965	113,408	381,192[3]
VIII	10	*Aeronautical program	SJR 16	JR 37	1943	SJR 7	JR 3	1945	"	187,111	101,169	"
VI	4	Sheriffs, no limit on successive terms	AJR 6	JR 36	1943	AJR 10	JR 47	1945	Apr. 1946	121,144	170,131	306,354[3]
IV	33	*Auditing of state accounts	SJR 35	JR 60	1943	SJR 24	JR 73	1945	Nov. 1946	480,938	308,072	1,040,444
VI	2	*Auditing (part of same proposal)	"	"	"	"	"	"	"	"	"	"
X	3	Public transportation of school children to any school	SJR 48	JR 73	1943	SJR 19	JR 78	1945	"	437,817	545,475	"
XI	2	Repeal; relating to exercise of eminent domain by municipalities	SJR 30	JR 89	1945	SJR 15	JR 48	1947	Nov. 1948	210,086	807,318	1,266,139
II	2	Prohibition on taxing federal lands repealed	AJR 26	JR 33	1947	SJR 6	JR 2	1949	Apr. 1949	245,412	297,237	633,606[3]
VIII	10	*Veterans' housing	SJR 2	JR 1	1948	SJR 5	JR 1	1949	"	311,576	290,736	"
II	2	*Prohibition on taxing federal lands repealed	AJR 64	JR 11	1949	AJR 7	JR 7	1951	Apr. 1951	305,612	186,284	515,822[3]
XI	3	*City debt limit 8% for combined city and school purposes	SJR 11	JR 12	1949	SJR 9	JR 6	1951	"	313,739	191,897	"
IV	3,4,5	[6]Apportionment based on area and population	SJR 50	JR 59	1951	AJR 7	JR 9	1953	Apr. 1953	433,043	406,133	735,860[3]
VII	9	*Judicial elections to full terms	SJR 3	JR 41	1951	SJR 5	JR 12	1953	"	386,972	345,094	"
VII	24	*Judges: qualifications, retirement	SJR 6	JR 46	1953	SJR 10	JR 14	1955	Apr. 1955	380,214	177,929	520,554[3]
XI	3	*School debt limit, equalized value	SJR 17	JR 47	1953	AJR 18	JR 12	1955	"	320,376	228,641	"
IV	26	*Teachers' retirement benefits	SJR 21	JR 41	1953	SJR 8	JR 17	1955	Apr. 1956	365,560	255,284	740,411[3]
VI	4	Sheriffs, no limit on successive terms	AJR 13	JR 23	1953	AJR 22	JR 53	1955	"	269,722	328,603	"
XI	3a	*Dedication of land to cities, etc.	SJR 29	JR 35	1953	SJR 9	JR 36	1955	"	376,692	193,544	"
XIII	11	Free passes, not for public use	AJR 12	JR 61	1953	AJR 47	JR 54	1955	"	188,715	380,207	"
VIII	10	*Port development	AJR 39	JR 58	1957	SJR 20	JR 15	1959	Apr. 1960	472,177	451,045	1,182,160[4]
XI	3	*Debt limit in populous counties, 5% equalized	SJR 47	JR 59	1957	SJR 53	JR 32	1959	Nov. 1960	686,104	529,467	1,728,009[2]
IV	26	Salary increases during term	SJR 21	JR 29	1959	SJR 6	JR 11	1961	Apr. 1961	297,066	307,575	765,807[3]
IV	34	*Continuity of civil government	AJR 48	JR 50	1959	SJR 1	JR 10	1961	"	498,869	132,728	"
VI	4	Sheriffs, no limit on successive terms	AJR 31	JR 48	1959	AJR 7	JR 9	1961	"	283,495	388,238	"
VIII	1	*Personal property classified for tax purposes	AJR 120	JR 77	1959	SJR 34	JR 13	1961	"	381,881	220,434	"
XI	2	*Municipal eminent domain, abolished jury verdict of necessity	AJR 22	JR 47	1959	SJR 8	JR 12	1961	"	348,406	259,566	"
XI	3	*Debt limit 10% equalized value for integrated aid school district	SJR 6	JR 35	1959	AJR 1	JR 8	1961	"	409,963	224,783	"

HISTORY OF CONSTITUTIONAL AMENDMENTS**—Cont.

