



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3116/1  
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## 2015 ASSEMBLY JOINT RESOLUTION 85

November 9, 2015 – Introduced by Representatives SANFELIPPO, BRANDTJEN, CRAIG, HUTTON, KLEEFISCH, KOYENGA and KREMER. Referred to Committee on Urban and Local Affairs.

- 1     **To amend** section 4 (1) (c) of article VI; and **to create** section 4 (1) (d) of article VI  
2             of the constitution; **relating to:** option for each county to combine the offices  
3             of county clerk, register of deeds, and treasurer (first consideration).

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### *Analysis by the Legislative Reference Bureau*

This proposed constitutional amendment, proposed to the 2015 legislature on first consideration, gives counties the option to combine the offices of county clerk, register of deeds, and treasurer.

The constitutional amendment requires that a statewide referendum take place after this constitutional amendment is ratified that puts the following question to the voters: “Shall the offices of register of deeds and treasurer in this county be eliminated and the duties, powers, and functions of those offices be assumed by the office of county clerk of this county?” In each county in which the question is approved by a majority of the votes cast in the county, and beginning with the first general election at which county clerks, registers of deeds, and treasurers are normally elected that occurs after the question is approved, the constitutional amendment provides that the offices of register of deeds and treasurer in such a county are eliminated and the office of county clerk of the county assumes all duties, powers, and functions assigned by law to county registers of deeds and treasurers.

The constitutional amendment further provides that any county that does not approve the above question in the statewide referendum may still place the question on the ballot in a subsequent election by a majority vote of the county board or if a petition to place the question on the ballot is filed with the county clerk that is signed by electors of the county equalling at least 10 percent of the votes cast for the office

of county clerk, register of deeds, or treasurer, whichever is fewer, in the last preceding election at which those offices were on the ballot.

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

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

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

3           [Article VI] Section 4 (1) (c) ~~Beginning~~ Except as provided under par. (d),  
4           beginning with the first general election at which the president is elected which  
5           occurs after the ratification of this paragraph, district attorneys, registers of deeds,  
6           county clerks, and treasurers shall be chosen by the electors of the respective  
7           counties, or by the electors of all of the respective counties comprising each  
8           combination of counties combined by the legislature for that purpose, for the term  
9           of 4 years and surveyors in counties in which the office of surveyor is filled by election  
10          shall be chosen by the electors of the respective counties, or by the electors of all of  
11          the respective counties comprising each combination of counties combined by the  
12          legislature for that purpose, for the term of 4 years.

13          **SECTION 2.** Section 4 (1) (d) of article VI of the constitution is created to read:

14          [Article VI] Section 4 (1) (d) 1. A county may combine the offices of county clerk,  
15          register of deeds, and treasurer as provided in this paragraph.

16          2. At the first general election at which the governor is elected that occurs after  
17          the ratification of this paragraph, the following question shall be submitted to the  
18          vote of the electors of each county: "Shall the offices of register of deeds and treasurer  
19          in this county be eliminated and the duties, powers, and functions of those offices be  
20          assumed by the office of county clerk of this county?"

21          3. At any general election at which the governor is elected that occurs after the  
22          election under subd. 2., the question under subd. 2. shall be submitted to the vote of

1 the electors of a county having a register of deeds and treasurer if a petition to place  
2 the question on the ballot is filed with the county clerk and is signed by electors of  
3 the county equalling at least 10 percent of the votes cast for the office of county clerk,  
4 register of deeds, or treasurer, whichever is fewer, at the last preceding general  
5 election at which the governor is elected.

6 4. At any general election at which the governor is elected that occurs after the  
7 general election under subd. 2., the question under subd. 2. shall be submitted to the  
8 vote of the electors of a county having a register of deeds and treasurer if a majority  
9 of the county board votes to place the question on the ballot.

10 5. In each county approving the question under subd. 2. by the majority of all  
11 votes cast in that county on the question at the election under subd. 2., 3., or 4., and  
12 beginning with the first general election at which the president is elected that occurs  
13 after the question is approved, the offices of register of deeds and treasurer in that  
14 county shall be eliminated and the office of county clerk of that county shall assume  
15 all duties, powers, and functions assigned by law to county registers of deeds and  
16 treasurers.

17 **SECTION 3. Numbering of new provisions.** If another constitutional  
18 amendment ratified by the people creates the number of any provision created in this  
19 joint resolution, the chief of the legislative reference bureau shall determine the  
20 sequencing and the numbering of the provisions whose numbers conflict and adjust  
21 any cross-references thereto.

22 ***Be it further resolved, That*** this proposed amendment be referred to the  
23 legislature to be chosen at the next general election and that it be published for three  
24 months previous to the time of holding such election.

25 (END)