

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: **11/20/98**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Steven Foti (608) 266-2401**

By/Representing: **Mike Heifetz**

This file may be shown to any legislator: **NO**

Drafter: **kuesejt**

May Contact:

Alt. Drafters: **dykmapj**

Subject: **Constitutional Amendments**

Extra Copies:

JTK

Topic:

Four-year terms for district attorneys

Instructions:

Per 1997 AJR 43 on 2nd consideration.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	kuesejt 11/23/98	gilfokm 11/23/98		_____			
/1			hhagen 11/24/98	_____	lrb_docadmin 11/24/98		
/2	dykmapj 01/5/99	gilfokm 01/5/99	jfrantze 01/5/99	_____	lrb_docadmin 01/5/99	lrb_docadmin 01/5/99	

FE Sent For:

<END>

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/P1	kuesejt 11/23/98	gilfokm 11/23/98		_____		(Jacketed Now)	
/1		12-1-5-99 kmq	hhagen 11/24/98	_____	lrb_docadmin 11/24/98		

FE Sent For: *Ji/s Ji/s Ky*

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#1/1	kuesejt 11/23	1-11-23 Kmg	# 11/24	cm/s 11/24			

FE Sent For:

<END>



State of Wisconsin
1999 - 2000 LEGISLATURE

0970/1
LRB-067371
JTK&PJD:kmg:ch

WANTED SOON

1999 ~~SENATE~~ JOINT RESOLUTION

Assembly

- 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).

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 in April 1999, was first considered by the 1997 legislature in 1997 Assembly Joint Resolution 43, which became 1997 Enrolled Joint Resolution 20.

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.

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.

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 senate, the assembly 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 spring election to be held on April 6, 1999;
10 and, be it further

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



1999 ASSEMBLY JOINT RESOLUTION

NOTE

Jacket now

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

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).

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~~ 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 Spring

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.

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.

at general election that is at least 6 weeks after this joint resolution is

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.

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 ^{F-1999} spring election to be held on April 6, 1999;
10 and, be it further

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

9th.

2-9

2-9

INS 2-9

1 1998 Spring election, if this joint resolution is concurred in after the 6th Tuesday
 2 before the 1998 Spring primary and on or before the 1998 Spring primary at the 1998
 3 September primary, if this joint resolution is concurred in on or before the 6th
 4 Tuesday before the 1998 September primary and after the 1998 Spring primary, or
 5 at the 1998 general election, if this joint resolution is concurred in after the 6th
 6 Tuesday before the 1998 September primary and on or before the 1998 September
 7 primary and, be it further

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

10 **QUESTION 1: "Terms of office for district attorneys.** Shall article VI, section
 11 4 (1) of the constitution be amended and article VI, section 4 (6) of the constitution
 12 be created to extend the terms of office of district attorneys from 2 years to 4 years?"

13 (END)

6th Tuesdays before
 the 1999 spring election

Spring election

1999

election

on or before

2000

Keep

2000 Spring election

2000

2000 Spring election

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0990/2dn
PJD:kmg:jf

January 5, 1999

If this joint resolution is submitted at the 2000 general election, it applies first to the 2002 general election.

Atty. Peter J. Dykman
Deputy Chief
266-7098