Art.	Sec.	Subject	First Approval			Second Approval			Date of Election	Vote For	Vote Against	Total Vote for Governor
IV	3	*"Indians not taxed" exclusion removed from apportionment formula	SJR 12	JR 30	1959	SJR 11	JR 32	1961	Nov. 1962	631,296	259,577	1,265,900
IV	23	*County executive officer; 4-year term	AJR 121	JR 68	1959	AJR 61	JR 64	1961	"	527,075	331,393	"
VI	4	*County executive (part of same proposal)	"	"	"	"	"	"	"	"	"	"
IV	23a	*County executive veto power	"	"	"	"	"	"	"	524,240	319,378	"
IV	3	Apportionment at second session	AJR 162	JR 96	1961	AJR 23	JR 9	1963	Apr. 1963	232,851	277,014	635,510[3]
IV	26	Salary increases during term	SJR 76	JR 68	1961	SJR 4	JR 7	1963	"	216,205	335,774	"
XI	3	*Equalized value debt limit	AJR 92	JR 71	1961	AJR 19	JR 8	1963	"	285,296	231,702	"
VIII	10	Maximum state appropriation for forestry increased	AJR 133	JR 90	1961	AJR 73	JR 32	1963	Apr. 1964	440,978	536,724	1,046,801[3]
XI	3	Property valuation for debt limit adjusted	AJR 134	JR 91	1961	AJR 74	JR 33	1963	"	336,994	572,276	"
XII	1	Constitutional amendments, submission of related items in a single proposition	SJR 15	JR 30	1961	SJR 1	JR 1	SS'63	"	317,676	582,045	"
VI	4	*Coroner and surveyor abolished in counties of 500,000	AJR 14	JR 30	1963	SJR 17	JR 5	1965	Apr. 1965	380,059	215,169	738,831[3]
IV	24	*Lotteries, definition revised	SJR 42	JR 35	1963	SJR 13	JR 2	1965	"	454,390	194,327	"
IV	13	*Legislators on active duty in armed forces	SJR 24	JR 34	1963	SJR 15	JR 14	1965	Apr. 1966	362,935	189,641	564,132[3]
VII	2	*Establishment of inferior courts	SJR 32	JR 48	1963	SJR 26	JR 50	1965	"	321,434	216,341	"
VII	15	*Justices of the peace abolished	SJR 32	JR 48	1963	SJR 26	JR 50	1965	"	"	"	"
XI	3	*Special district public utility debt limit	SJR 59	JR 44	1963	SJR 11	JR 51	1965	"	307,502	199,919	"
						AJR 10	JR 58	1965	"	"	"	"
I	23	*Transportation of children to private schools	AJR 70	JR 46	1965	AJR 7	JR 13	1967	Apr. 1967	494,236	377,107	856,650[3]
IV	26	*Judicial salary increased during term	AJR 162	JR 96	1965	AJR 17	JR 17	1967	"	489,989	328,292	"
V	1m,1n	*4-yr. term for governor and lieutenant governor	AJR 4	JR 80	1965	AJR 9	JR 15	1967	"	534,368	310,478	"
						SJR 12	JR 10	1967	"	"	"	"
V	3	*Joint election of governor and lieutenant governor	AJR 3	JR 45	1965	SJR 11	JR 11	1967	"	507,339	312,267	"
						AJR 8	JR 14	1967	"	"	"	"
VI	1m	*4-year term for secretary of state	AJR 4	JR 80	1965	AJR 9	JR 15	1967	"	520,326	311,974	"
						SJR 12	JR 10	1967	"	"	"	"
VI	1n	*4-year term for state treasurer	AJR 4	JR 80	1965	AJR 9	JR 15	1967	"	514,280	314,873	"
						SJR 12	JR 10	1967	"	"	"	"
VI	1p	*4-year term for attorney general	AJR 4	JR 80	1965	AJR 9	JR 15	1967	"	515,962	311,603	"
						SJR 12	JR 10	1967	"	"	"	"
VI	4	*Sheriffs, no limit on successive terms	AJR 72	JR 61	1965	SJR 7	JR 12	1967	"	508,242	324,544	"
IV	11	*Legislative sessions, more than one permitted in biennium	AJR 5	JR 57	1965	AJR 15	JR 48	1967	Apr. 1968	670,757	267,997	884,996[3]
VII	24	*Uniform retirement date for justices and circuit judges	SJR 36	JR 101	1965	SJR 13	JR 22	1967	"	734,046	215,455	"
						SJR 96	JR 56	1967	"	"	"	"
VII	24	*Temporary appointment of justices and circuit judges	SJR 36	JR 101	1965	SJR 13	JR 22	1967	"	678,249	245,807	"
						SJR 96	JR 56	1967	"	"	"	"
VIII	10	*Forestry appropriation from sources other than property tax	SJR 28	JR 43	1965	SJR 18	JR 25	1967	"	652,705	286,512	"
IV	23	*Uniform county government modified	AJR 18	JR 49	1967	SJR 8	JR 2	1969	Apr. 1969	326,445	321,851	706,324[2]
IV	23a	*County executive to have veto power	AJR 18	JR 49	1967	SJR 8	JR 2	1969	"	"	"	"

