

1999 DRAFTING REQUEST

Senate Joint Resolution

Received: 10/26/98

Received By: **kuesejt**

Wanted: As time permits

Identical to LRB:

For: **Brian Burke (608) 266-8535**

By/Representing: **Cindy McGinnis**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

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>
/?	kuesejt 11/16/98	gilfokm 11/18/98		_____			
/P1			haueca 11/20/98	_____	lrb_docadmin 11/20/98		
/1	dykmapj 11/20/98	gilfokm 11/20/98	haueca 11/23/98	_____	lrb_docadmin 11/23/98	lrb_docadmin 12/2/98	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Senate Joint Resolution

Received: 10/26/98

Received By: kuesejt

Wanted: As time permits

Identical to LRB:

For: Brian Burke (608) 266-8535

By/Representing: Cindy McGinnis

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters:

Subject: Constitutional Amendments

Extra Copies:

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>
/?	kuesejt 11/16/98	gilfokm 11/18/98		_____			
/P1			haugeca 11/20/98	_____	lrb_docadmin 11/20/98		
/1	dykmapj 11/20/98	gilfokm 11/20/98	haugeca 11/23/98	_____	lrb_docadmin 11/23/98		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Senate Joint Resolution

Received: 10/26/98

Received By: kuesejt

Wanted: As time permits

Identical to LRB:

For: Brian Burke (608) 266-8535

By/Representing: Cindy McGinnis

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters:

Subject: Constitutional Amendments

Extra Copies: KMG
ALL EDITORS

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>
1? / P1	kuesejt u	11/16 / p1-11-18 KMG 1-11-20 KMG	ch 11-19 ch 11-23	ch 11-20 ch 11-23	<u>Submitted</u> → P11-No → sent to hold		
FE Sent For:							

<END>



State of Wisconsin
1997-1998 LEGISLATURE

- 06731P1
LRB 0678/2
JTK&PJD:km
KG

WANTED SON

~~SENATE SUBSTITUTE AMENDMENT 1,~~
1999 SENATE
TO ~~1997~~ ASSEMBLY JOINT RESOLUTION 43

May 5, 1998 - Offered by Senators RUDE, WELCH, WEEDEN, SCHULTZ, DARLING, ZIEN, ROSENZWEIG, DRZEWIECKI, FARROW, PANZER and LAZICH.

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).
4

~~Resolved by the assembly, the senate concurring, That:~~

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

6 [Article VI] Section 4 (1) Sheriffs, coroners, registers of deeds, district
7 attorneys, and all other elected county officers except judicial officers, district
8 attorneys and chief executive officers, shall be chosen by the electors of the respective
9 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.

JW
1-4

JW
1-5

Keep

single-space
no line numbers

1997 LRB-1255/4
for example.

SECTION 3. Numbering of new provision. The new subsection (6) of section 4 of article VI of the constitution created in this joint resolution shall be designated by the next higher open whole subsection number in that section number in that article if, prior to or simultaneously with the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (6) of section 4 of article VI of the constitution of this state. If several joint resolutions simultaneously create a subsection (6) of section 4 of article VI, the chief of the legislative reference bureau shall determine the sequence and the numbering.

Now, therefore, be it resolved by the ^{senate} ~~people~~, the ^{assembly} ~~senate~~ concurring!

That the foregoing proposed amendment to the constitution is agreed to by the ¹⁹⁹⁹ ~~1997~~ legislature; and, be it further

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the ~~1998~~ ¹⁹⁹⁹ Spring ~~primary~~ ^{election to be held on April 6, 1999}, if this joint resolution is concurred in on or before the 6th Tuesday before the 1998 Spring primary; at the

