

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Campaigns &
Elections
(AC-CE)

File Naming Example:

Record of Comm. Proceedings ... RCP
> 05hr_AC-Ed_RCP_pt01a
> 05hr_AC-Ed_RCP_pt01b
> 05hr_AC-Ed_RCP_pt02

Published Documents

> Committee Hearings ... CH (Public Hearing Announcements)

> **

> Committee Reports ... CR

> **

> Executive Sessions ... ES

> **

> Record of Comm. Proceedings ... RCP

> **

*Information Collected For Or
Against Proposal*

> Appointments ... Appt

> **

> Clearinghouse Rules ... CRule

**

> Hearing Records ... HR (bills and resolutions)

> **01hr_ajr0024_AC-CE_pt01**

> Miscellaneous ... Misc

> **

Vote Record

Assembly - Committee on Campaigns and Elections

Date: 4/12/09
Moved by: Ladwig Seconded by: Stone
Clearinghouse Rule: _____
Appointment: _____
Other: _____

AB: _____ SB: _____
AJR: 24 SJR: _____
AR: _____ SR: _____

A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. Stephen Freese, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bonnie Ladwig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Fitzgerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 5 1 _____

Motion Carried Motion Failed

Vote Record

Assembly - Committee on Campaigns and Elections

Date: 4/12/01
Moved by: [Signature] Seconded by: _____
Clearinghouse Rule: _____

AB: _____ SB: _____ Appointment: _____
AJR: 24 SJR: _____ Other: _____
AR: _____ SR: _____

A/S Amdt: AAI
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

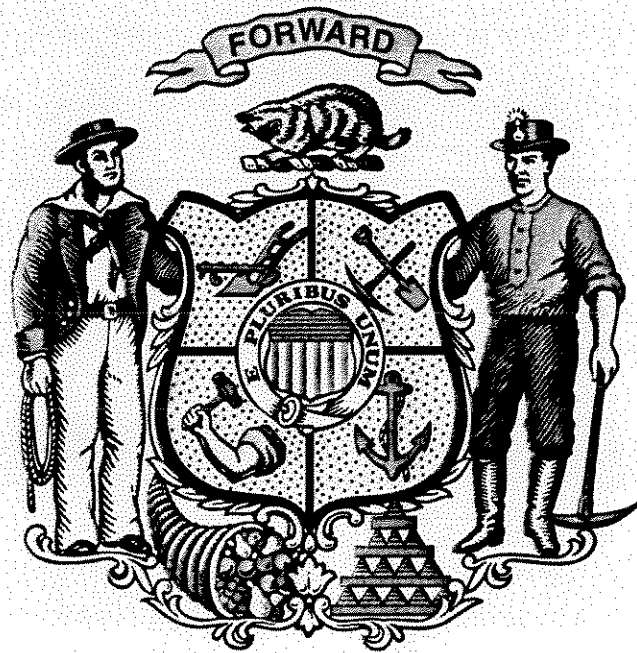
- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection

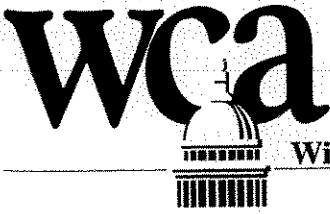
- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Stephen Freese, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bonnie Ladwig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Fitzgerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>6</u>	<u>0</u>	_____	_____

Already introduced

Motion Carried Motion Failed





Wisconsin Counties Association

MEMORANDUM

TO: Honorable Members of the Assembly Committee on Campaigns and Elections

FROM: Jennifer Sunstrom, Legislative Associate JS

DATE: March 15, 2001

RE: AJR 24 and AJR 22

The Wisconsin Counties Association (WCA) would like to offer our support for Assembly Joint Resolution 24, which would amend the Wisconsin Constitution to establish four-year terms of office for clerks of circuit court and AJR 22 which would permit counties to elect or appoint county constitutional officers upon approval in a county referendum.

As the legislature considers this constitutional amendment, we would respectfully request that you also consider some of the broader issues surrounding these county elective offices. Over the last fifty years county government, not unlike all levels of government, has become increasingly technical and complicated. As the functions of county government have expanded, the role of county officers has evolved to meet these new demands. County elected officers have a number of specific responsibilities, however, with the exception of the county board and the county executive, policy making is not among those responsibilities.