Art.	Sec.	Subject	First Approval	Second Approval	Date of Election	Vote For	Vote Against	Total Vote for Governor
VIII	7	*State public debt for specified purposes allowed	AJR 1 JR 58 1967	AJR 1 JR 3 1969	"	411,062	258,366	"
I	24	*Private use of school buildings	AJR 74 JR 38 1969	AJR 10 JR 27 1971	Apr. 1972	871,707	298,016	——[1]
IV	23	*County government systems authorized	SJR 58 JR 32 1969	SJR 4 JR 13 1971	"	571,285	515,255	"
VI	4	*Coroner/medical examiner option	SJR 63 JR 33 1969	SJR 38 JR 21 1971	"	795,497	323,930	"
X	3	*Released time for religious instruction	AJR 41 JR 37 1969	AJR 17 JR 28 1971	"	595,075	585,511	"
I	25	Equality of the sexes	AJR 140 JR 44 1971	AJR 21 JR 5 1973	Apr. 1973	447,240	520,936	1,008,553[2]
IV	24	*Charitable bingo authorized	SJR 13 JR 31 1971	AJR 6 JR 3 1973	"	645,544	391,499	"
IV	26	*Increased benefits for retired public employes	SJR 3 JR 12 1971	SJR 15 JR 15 1973	Apr. 1974	396,051	315,545	758,587[3]
VII	13	*Removal of judges by address	AJR 31 JR 30 1971	AJR 55 JR 25 1973	"	493,496	193,867	"
VIII	1	*Taxation of agricultural lands	AJR 1 JR 39 1971	AJR 1 JR 29 1973	"	353,377	340,518	"
VIII	3,7	*Public debt for veterans' housing	AJR 145 JR 38 1973	AJR 1 JR 3 1975	Apr. 1975	385,915	300,232	699,043[3]
VIII	7,10	[7]Internal improvements for transportation facilities	AJR 133 JR 37 1973	AJR 2 JR 2 1975	"	342,396	341,291	"
XI	3	Exclusion of certain debt from municipal debt limit	SJR 44 JR 32 1971	SJR 55 JR 133 1973	"	310,434	337,925	"
XIII	2	*Dueling: repeal of disenfranchisement	SJR 6 JR 10 1973	SJR 4 JR 4 1975	"	395,616	282,726	"
XI	3	Municipal indebtedness increased up to 10% of equalized valuation	AJR 58 JR 35 1973	AJR 6 JR 6 1975	Apr. 1976	328,097	715,420	1,168,606[3]
VIII	7(2)(a),10	[7]Internal improvements for transportation facilities	See April 1975	s.145r,Ch.224, L. 1975	Nov. 1976	722,658	935,152	1,332,220[4]
IV	24	*Charitable raffle games authorized	AJR 43 JR 19 1975	AJR 10 JR 6 1977	Apr. 1977	483,518	300,473	775,490[3]
VII	2	*Unified court system [also changed I-21; IV-17 and 26; VII-3 to 11, 14, 16 to 23; XIV-16(1) to (4)]	AJR 11 JR 13 1975	SJR 9 JR 7 1977	"	490,437	215,939	"
VII	5	*Court of appeals created [also changed I-21(1); VII-2 and 3(3); XIV-16(5)]	AJR 11 JR 13 1975	SJR 9 JR 7 1977	"	455,350	229,316	"
VII	11,13	*Court system disciplinary proceedings	AJR 11 JR 13 1975	SJR 9 JR 7 1977	"	565,087	151,418	"
VII	24	*Retirement age for justices and judges set by law	AJR 11 JR 13 1975	SJR 9 JR 7 1977	"	506,207	244,170	"
IV	23	Town government uniformity	AJR 22 JR 15 1975	AJR 20 JR 18 1977	Apr. 1978	179,011	383,395	"
V	7,8	*Gubernatorial succession	SJR 51 JR 32 1977	SJR 1 JR 3 1979	Apr. 1979	538,959	187,440	840,166[3]
XIII	10	*Lieutenant governor vacancy	SJR 51 JR 32 1977	SJR 1 JR 3 1979	"	540,186	181,497	"
IV	9	*Senate presiding officer [also changed 5-8]	SJR 51 JR 32 1977	SJR 1 JR 3 1979	"	372,734	327,008	"
V	1	*Making 4-year constitutional officer terms understandable [also changed V-1m and 1n; VI-1, 1m, 1n and 1p]	SJR 51 JR 32 1977	SJR 1 JR 3 1979	"	533,620	164,768	"
I	8	*Right to bail	AJR 9 JR 76 SS'79	AJR 5 JR 8 1981	Apr. 1981	505,092[8]	185,405[8]	"
XI	1,4	*Obsolete corp. and banking provisions	AJR 53 JR 21 1979	AJR 13 JR 9 1981	"	418,997	186,898	"
XI	3	*Indebtedness period for sewage collection or treatment systems	SJR 28 JR 43 1979	SJR 5 JR 7 1981	"	386,792	250,866	"
XIII	12	*Primaries in recall elections	SJR 5 JR 41 1979	SJR 2 JR 6 1981	"	366,635	259,820	"
VI	4	*Counties responsible for acts of sheriff	AJR 99 JR 38 1979	AJR 7 JR 15 1981	Apr. 1982	316,156	219,752	
I	1,18	*Gender-neutral wording (also changed X-1 and 2)	AJR 76 JR 36 1979	AJR 35 JR 29 1981	Nov. 1982	771,267	479,053	1,580,344
IV	3	*Military personnel treatment in redistricting	AJR 76 JR 36 1979	AJR 35 JR 29 1981	"	834,188	321,331	"
IV	4,5	*Obsolete 1881 amendment reference	AJR 76 JR 36 1979	AJR 35 JR 29 1981	"	919,349	238,884	"
IV	30	*Elections by legislature	AJR 76 JR 36 1979	AJR 35 JR 29 1981	"	977,438	193,679	"

HISTORY OF CONSTITUTIONAL AMENDMENTS**—Cont.

Art.	Sec.	Subject	First Approval			Second Approval			Date of Election	Vote For	Vote Against	Total Vote for Governor
X	1	*Obsolete reference to election and term of superintendent of public instruction	AJR 76	JR 36	1979	AJR 35	JR 29	1981	"	934,236	215,961	"
X	2	*Obsolete reference to military draft exemption purchase	AJR 76	JR 36	1979	AJR 35	JR 29	1981	"	887,488	295,693	"
XIV	3	*Obsolete transition from territory to statehood (also changed XIV-4 to 12; XIV-14, 15)	AJR 76	JR 36	1979	AJR 35	JR 29	1981	"	926,875	223,213	"
XIV	16(1)	*Obsolete transitional provisions of 1977 court reorganization [also changed XIV-16 (2), (3), (5)]	AJR 76	JR 36	1979	AJR 35	JR 29	1981	"	882,091	237,698	"
XIV	16(4)	*Terms on supreme court effective date provision	AJR 76	JR 36	1979	AJR 35	JR 29	1981	"	960,540	190,366	"

* Ratified.
** For adoption, an amendment required approval by 2 successive legislatures and voter ratification; see Art. XII, Sec. 1.

[1] No election for state-wide office.
[2] Total vote for State Superintendent.
[3] Total vote for Justice of Supreme Court.
[4] Total vote for presidential delegate election.
[5] Ratified but declared invalid by Supreme Court in *State ex rel. Owen v. Donald*, 160 Wis. 21, 151 N.W. 331.
[6] Ratified but declared invalid by Supreme Court in *State ex rel. Thompson v. Zimmerman*, 264 Wis. 644, 60 N.W. 2nd 416.
[7] Result of recount; resubmitted November 1976.
[8] Vote totals certified April 7, 1982, by the Board of State Canvassers.
Source: Official records of the Elections Board; Laws of Wisconsin, 1981 and previous volumes.

STATEWIDE REFERENDA ELECTIONS OTHER THAN CONSTITUTIONAL AMENDMENTS

Question	Law Submitting	Date of Election	Vote For	Vote Against
Territorial				
*Formation of a state government	Territorial Laws 1846, p. 5 (Jan. 31)	Apr. 1846	12,334	2,487
Approval of first constitution	Art. XIX, Sec. 9 of 1846 Constitution	Apr. 1847	14,119	30,231
Equal suffrage to colored persons	Supl. resolution to 1846 Constitution; Vol. II of Quaife, p. 755	Apr. 1847	7,664	14,615
*Ratification of second constitution	Art. XIV, Sec. 9 of 1848 Constitution	Mar. 1848	16,799	6,384
State				
*Extend suffrage to colored persons	Ch. 137 1849	Nov. 1849	5,265	4,075
*Banks or no banks; advisory referendum	Ch. 143 1851	Nov. 1851	31,289	9,126
