

## 2001 ASSEMBLY JOINT RESOLUTION 24

February 6, 2001 – Introduced by Representatives RYBA, ALBERS, BALOW, BOCK, GROTHMAN, HAHN, JESKEWITZ, KRAWCZYK, LADWIG, F. LASEE, M. LEHMAN, LIPPERT, MUSSER, OLSEN, PETTIS, SKINDRUD, SYKORA, TOWNSEND, URBAN, WALKER and WILLIAMS, cosponsored by Senators BRESKE, DARLING, FARROW, GROBSCHMIDT, HUELSMAN, A. LASEE, MOEN, ROESSLER and SCHULTZ. Referred to Committee on Campaigns and Elections.

1        ***To renumber and amend*** section 12 of article VII; and ***to create*** section 12 (2) of  
 2                article VII of the constitution; **relating to:** 4–year terms of office for clerks of  
 3                circuit court (first consideration).

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### ***Analysis by the Legislative Reference Bureau***

This proposed constitutional amendment, proposed to the 2001 legislature on first consideration, extends the terms of office of clerks of the circuit courts from two years to four years. The change first applies to the clerks of circuit court who are elected at the first general election at which the governor is elected which occurs after the ratification of this amendment.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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4                ***Resolved by the assembly, the senate concurring, That:***  
 5                **SECTION 1.** Section 12 of article VII of the constitution is renumbered section  
 6                12 (1) of article VII and amended to read:  
 7                [Article VII] Section 12 (1) There shall be a clerk of the circuit court chosen in  
 8                each county organized for judicial purposes by the qualified electors thereof, who,

1 ~~except as provided in sub. (2).~~ shall hold his office for two years, subject to removal  
2 as shall be provided by law; ~~in.~~

3 ~~(3) In case of a vacancy, the judge of the circuit court shall have power to~~ may  
4 appoint a clerk until the vacancy ~~shall be~~ is filled by an election; ~~the.~~

5 ~~(4) The clerk thus elected or appointed of circuit court shall give such security~~  
6 as the legislature ~~may require~~ requires by law.

7 ~~(5) The supreme court shall appoint its own clerk, and~~ may appoint a clerk of  
8 ~~the circuit court may be appointed a~~ to be the clerk of the supreme court.

9 **SECTION 2.** Section 12 (2) of article VII of the constitution is created to read:

10 [Article VII] Section 12 (2) Beginning with the first general election at which  
11 the governor is elected which occurs after the ratification of this subsection, a clerk  
12 of circuit court shall be chosen by the electors of all of the respective counties  
13 comprising each circuit for the term of 4 years, subject to removal as provided by law.

14 **SECTION 3. Numbering of new provision.** The new subsection (2) of section  
15 12 of article VII of the constitution created in this joint resolution shall be designated  
16 by the next higher open whole subsection number in that section in that article if,  
17 before the ratification by the people of the amendment proposed in this joint  
18 resolution, any other ratified amendment has created a subsection (2) of section 12  
19 of article VII of the constitution of this state. If one or more joint resolutions create  
20 a subsection (2) of section 12 of article VII simultaneously with the ratification by the  
21 people of the amendment proposed in this joint resolution, the subsections created  
22 shall be numbered and placed in a sequence so that the subsections created by the  
23 joint resolution having the lowest enrolled joint resolution number have the numbers  
24 designated in that joint resolution and the subsections created by the other joint

1 resolutions have numbers that are in the same ascending order as are the numbers  
2 of the enrolled joint resolutions creating the subsections.

3 ***Be it further resolved, That*** this proposed amendment be referred to the  
4 legislature to be chosen at the next general election and that it be published for 3  
5 months previous to the time of holding such election.

6 (END)