

2007 DRAFTING REQUEST

Assembly Joint Resolution

Received: 04/02/2007

Received By: smiller

Wanted: As time permits

Identical to LRB:

For: Gary Sherman (608) 266-7690

By/Representing: Judy Kelly

This file may be shown to any legislator: NO

Drafter: smiller

May Contact:

Addl. Drafters:

Subject: Constitutional Amendments
Elections - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Sherman@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Eliminate spring elections

Instructions:

See Attached

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>
/?	smiller 05/17/2007	kfollett 05/31/2007 wjackson 06/12/2007		_____			
/1			nmatzke 06/12/2007	_____	lparisi 06/12/2007	cduerst 06/13/2007	

FE Sent For:

<END>

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/?	smiller	1 WJ 6/12	nwn 6/12	nwn/rs 6/12			

FE Sent For:

<END>

07-2362

Miller, Steve

From: Duerst, Christina
Sent: Monday, April 02, 2007 11:53 AM
To: Miller, Steve
Subject: FW: Request for bill draft

From: Kelly, Judy
Sent: Monday, April 02, 2007 11:51 AM
To: LRB.Legal
Subject: FW: Request for bill draft

Gary wants the draft request below (sent earlier this morning) to include that there be clearly a separate section or an entirely separate ballot for the non-partisan offices. **Thanks.**

Judy

Rep. Sherman would like to have a bill drafted to eliminate the spring election and have the non-partisan races held in November with the rest. Gary thinks it will have to be a constitutional amendment but said you would know. **Thanks.**

Judy Kelly
Legislative Aide to
Rep. Gary Sherman

*Judy called April 3 -
will forward email*

Miller, Steve

From: Duerst, Christina
Sent: Monday, April 02, 2007 10:43 AM
To: Miller, Steve
Subject: FW: Request for bill draft

From: Kelly, Judy
Sent: Monday, April 02, 2007 10:34 AM
To: LRB.Legal
Subject: Request for bill draft

Rep. Sherman would like to have a bill drafted to eliminate the spring election and have the non-partisan races held in November with the rest. Gary thinks it will have to be a constitutional amendment but said you would know. Thanks.

Judy Kelly
Legislative Aide to
Rep. Gary Sherman

Jeff -
Will this require a
const. amendment?

Steve

Steve -
At a minimum, Art. VII sec 9 (2nd sentence)
would need to be removed. There are also
constitutional starting dates for terms of office that
are tied to the Spring election and constitutional terms
of office that would need to be altered to facilitate a
transition.

Jeff

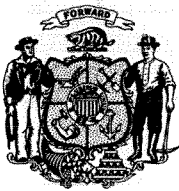
Miller, Steve

From: Kelly, Judy
Sent: Tuesday, April 03, 2007 3:47 PM
To: Miller, Steve
Subject: FW: spring election elimination

Gary has mulled this over some more and there is an additional provision he'd like to take care of the interim time period when the spring election would be phased out:

Since we can't shorten the terms of already elected officials and we don't want to create another November election, and we also don't want to extend any terms too long, the bill should provide that there be one more spring election and the terms of those elected will end at the November election for president or governor that is closest to when their term would otherwise have ended.

For example, I'm up today for a two year term which runs till April 2009. In April 2009, I'd run for a term that ends in November 2010, a term that would be roughly 5 months shorter than usual for that one cycle. In Nov 2010 I'd run for a normal two term that ends in Nov 2012.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2007 ASSEMBLY JOINT RESOLUTION

1 **Relating to:** eliminating the spring general election (first consideration).

The proposal also prescribes shortened terms for non-partisan officers who are elected after the effective date of the amendment to facilitate the transition to new term expirations

regularly scheduled

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, eliminates the spring general election for non-partisan offices so that all general elections will be held in November and extends the terms of current officers who were elected in spring elections to expire in January.