WCA supports Constitutional language that would authorize counties to either elect or appoint county officers and to provide elected county officers with a four-year term of office. We believe that granting both the county option to appoint and the four-year term of office will increase the organizational stability of these offices and the professionalism of the individuals serving these important functions. The Constitutional language regarding these county elected officers could be drafted broadly enough to enable the appointment of these officers and four-year terms. Once broad Constitutional language is approved, then the details regarding the process for filling these county offices could be written into the statutes.

Despite the grant of Administrative Home Rule Authority, county boards and county executives have been straddled with a constitutionally established system of government that limits their ability to effectively organize the operations of the county. With the establishment of the office of county executive, the legislature demonstrated an understanding for the need for flexibility to accommodate the varying organizational needs of different counties.

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Mark M. Rogacki, Executive Director

Mark D. O'Connell, Chief of Staff
Craig M. Thompson, Legislative Director

Darla M. Hium, Deputy Director
Lynda L. Bradstreet, Administrative Director

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WCA Memo
March 15, 2001

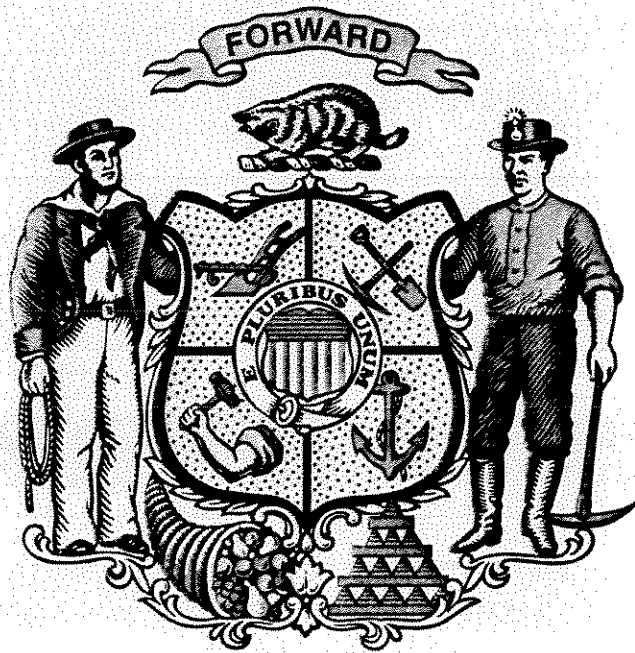
Therefore, some counties have chosen to elect a county executive, while others appoint a county administrator, and others have chosen to maintain the powers of these offices within the structure of the county board. Creating the option for counties to determine the best way to provide services to their citizens has resulted in a variety of systems that reflect the diversity of our counties.

We have many competent, experienced, skilled individuals serving in county government. It is not our intent to call into question the capabilities of individuals currently serving as county elected officers. However, we are questioning the limitations that the current constitutional provisions place upon county government. Counties are struggling to meet the needs of their citizens and streamline their operations in the process, but the one-size-fits-all system of county government often frustrates and impedes those efforts.

We believe a constitutional amendment to allow four-year terms of office may help improve the effectiveness of these positions. We also believe it is time to address the inability of the current system to meet the organizational and administrative needs of county government.

If you have any questions, please do not hesitate to contact the WCA office.

Thank you for considering our comments.





JOHN RYBA

STATE REPRESENTATIVE
90th Assembly District

Public Hearing on AJR-24 on Thursday, March 15, 2001
Before the Assembly Campaigns and Elections Committee

Two years ago the Clerk of Circuit Courts for Brown County, Paul Janquart, asked me, on behalf of clerks statewide, to introduce legislation to extend their terms to four years. At that time the county district attorneys and sheriffs also had stand-alone bills to change their terms to four years.

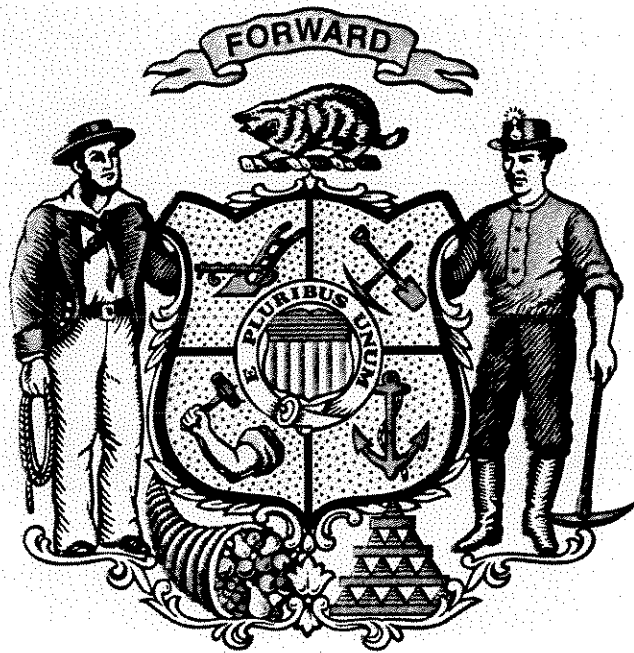
My bill, AJR-64, passed the Assembly easily on a 92 to 6 vote and was messaged to the Senate. It was getting late in the session, and a technical amendment came up that delayed the bill. In the Senate the Economic Development, Housing and Government Operations Committee, recommended passage of the amended bill 5 to 0. Unfortunately, it was not scheduled for action by the full Senate prior to final adjournment.