*General banking law	Ch. 479 1852	Nov. 1852	32,826	8,711
*Liquor prohibition; advisory referendum	Ch. 101 1853	Nov. 1853	27,519	24,109
Extend suffrage to colored persons	Ch. 44 1857	Nov. 1857	28,235	41,345
*Amend general banking law; redemption of bank notes	Ch. 98 1858	Nov. 1858	27,267	2,837
*Amend general banking law; circulation of bank notes	Ch. 242 1861	Nov. 1861	57,646	2,515
*Amend general banking law; interest rate 7% a year	Ch. 203 1862	Nov. 1862	46,269	7,794
Extend suffrage to colored persons	Ch. 414 1865	Nov. 1865	46,588	55,591
*Amend general banking law; taxing shareholders	Ch. 102 1866	Nov. 1866	49,714	19,151
	JR12 1867			
*Abolish office of bank comptroller	Ch. 28 1868	Nov. 1868	15,499	1,948
*Incorporation of savings banks and savings societies	Ch. 384 1876	Nov. 1876	4,029	3,069
*Woman suffrage upon school matters	Ch. 211 1885	Nov. 1886	43,581	38,998
Revise banking law of 1897; banking dept. under commission	Ch. 303 1897	Nov. 1898	86,872	92,607
*Primary election law	Ch. 451 1903	Nov. 1904	130,366	80,102
Pocket ballots and coupon voting systems	Ch. 522 1905	Apr. 1906	45,958	111,139
Woman suffrage[2]	Ch. 227 1911	Nov. 1912	135,545	227,024
*Soliders' bonus financed by 3-mill property tax and income tax	Ch. 667 1919	Sept. 1919	165,762	57,324
*Prohibition, Wisconsin enforcement act (Mulberger)	Ch. 556 1919	Nov. 1920	419,309	199,876
*U.S. prohibition act (Volstead); memorializing congress to amend	SJR42 JR47 1925	Nov. 1926	349,443	177,603
*Repeal of Wisconsin prohibition enforcement act (Severson); advisory referendum	SJR14 JR16 1929	Apr. 1929	350,337	196,402
*Modification of prohibition enforcement act (Severson); advisory referendum	SJR14 JR16 1929	Apr. 1929	321,688	200,545
County distribution of auto licenses; advisory referendum	SJR26 JR11 1931	Apr. 1931	183,716	368,674
*Sunday blue law repeal; advisory referendum	AJR116 JR114 1931	Apr. 1932	396,436	271,786
*Old-age pensions; advisory referendum	AJR42 JR64 SS'33	Apr. 1934	531,915	154,729
*Teacher tenure law repeal; advisory referendum	AJR67 JR100 1939	Apr. 1940	403,782	372,524
Property tax levy for high school aid, 2 mills of assessed valuation	Ch. 525 1943	Apr. 1944	131,004	410,315
Daylight saving time; advisory referendum	SJR24 JR4 1947	Apr. 1947	313,091	379,740
3% retail sales tax for veterans bonus; advisory referendum	SJR58 JR62 1947	Nov. 1948	258,497	825,990