1997 - 1998 Legislature

- 3 -

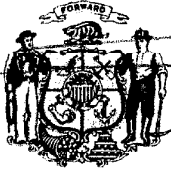
LRB-1255/4
JTK&PJD:kmg:arm
SECTION 3

1998 Spring election, if this joint resolution is concurred in after the 6th Tuesday before the 1998 Spring primary and on or before the 1998 Spring primary; at the 1998 September primary, if this joint resolution is concurred in on or before the 6th Tuesday before the 1998 September primary and after the 1998 Spring primary; or at the 1998 general election, if this joint resolution is concurred in after the 6th Tuesday before the 1998 September primary and on or before the 1998 September primary; and, be it further

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

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

(END)



CONS 1-311 ✓

1997 ASSEMBLY JOINT RESOLUTION 43

March 25, 1997 - Introduced by Representatives FOTI, KUNICKI, LAZICH, AINSWORTH, BOCK, BOYLE, BRANDEMUEHL, COGGS, DOBYNS, DUFF, GOETSCH, GREEN, GRONEMUS, GROTHMAN, GUNDERSON, HANDRICK, HANSON, HASENOHRL, HOVEN, HUEBSCH, HUTCHISON, JENSEN, JESKEWITZ, JOHNSRUD, KEDZIE, KELSO, KLUSMAN, KREIBICH, KRUSICK, LADWIG, F. LASEE, M. LEHMAN, MURAT NASS, OLSEN, OTT, OTTE, OURADA, OWENS, PLALE, PORTER, POWERS, RYBA, SCHAFFER, SERATTI, SPRINGER, STASKUNAS, SYKORA, TURNER, UNDERHEIM, VANDER LOOP, VRAKAS, WALKER and L. YOUNG, cosponsored by Senators BURKE, HUELSMAN, BRESKE, BUETTNER, CLAUSING, DARLING, DRZEWIECKI, FARROW, FITZGERALD, GEORGE, GROBSCHMIDT, A. LASEE, PANZER, C. POTTER, RISSER, ROSENZWEIG, RUDE, SCHULTZ, SHIBILSKI, WEDDEN and WELCH. Referred to Committee on Elections and Constitutional Law.

1 **To amend** section 4 (1) of article VI; and **to create** section 4 (6) 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 1997 legislature, was first considered by the 1995 legislature in ~~1995~~ Joint Resolution ~~88~~, which became, ~~1995~~ Enrolled Joint Resolution ~~2~~. ~~This proposed constitutional amendment will be submitted to the voters at one of 4 elections, depending on when this joint resolution is concurred in.~~

This proposed constitutional amendment extends the terms of office of district attorneys from 2 years to 4 years beginning with district attorneys who are elected at the general election in ~~1999~~ 2000.

PROCEDURE FOR 2ND CONSIDERATION

When a 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 ~~would~~ 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 constitutional amendment

For submittal to the voters in April 1999

1999

43

proposed

may

proposed

20

1997

1997 Assembly

Handwritten: Res 1-3:2

Handwritten: appear

Handwritten: Res 2A

to the people for ratification and must determine the question or questions to be ~~printed~~ on the ballot.

1 Whereas, the ¹⁹⁹⁷~~1995~~ legislature in regular session considered a proposed
2 amendment to the constitution in ^{1997 Assembly}~~1995 Senate~~ Joint Resolution ⁴³~~30~~, which became
3 ¹⁹⁹⁷ Enrolled Joint Resolution ²⁰~~27~~, and agreed to it by a majority of the members elected
4 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) Sheriffs Except as provided in sub. (2), sheriffs, coroners, registers of deeds, district attorneys, and all other elected county officers except judicial officers, 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 (6) of article VI of the constitution is created to read:~~

~~[Article VI] Section 4 (6) Beginning with the general election in 1998, district attorneys shall be chosen by the electors of the respective counties once in every 4 years.~~

~~SECTION 3. **Numbering of new provision.** The new subsection (6) of section 4 of article VI of the constitution created in this joint resolution shall be designated by the next higher open whole subsection number in that section number in that article if, prior to or simultaneously with the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (6) of section 4 of article VI of the constitution of this state. If several joint resolutions simultaneously create a subsection (6) of section 4 of article VI, the chief of the legislative reference bureau shall determine the sequence and the numbering.~~

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 1997
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 1998 Spring primary, if this joint resolution
10 is concurred in on or before the 6th Tuesday before the 1998 Spring primary; at the

ANS 2A ✓

Amendment
1/28/98 - Resolved, T
3
2
4
5

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 be printed on the ballot.

the adopted leg

sub ~~1997 SPRING ELECTION~~ LATEST TIME FOR 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 pass both houses no later than February 16, 1999, to be placed on the ballot for the April 16, 1999, spring election.