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

2 **Resolved by the assembly, the senate concurring, That:**

3 **SECTION 1.** Section 23 of article IV of the constitution is amended to read:

4 [Article IV] Section 23. The legislature shall establish but one system of town
5 government, which shall be as nearly uniform as practicable; but the legislature may
6 provide for the election at large ~~once in every 4 years~~ of a chief executive officer in
7 any county with such powers of an administrative character as they may from time
8 to time prescribe in accordance with this section and shall establish one or more
9 systems of county government.

The term of office of the chief executive officer shall be 4 years, except that the term of office of any person who is elected to the office of chief executive officer after the effective date of the 2007-2009 amendment to this section shall expire on the first Monday of January of the first odd-numbered year beginning after that date.

INS 2A

1 SECTION 2. Section 4(1) of article VII of the constitution is amended to read:

2 [Article VII] Section 4 (1). The supreme court shall have 7 members who shall
3 be known as justices of the supreme court. ~~Justices~~ shall be elected for 10-year terms
4 of office commencing with the ~~August~~ January 1 next succeeding the election. ~~Only~~
5 ~~one justice~~ No more than two justices may be elected in any year. Any 4 justices shall
6 constitute a quorum for the conduct of the court's business.

*except as provided in this subsection
justices*

The term of office of each person who is elected to the office of justice after the effective date of this

7 SECTION 3. Section 5 (2) of article VII of the constitution is amended to read:

8 [Article VII] Section 5 (2). For each district of the appeals court there shall be
9 chosen by the qualified electors of the district one or more appeals judges as
10 prescribed by law, who shall sit as prescribed by law. Appeals judges shall be elected
11 for 6-year terms and shall reside in the district from which elected. No alteration of
12 district or circuit boundaries shall have the effect of removing an appeals judge from
13 office during the judge's term. In case of an increase in the number of appeals judges,
14 the first judge or judges shall be elected for full terms unless the legislature
15 prescribes a shorter initial term for staggering of terms.

2007-2009 amendment to this subsection shall expire on the first Monday of January of the first odd-numbered year beginning after that date

parallels sec 2

16 SECTION 4. Section 7 of article VII of the constitution is amended to read:

17 [Article VII] Section 7. For each circuit there shall be chosen by the qualified
18 electors thereof one or more circuit judges as prescribed by law. Circuit judges shall
19 be elected for 6-year terms and shall reside in the circuit from which elected.

parallels sec 2

20 SECTION 5. Section 9 of article VII of the constitution is amended to read:

21 [Article VII] Section 9. When a vacancy occurs in the office of justice of the
22 supreme court or judge of any court of record, the vacancy shall be filled by
23 appointment by the governor, which shall continue until a successor is elected and
24 qualified. ~~There shall be no election for a justice or judge at the partisan general~~

1 ~~election for state or county officers, nor within 30 days either before or after such~~
2 ~~election.~~

3 SECTION 6. Section 1 of article X of the constitution is amended to read:

4 [Article X] Section 1. The supervision of public instruction shall be vested in
5 a state superintendent and such other officers as the legislature shall direct; and
6 their qualifications, powers, duties and compensation shall be prescribed by law. ~~The~~
7 ~~state superintendent shall be chosen by the qualified electors of the state at the same~~
8 ~~time and in the same manner as members of the supreme court,~~ ^{general election}
9 ~~for 4 years from the succeeding first Monday in July January.~~ The term of office, time
10 and manner of electing or appointing all other officers of supervision of public
11 instruction shall be fixed by law. ^{The term of office of the person who is}
^{First elected to the office of state superintendent after the effective date of the}

12 SECTION 7. Section 1 of article XIII of the constitution is amended to read:

13 [Article XIII] Section 1. The political year for this state shall commence on the
14 first Monday of January in each year, and the general election shall be held on the
15 Tuesday next succeeding the first Monday of November in even-numbered years.
16 ~~All elections for public officials shall be held at the general election in November. The~~
17 ~~ballot shall obviously distinguish between partisan and nonpartisan elections.~~ ^{beginning with the elections first held to fill the positions of officers whose terms}
^{expire}
^{clearly} ^{offices specified} ^{years under}

