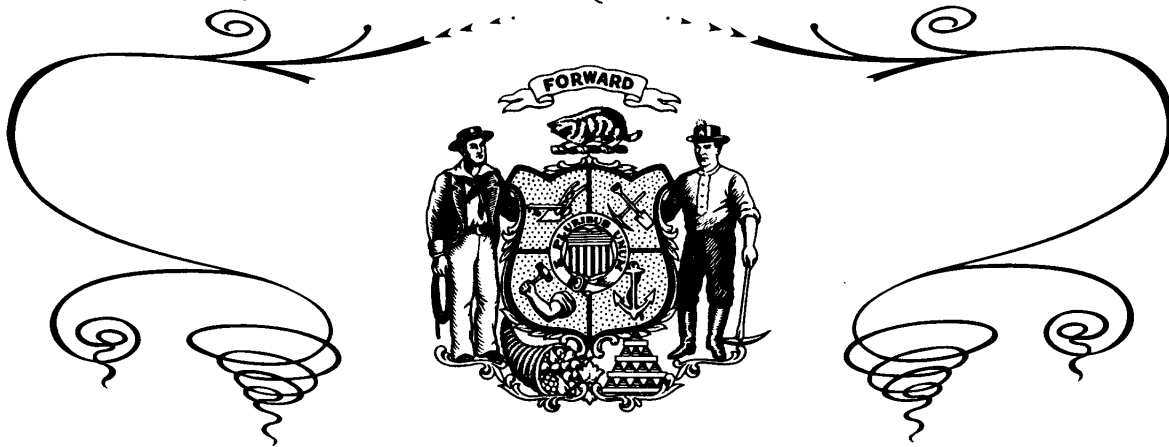


# State of Wisconsin



## 2005 Senate Joint Resolution 2

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### ENROLLED JOINT RESOLUTION

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To amend so as in effect *to repeal* section 4 (3) (c) of article VI; *to renumber and amend* section 4 (1) of article VI and section 12 of article VII; *to amend* section 4 (4) of article VI; and *to create* section 4 (1) (b) and (c) of article VI and section 12 (2) of article VII of the constitution; **relating to:** 4-year terms of office for certain county officers (2nd consideration).

Whereas, the 2003 legislature in regular session considered a proposed amendment to the constitution in 2003 Assembly Joint Resolution 10, which became 2003 Enrolled Resolution 12, and agreed to it by a majority of the members elected to each of the 2 houses, which proposed amendment reads as follows:

**SECTION 1.** Section 4 (1) of article VI of the constitution is renumbered section 4 (1) (a) of article VI and amended to read:

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

**SECTION 2.** Section 4 (1) (b) and (c) of article VI of the constitution are created to read:

[Article VI] Section 4 (1) (b) Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and coroners in counties in which there is a coroner shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

(c) Beginning with the first general election at which the president is elected which occurs after the ratification of this paragraph, district attorneys, registers of deeds, county clerks, and treasurers shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4

years and surveyors in counties in which the office of surveyor is filled by election shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

**SECTION 3.** Section 4 (3) (c) of article VI of the constitution is amended so as in effect to repeal said paragraph:

[Article VI] Section 4 (3) (c) ~~Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties once in every 4 years.~~

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

[Article VI] Section 4 (4) The governor may remove any elected county officer mentioned in this section except a county clerk, treasurer, or surveyor, giving to the officer a copy of the charges and an opportunity of being heard.

**SECTION 5.** Section 12 of article VII of the constitution is renumbered section 12 (1) of article VII and amended to read:

[Article VII] Section 12 (1) There shall be a clerk of the circuit court chosen in each county organized for judicial purposes by the qualified electors thereof, who, except as provided in sub. (2), shall hold his office for two years, subject to removal as shall be provided by law; in.

(3) In case of a vacancy, the judge of the circuit court shall ~~have power to~~ may appoint a clerk until the vacancy ~~shall be~~ is filled by an election; ~~the.~~

(4) The clerk thus elected or appointed of circuit court shall give such security as the legislature ~~may require~~ requires by law.

(5) The supreme court shall appoint its own clerk, and may appoint a clerk of the circuit court ~~may be appointed a~~ to be the clerk of the supreme court.

**SECTION 6.** Section 12 (2) of article VII of the constitution is created to read:

[Article VII] Section 12 (2) 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 each county, for the term of 4 years, subject to removal as provided by law.

**SECTION 7. Numbering of new provisions.** (1) The new paragraph (b) of subsection (1) of section 4 of article VI of the constitution created in this joint resolution shall be designated by the next higher open paragraph letter in that subsection in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a paragraph (b) of subsection (1) of section 4 of article VI of the constitution of this state. If one or more joint resolutions create a paragraph (b) of subsection (1) of section 4 of article VI simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the paragraphs created shall be numbered and placed in a sequence so that the paragraphs created by the joint resolution having the lowest enrolled joint resolution number have the letters designated in that joint resolution and the paragraphs created by the other joint resolutions have letters that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the paragraphs.

(2) The new paragraph (c) of subsection (1) of section 4 of article VI of the constitution created in this joint resolution shall be designated by the next higher open paragraph letter in that subsection in that section in that article if, before the ratification

by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a paragraph (c) of subsection (1) of section 4 of article VI of the constitution of this state. If one or more joint resolutions create a paragraph (c) of subsection (1) of section 4 of article VI simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the paragraphs created shall be lettered and placed in a sequence so that the paragraphs created by the joint resolution having the lowest enrolled joint resolution number have the letters designated in that joint resolution and the paragraphs created by the other joint resolutions have letters that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the paragraphs.

(3) The new subsection (2) of section 12 of article VII of the constitution created in this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (2) of section 12 of article VII of the constitution of this state. If one or more joint resolutions create a subsection (2) of section 12 of article VII simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

*Now, therefore, be it resolved by the senate, the assembly concurring, That* the foregoing proposed amendment to the constitution is agreed to by the 2005 legislature; and, be it further

*Resolved, That* the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the first Tuesday of April 2005; and, be it further

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

**QUESTION 1: “4–year terms of office for certain county officers.** Shall section 4 of article VI and section 12 of article VII of the constitution be amended to provide that district attorneys, coroners, elected surveyors, registers of deeds, treasurers, county clerks, and clerks of circuit court be elected to 4–year terms?”

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Representative John G. Gard  
Speaker of the Assembly

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Senator Alan J. Lasee  
President of the Senate

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Date

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Robert J. Marchant  
Senate Chief Clerk