1 Whereas, the 1995 legislature in regular session considered a proposed
2 amendment to the constitution (1995 Assembly Joint Resolution 53, which became
3 1995 Enrolled Joint Resolution 27) and agreed to it by a majority of the members
4 elected to each of the 2 houses, which amendment reads as follows:

5 SECTION 1. Section 25 of article I of the constitution is created to
6 read:

7 [Article I] Section 25. The people have the right to keep and bear
8 arms for security, defense, hunting, recreation or any other lawful
9 purpose.

10 SECTION 2. Numbering of new section. The new section "25" of
11 article I of the constitution created in this joint resolution shall be
12 designated by the next higher open whole section number in that article
13 if, prior to or simultaneously with the ratification by the people of the
14 amendment proposed in this joint resolution, any other ratified
15 amendment has created a "section 25" of article I of the constitution of this
16 state. If several joint resolutions simultaneously create a section 25 of
17 article I, the chief of the legislative reference bureau shall determine the
18 sequence and the numbering.

19 Now, therefore, be it resolved by the assembly, the senate concurring,
20 That the foregoing proposed amendment to the constitution is agreed to by the 1997
21 legislature; and, be it further

22 Resolved, That the foregoing proposed amendment to the constitution be
23 submitted to a vote of the people at the election to be held on the first Tuesday of April,
24 1997; and, be it further

JWS 1-5 ✓

1 **SECTION 3. Reconciliation.** If the amendment of section 4 (1) of article VI of
2 the constitution as proposed by 1997 Senate Joint Resolution 43 is ratified by the
3 people prior to the ratification of this amendment, section 4 (1) of article VI of the
4 constitution shall, in lieu of the treatment shown in SECTION 1, be amended as
5 follows:

6 [Article VI] Section 4 (1) Except as provided in sub. (2), coroners, registers of
7 deeds, ~~district attorneys~~, and all other elected officers except judicial officers,
8 sheriffs, ~~district attorneys~~ and chief executive officers, shall be chosen by the electors
9 of the respective counties once in every 2 years.

10 ~~**SECTION 4. Numbering of new provision.** The new subsection (7) of section~~
11 4 of article VI of the constitution created in this joint resolution shall be designated
12 by the next higher open whole subsection number in that section in that article if,
13 before the ratification by the people of the amendment proposed in this joint
14 resolution, any other ratified amendment has created a subsection (7) of section 4 of
15 article VI of the constitution of this state. If one or more joint resolutions create a
16 subsection (7) of section 4 of article VI simultaneously with the ratification by the
17 people of the amendment proposed in this joint resolution, the subsections created
18 shall be numbered and placed in a sequence so that the subsections created by the
19 joint resolution having the lowest enrolled joint resolution number have the numbers
20 designated in that joint resolution and the subsections created by the other joint
21 resolutions have numbers that are in the same ascending order as are the numbers
22 of the enrolled joint resolutions creating the subsections.

single space; no line numbers



Handwritten initials/signature

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

1999 SENATE JOINT RESOLUTION

wpo
Print with line #5

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

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

(END)

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 11/23/98

To: Senator Burke

Relating to LRB drafting number: LRB-0673

Topic

Four - year terms for district attorneys

Subject(s)

Constitutional Amendments

1. **JACKET** the draft for introduction B. Burke

in the **Senate** or the **Assembly** _____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Jeffery T. Kuesel, Assistant Chief Counsel
Telephone: (608) 266-6778