STATEWIDE REFERENDA ELECTIONS OTHER THAN CONSTITUTIONAL AMENDMENTS—Cont.

Question	Law Submitting			Date of Election	Vote For	Vote Against
4-year term for constitutional officers; advisory referendum	SJR11	JR13	1951	Apr. 1951	210,821	328,613
Apportionment of legislature by area and population; advisory referendum		Ch. 728	1951	Nov. 1952	689,615	753,092
*New residents entitled to vote for president and vice president		Ch. 76	1953	Nov. 1954	550,056	414,680
State-wide educational television tax-supported; advisory referendum	AJR74	JR66	1953	Nov. 1954	308,385	697,262
*Daylight saving time		Ch. 6	1957	Apr. 1957	578,661	480,656
*Ex-residents entitled to vote for president and vice president		Ch. 512	1961	Nov. 1962	627,279	229,375
Gasoline tax increase for highway construction	AJR3	JR3	SS'63	Apr. 1964	150,769	889,364
*New residents entitled to vote after 6 months		Chs. 88,89	1965	Nov. 1966	582,389	256,246
State control and funding of vocational education	AJR12	JR4	1969	Apr. 1969	292,560	409,789
*Recreational lands bonding	AJR17	JR5	1969	Apr. 1969	361,630	322,882
*Water pollution abatement bonding	AJR17	JR5	1969	Apr. 1969	446,763	246,968
*New residents entitled to vote after 10 days		Ch. 85	1975	Nov. 1976	1,017,887	660,875
*Presidential voting revised		Ch. 394	1977	Nov. 1978	782,181	424,386
*Overseas voting revised		Ch. 394	1977	Nov. 1978	658,289	524,029
*Public inland lake protection and rehabilitation districts		Ch. 299	1979	Nov. 1980	1,210,452	355,024
*Nuclear weapons moratorium and reduction; advisory referendum	AJR99	JR38	1981	Sept. 1982	641,514	205,018
Nuclear waste site locating; advisory referendum	AJR5	JR5	1983	Apr. 1983	78,327	628,414

*Ratified.

[1]In *Gillespie v. Palmer*, 20 Wis. (1866) 544, the Supreme Court ruled that Ch. 137, 1849, extending suffrage to colored persons, was ratified November 6, 1849.

[2]Presidential suffrage for women, granted by Ch.5, 1919, was not ordered submitted to the people.

Source: Official records of the Elections Board; Laws of Wisconsin, 1981 and previous volumes.