18 (END)

2007-2009 amendment to this section shall
expire on the first Monday of January of
the first odd-numbered year beginning after
that date

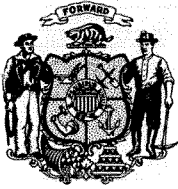
The 2007-09
amendment to
this section, if
regularly scheduled

INS 2A

Article VI, §4 ¶(1) (a)

(a) Except as provided in this paragraph and pars. (b) and (c) and sub. (2), coroners, registers of deeds, district attorneys, and all other elected county officers, except judicial officers, sheriffs, and chief executive officers, shall be chosen by the electors of the respective counties once in every 2 years.

The term of office of each person who is elected to the office of county supervisor after the effective date of the 2007-2009 amendment to this paragraph shall expire on the first Monday of January of the first odd-numbered year beginning after that date.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2362/2

SRM:.....
Wlj

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
2007 ASSEMBLY JOINT RESOLUTION

Today
if possible.

Gen

1 **Relating to:** eliminating the spring election (first consideration).

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, eliminates the spring election for non-partisan offices so that all regularly scheduled elections will be held in November. The proposal also prescribes special shortened terms for nonpartisan officers who are elected after the effective date of the amendment to facilitate the transition to new term expirations. ^(SP)

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

2 ***Resolved by the assembly, the senate concurring, That:***

3 **SECTION 1.** Section 23 of article IV of the constitution is amended to read:

4 [Article IV] Section 23^(STEP) The legislature shall establish but one system of town
5 government, which shall be as nearly uniform as practicable; but the legislature may
6 provide for the election at large once in every 4 years of a chief executive officer in
7 any county with such powers of an administrative character as they may from time
8 to time prescribe in accordance with this section and shall establish one or more

1 systems of county government. The term of office of the chief executive officer shall
2 be 4 years, except that the term of office of any person who is elected to the office of
3 chief executive officer after the effective date of the 2007-2009 amendment to this
4 section shall expire on the first Monday of January of the first odd-numbered year
5 beginning after that date.

6 SECTION 2. Section 4 (1) (a) of article VI of the constitution is amended to read:

7 [Article VI] Section 4 (1) (a) Except as provided in this paragraph and pars. (b)
8 and (c) and sub. (2), coroners, registers of deeds, district attorneys, and all other
9 elected county officers, except judicial officers, sheriffs, and chief executive officers,
10 shall be chosen by the electors of the respective counties once in every 2 years. The
11 term of office of each person who is elected to the office of county supervisor after the
12 effective date of the 2007-2009 amendment to this paragraph shall expire on the first
13 Monday of January of the first odd-numbered year beginning after that date.

14 SECTION 3. Section 4 (1) of article VII of the constitution is amended to read:

15 [Article VII] Section 4 (1) The supreme court shall have 7 members who shall
16 be known as justices of the supreme court. Justices Except as provided in this
17 subsection, justices shall be elected for 10-year terms of office commencing with the
18 August January 1 next succeeding the election. Only one justice No more than ²two
19 justices may be elected in any year. Any 4 justices shall constitute a quorum for the
20 conduct of the court's business. The term of office of each person who is elected to the
21 office of justice after the effective date of the 2007-2009 amendment to this
22 subsection shall expire on the first Monday of January of the first odd-numbered
23 year beginning after that date.