Now I am reintroducing the bill as AJR-24. Although there are other bills that include all the county officers, the clerks of circuit courts would like to proceed with their own bill in the event the larger bill gets hung up along the way.

These bills would allow county officers to be more professional and be able to implement longer-term planning without the biennial distraction of campaigning for re-election. These jobs are administrative in nature and the public depends on these officials to perform very important functions in county government. Four-year-term bills are supported by the Wisconsin Counties Association. I hope we can count on your support as well.

The drafter of AJR-24 recently sent over a technical amendment that needs to be included on the bill to correct a drafting error that he found in all of the four-year-term bills. I hope the committee will adopt this amendment also.

Thank you for the opportunity to appear before the Assembly Campaigns and Elections Committee. Mr. Janquart will be testifying on the merits of the bill as well. Do you have any questions for me?





**WISCONSIN LEGISLATIVE COUNCIL
STAFF MEMORANDUM**

TO: MEMBERS OF THE ASSEMBLY COMMITTEE ON CAMPAIGNS AND ELECTIONS

FROM: Robert J. Conlin, Senior Staff Attorney

RE: Assembly Amendment 1 to 2001 Assembly Joint Resolution 24, Relating to Four-Year Terms of Office for Clerks of Court

DATE: April 10, 2001

This memorandum describes Assembly Amendment 1 to 2001 Assembly Joint Resolution 24, relating to four-year terms of office for clerks of circuit court. Assembly Joint Resolution 24 was introduced by Representative Ryba and others; cosponsored by Senator Breske and others. The resolution was referred to the Assembly Committee on Campaigns and Elections which held a public hearing on the bill on March 15, 2001. The resolution is scheduled for executive action for April 12, 2001. Assembly Amendment 1 was introduced by Representative Ryba on March 15, 2001.

CURRENT LAW

Under current law, clerks of circuit court are elected to two-year terms of office. Currently, the practice is to elect a clerk of circuit court from *each* county, regardless of whether a particular judicial district is comprised of more than one county. [ss. 59.20 (2), 59.40 and 753.30, Stats.; see also, State of Wisconsin Blue Book, 1999-2000, at p. 685.] There are presently three judicial circuits that include two counties: the circuit comprised of Buffalo and Pepin Counties, the circuit comprised of Florence and Forest Counties; and the circuit comprised of Menominee and Shawano Counties. [s. 753.06 (7) (a) and (9) (c) and (h), Stats.]

ASSEMBLY JOINT RESOLUTION 24

Assembly Joint Resolution 24, which is a proposed constitutional amendment on first consideration in the Wisconsin Legislature, changes the terms of office for clerks of circuit court from two years to four years. The change first applies to the clerks of circuit court who are elected at the first general election at which the Governor is elected which occurs after the ratification of this amendment. As you know, a proposed constitutional amendment requires adoption by two successive Legislatures and ratification by the people, before it can become effective.

Specifically, SECTION 2 of Assembly Joint Resolution 24 creates the following constitutional provision:

Beginning with the first general election at which the governor is elected which occurs after the ratification of this subsection, a clerk of circuit court shall be chosen *by the electors of all of the respective counties comprising each circuit* for the term of 4 years, subject to removal as provided by law. [Emphasis added.]

Among other possible interpretations, this provision can be read as requiring that only one clerk be elected from each judicial circuit, regardless of the number of counties comprising the circuit.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY JOINT RESOLUTION 24

Assembly Amendment 1, revises the above-cited language to provide that the clerk of circuit court must be chosen by the electors of each county, for the term of four years.

If you have any questions on this matter, please feel free to contact me at the Legislative Council Staff offices.

RJC:ksm:tlu;ksm