

## 1999 ASSEMBLY JOINT RESOLUTION 3

January 7, 1999 – Introduced by Representatives FOTI, HUNDERTMARK, JENSEN, BOCK, HANDRICK, LADWIG, SPILLNER, PLALE, STONE, M. LEHMAN, GRONEMUS, GROTHMAN, KELSO, POCAN, ALBERS, KEDZIE, VRAKAS, OURADA, BOYLE, OWENS, MILLER, MUSSER, SKINDRUD, HUEBSCH, DUFF, NASS, COLON, PORTER, F. LASEE, WALKER, LASSA, GUNDERSON, GOETSCH, TURNER, UNDERHEIM, OLSEN, OTT, AINSWORTH, RICHARDS, JOHNSRUD, KRUSICK and MEYER, cosponsored by Senators BURKE, GROBSCHMIDT, GEORGE, FITZGERALD, ERPENBACH, BRESKE, CLAUSING, DARLING, DRZEWIECKI, FARROW, HUELSMAN, MOEN, LAZICH, PANZER, PLACHE, RISSER, ROESSLER, ROSENZWEIG, SCHULTZ, SHIBILSKI, WELCH and RUDE. Referred to Committee on Corrections and the Courts.

- 1 **To amend** section 4 (1) of article VI; and **to create** section 4 (7) of article VI of the  
 2 constitution; **relating to:** 4–year terms of office for district attorneys (2nd  
 3 consideration).

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### *Analysis by the Legislative Reference Bureau*

#### EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given 2nd consideration by the 1999 legislature for submittal to the voters, was first considered by the 1997 legislature in 1997 Assembly Joint Resolution 43, which became 1997 Enrolled Joint Resolution 20. It is submitted at the first spring or general election that is at least 6 weeks after this joint resolution is concurred in.

This proposed constitutional amendment extends the terms of office of district attorneys from two years to four years beginning with district attorneys who are elected at the general election in 2000, if this joint resolution is concurred in at least 6 weeks before that date, or, if it is not, at the general election in 2002.

#### PROCEDURE FOR 2ND CONSIDERATION

When a proposed 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 may 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 proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

### SUBMITTAL TO PEOPLE

Because of the time required for publication of election notices and distribution of election supplies, the elections board estimates that this joint resolution would have to be adopted by both houses no later than February 16, 1999, to be placed on the ballot for the April 6, 1999, spring election.

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1           Whereas, the 1997 legislature in regular session considered a proposed  
2 amendment to the constitution in 1997 Assembly Joint Resolution 43, which became  
3 1997 Enrolled Joint Resolution 20, and agreed to it by a majority of the members  
4 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 amended to read:

[Article VI] Section 4 (1) Except as provided in sub. (2), coroners, registers of deeds, ~~district attorneys,~~ and all other elected officers except judicial officers, sheriffs, 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 (7) of article VI of the constitution is created to read:

[Article VI] Section 4 (7) Beginning with the first general election which occurs following ratification of this subsection, district attorneys shall be chosen by the electors of the respective counties once in every 4 years.

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 1999  
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 1999 spring election, if this joint resolution  
10 is concurred in on or before the 6th Tuesday before the 1999 spring election; at the  
11 2000 spring election, if this joint resolution is concurred in on or before the 6th  
12 Tuesday before the 2000 spring election and after the 6th Tuesday before the 1999

1 spring election; or at the 2000 general election, if this joint resolution is concurred  
2 in after the 6th Tuesday before the 2000 spring election; and, be it further

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

5 **QUESTION 1: “*Terms of office for district attorneys.*** Shall article VI, section  
6 4 (1) of the constitution be amended and article VI, section 4 (7) of the constitution  
7 be created to extend the terms of office of district attorneys from 2 years to 4 years?”

8 (END)