24 SECTION 4. Section 5 (2) of article VII of the constitution is amended to read:

1 [Article VII] Section 5 (2) For each district of the appeals court there shall be
2 chosen by the qualified electors of the district one or more appeals judges as
3 prescribed by law, who shall sit as prescribed by law. Appeals Except as provided in
4 this subsection, appeals judges shall be elected for 6-year terms and shall reside in
5 the district from which elected. No alteration of district or circuit boundaries shall
6 have the effect of removing an appeals judge from office during the judge's term. In
7 case of an increase in the number of appeals judges, the first judge or judges shall
8 be elected for full terms unless the legislature prescribes a shorter initial term for
9 staggering of terms. The term of office of each person who is elected to the office of
10 appeals judge after the effective date of the 2007-2009 amendment to this subsection
11 shall expire on the first Monday of January of the first odd-numbered year beginning
12 after that date.

13 SECTION 5. Section 7 of article VII of the constitution is amended to read:

14 [Article VII] Section 7. For each circuit there shall be chosen by the qualified
15 electors thereof one or more circuit judges as prescribed by law. Circuit Except as
16 provided in this subsection, circuit judges shall be elected for 6-year terms and shall
17 reside in the circuit from which elected. The term of office of each person who is
18 elected to the office of circuit judge after the effective date of the 2007-2009
19 amendment to this subsection shall expire on the first Monday of January of the first
20 odd-numbered year beginning after that date.

21 SECTION 6. Section 9 of article VII of the constitution is amended to read:

22 [Article VII] Section 9. When a vacancy occurs in the office of justice of the
23 supreme court or judge of any court of record, the vacancy shall be filled by
24 appointment by the governor, which shall continue until a successor is elected and
25 qualified. There shall be no election for a justice or judge at the partisan general
plain space

1 election for state or county officers, nor within 30 days either before or after such
2 election.

3 **SECTION 7.** Section 1 of article X of the constitution is amended to read:

4 [Article X] Section 1. The supervision of public instruction shall be vested in
5 a state superintendent and such other officers as the legislature shall direct; and
6 their qualifications, powers, duties and compensation shall be prescribed by law. ~~The~~
7 Except as provided in this section, the state superintendent shall be chosen by the
8 qualified electors of the state at the same time and in the same manner as members
9 of the supreme court general election, and shall hold office for 4 years from the
10 succeeding first Monday in July January. The term of office, time and manner of
11 electing or appointing all other officers of supervision of public instruction shall be
12 fixed by law. The term of office of the person who is first elected to the office of state
13 superintendent after the effective date of the 2007-2009 amendment to this section
14 shall expire on the first Monday of January of the first odd-numbered year beginning
15 after that date.

16 **SECTION 8.** Section 1 of article XIII of the constitution is amended to read:

17 [Article XIII] Section 1. The political year for this state shall commence on the
18 first Monday of January in each year, and the general election shall be held on the
19 Tuesday next succeeding the first Monday of November in even-numbered years.
20 Beginning with the elections first held to fill the positions of officers whose terms
21 expire in specified years under the 2007-2009 amendment to this section, all
22 regularly scheduled elections for public officials shall be held at the general
23 election. The ballot shall clearly distinguish between partisan and nonpartisan
24 offices.

25 (END)

Basford, Sarah

From: Sherman, Gary
Sent: Tuesday, June 12, 2007 11:02 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-2362/1 Topic: Eliminate spring elections

Please Jacket LRB 07-2362/1 for the ASSEMBLY.

Barman, Mike

From: Kelly, Judy
Sent: Wednesday, June 13, 2007 4:28 PM
To: Barman, Mike
Subject: LRB2362

Hi Mike,

I just got a jacket for the above but noticed I do not have an electronic version of the bill. I would appreciate your sending it to me. Thanks.

Judy Kelly
Legislative Aide to
Rep. Gary Sherman

Barman, Mike

From: Barman, Mike
Sent: Thursday, June 14, 2007 8:00 AM
To: Kelly, Judy
Cc: Rep.Sherman
Subject: LRB 07-2362/1 (un-introduced) (attached - requested by Judy)

Attachments: 07-2362/1



07-23621.pdf (22
KB)

Mike Barman (Senior Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
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(608) 266-3561 / mike.barman@legis.wisconsin.gov