



1997 ASSEMBLY JOINT RESOLUTION 43

March 25, 1997 - Introduced by Representatives FOTI, KUNICKI, LAZICH, AINSWORTH, BOCK, BOYLE, BRANDEMUEHL, COGGS, DOBYNS, DUFF, GOETSCH, GREEN, GRONEMUS, GROTHMAN, GUNDERSON, HANDRICK, HANSON, HASENOHRL, HOVEN, HUEBSCH, HUTCHISON, JENSEN, JESKEWITZ, JOHNSRUD, KEDZIE, KELSO, KLUSMAN, KREIBICH, KRUSICK, LADWIG, F. LASEE, M. LEHMAN, MURAT, NASS, OLSEN, OTT, OTTE, OURADA, OWENS, PLALE, PORTER, POWERS, RYBA, SCHAFFER, SERATTI, SPRINGER, STASKUNAS, SYKORA, TURNER, UNDERHEIM, VANDER LOOP, VRAKAS, WALKER and L. YOUNG, cosponsored by Senators BURKE, HUELSMAN, BRESKE, BUETTNER, CLAUSING, DARLING, DRZEWIECKI, FARROW, FITZGERALD, GEORGE, GROBSCHMIDT, A. LASEE, PANZER, C. POTTER, RISSER, ROSENZWEIG, RUDE, SCHULTZ, SHIBILSKI, WEEDEN and WELCH. Referred to Committee on Elections and Constitutional Law.

- 1 **To amend** section 4 (1) of article VI; and **to create** section 4 (6) of article VI of the
2 constitution; **relating to:** 4-year terms of office for district attorneys (2nd
3 consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given 2nd consideration by the 1997 legislature, was first considered by the 1995 legislature in 1995 Senate Joint Resolution 30, which became 1995 Enrolled Joint Resolution 21. This proposed constitutional amendment will be submitted to the voters at one of 4 elections, depending on when this joint resolution is concurred in.

This proposed constitutional amendment extends the terms of office of district attorneys from 2 years to 4 years beginning with district attorneys who are elected at the general election in 1998.

PROCEDURE FOR 2ND CONSIDERATION

When a constitutional amendment is before the legislature on 2nd consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that 2nd consideration approval would have to be given by the next legislature before the proposal could be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on 2nd consideration, it must also set the date for submitting the constitutional amendment

to the people for ratification and must determine the question or questions to be printed on the ballot.

1 Whereas, the 1995 legislature in regular session considered a proposed
2 amendment to the constitution in 1995 Senate Joint Resolution 30, which became
3 Enrolled Joint Resolution 21, and agreed to it by a majority of the members elected
4 to each of the 2 houses, which proposed amendment reads as follows:

SECTION 1. Section 4 (1) of article VI of the constitution is amended to read:

[Article VI] Section 4 (1) ~~Sheriffs~~ Except as provided in sub. (2), sheriffs, coroners, registers of deeds, ~~district attorneys~~, and all other elected county officers except judicial officers, district attorneys and chief executive officers, shall be chosen by the electors of the respective counties once in every 2 years.

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

[Article VI] Section 4 (6) Beginning with the general election in 1998, district attorneys shall be chosen by the electors of the respective counties once in every 4 years.

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

5 *Now, therefore, be it resolved by the assembly, the senate concurring,*
6 *That* the foregoing proposed amendment to the constitution is agreed to by the 1997
7 legislature; and, be it further

8 *Resolved, That* the foregoing proposed amendment to the constitution be
9 submitted to a vote of the people at the 1998 Spring primary, if this joint resolution
10 is concurred in on or before the 6th Tuesday before the 1998 Spring primary; at the

1 1998 Spring election, if this joint resolution is concurred in after the 6th Tuesday
2 before the 1998 Spring primary and on or before the 1998 Spring primary; at the 1998
3 September primary, if this joint resolution is concurred in on or before the 6th
4 Tuesday before the 1998 September primary and after the 1998 Spring primary; or
5 at the 1998 general election, if this joint resolution is concurred in after the 6th
6 Tuesday before the 1998 September primary and on or before the 1998 September
7 primary; and, be it further

8 ***Resolved, That*** the question concerning ratification of the foregoing proposed
9 amendment to the constitution be stated on the ballot as follows:

10 **QUESTION 1: “*Terms of office for district attorneys.*** Shall article VI, section
11 4 (1) of the constitution be amended and article VI, section 4 (6) of the constitution
12 be created to extend the terms of office of district attorneys from 2 years to 4 years?”

13

(END)