

## 1999 SENATE JOINT RESOLUTION 3

January 6, 1999 – Introduced by Senators BURKE, BRESKE, CLAUSING, DARLING, DRZEWIECKI, ERPENBACH, FARROW, FITZGERALD, GEORGE, GROBSCHMIDT, HUELSMAN, LAZICH, MOEN, PANZER, PLACHE, RISSER, ROESSLER, ROSENZWEIG, RUDE, SCHULTZ, SHIBILSKI and WELCH, cosponsored by Representatives FOTI, AINSWORTH, ALBERS, BOCK, BOYLE, COLON, DUFF, GOETSCH, GRONEMUS, GROTHMAN, GUNDERSON, HANDRICK, HUEBSCH, JENSEN, JOHNSRUD, KEDZIE, KELSO, KRUSICK, LADWIG, F. LASEE, LASSA, M. LEHMAN, MEYER, MILLER, MUSSER, NASS, OLSEN, OTT, OURADA, OWENS, PLALE, POCAN, PORTER, RICHARDS, SKINDRUD, SPILLNER, STONE, TURNER, UNDERHEIM, VRAKAS and WALKER. Referred to Committee on Judiciary and Consumer Affairs.

- 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 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.

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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 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:

