2007 ASSEMBLY JOINT RESOLUTION 56

May 29, 2007 – Introduced by Representatives Albers, Gundrum, Owens and Vos, cosponsored by Senators Grothman, Schultz and A. Lasee. Referred to Committee on Elections and Constitutional Law.

1 ***To create*** section 3 (4) of article VII of the constitution; **relating to:** prohibiting the

2 supreme court from assessing fees on attorneys, judges, or justices without

3 statutory authority.

Analysis by the Legislative Reference Bureau

Currently the supreme court by rule requires all practicing attorneys to belong to the State Bar of Wisconsin and to pay bar dues. A portion of the bar dues includes fees for various purposes.

Under this proposed constitutional amendment, proposed to the 2007 legislature on first consideration, the supreme court may not assess fees on attorneys, judges, or justices without statutory authority.

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

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

5 **Section 1.** Section 3 (4) of article VII of the constitution is created to read:

6 [Article VII] Section 3 (4) The supreme court may not assess a fee on any

7 attorney, judge, or justice without statutory authority.

8 **Section 2. Numbering of new provision.** The new subsection (4) of section

9 3 of article VII of the constitution created in this joint resolution shall be designated

1   by the next higher open whole subsection number in that section in that article if,

2   before the ratification by the people of the amendment proposed in this joint

3   resolution, any other ratified amendment has created a subsection (4) of section 3 of

4   article VII of the constitution of this state. If one or more joint resolutions create a

5   subsection (4) of section 3 of article VII simultaneously with the ratification by the

6   people of the amendment proposed in this joint resolution, the subsections created

7   shall be numbered and placed in a sequence so that the subsections created by the

8   joint resolution having the lowest enrolled joint resolution number have the numbers

9   designated in that joint resolution and the subsections created by the other joint

10   resolutions have numbers that are in the same ascending order as are the numbers

11   of the enrolled joint resolutions creating the subsections.

12   ***Be it further resolved, That*** this proposed amendment be referred to the

13   legislature to be chosen at the next general election and that it be published for 3

14   months previous to the time of holding such election.

15   **(END)**