

2007 ASSEMBLY BILL 848

February 21, 2008 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

1 **AN ACT relating to:** revising various provisions of the statutes for the purpose
2 of correcting errors and supplying omissions (Correction Bill).

Analysis by the Legislative Reference Bureau

This correction bill, prepared by the Legislative Reference Bureau under s. 13.92 (2) (L), stats., revises sections 8.25, 59.20, and 978.01 of the statutes to take into account the repeal of section 4 (3) (c) of article VI, the renumbering and amendment of section 4 (1) of article VI and section 12 of article VII, the amendment of section 4 (4) of article VI, and the creation of section 4 (1) (b) and (c) of article VI and section 12 (2) of article VII of the constitution, as provided in 2005 Wisconsin Enrolled Joint Resolution 2 (relating to 4-year terms of office for certain county officers) and approved by the electors at the election held on April 5, 2005. This correction bill is explained further in the NOTES provided in the body of the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 8.25 (5) of the statutes is amended to read:
4 8.25 (5) DISTRICT ATTORNEY; TERM. A district attorney shall be elected for each
5 prosecutorial unit specified in s. 978.01 at the general election in ~~1990~~ and biennially

ASSEMBLY BILL 848**SECTION 1**

1 2008 and quadrennially thereafter. The regular term of the office of district attorney
2 commences on the first Monday in January next succeeding the officer's election.

NOTE: Reflects changes regarding the term of office for district attorneys made by the constitutional amendment contained in 2005 Enrolled Joint Resolution 2 (see section 2 of the resolution).

3 **SECTION 2.** 59.20 (2) of the statutes is amended to read:

4 59.20 (2) COUNTY OFFICERS; TERMS. (a) ~~Except as provided in par. (c), a county~~
5 ~~clerk, treasurer, coroner, clerk of circuit court, register of deeds, and surveyor, who~~
6 ~~shall be a registered land surveyor, shall be elected in each county for full terms at~~
7 ~~the general election held in each even-numbered year. Beginning in 2008 and~~
8 ~~quadrennially thereafter, a register of deeds, county clerk, and county treasurer~~
9 ~~shall be chosen at the general election by the electors of each county for the term of~~
10 ~~4 years. Except as provided in this paragraph, beginning in 2008 and quadrennially~~
11 ~~thereafter, a surveyor shall be chosen at the general election by the electors of each~~
12 ~~county in which the office of surveyor is filled by election, for the term of 4 years. No~~
13 ~~surveyor shall be elected in counties having a population of 500,000 or more.~~ The
14 regular term of office of each ~~such officer~~ register of deeds, county clerk, county
15 treasurer, and county surveyor shall commence on the first Monday of January next
16 succeeding his or her election and shall continue ~~2~~ 4 years and until his or her
17 successor qualifies.

18 (b) ~~A sheriff shall be elected for each county at the general election in 2002 and~~
19 ~~quadrennially thereafter. Beginning in 2006 and quadrennially thereafter, a sheriff~~
20 ~~shall be chosen at the general election by the electors of each county for the term of~~
21 ~~4 years. Except as provided in this paragraph, beginning in 2006 and quadrennially~~
22 ~~thereafter, a coroner shall be chosen at the general election by the electors of each~~
23 ~~county in which there is a coroner, for the term of 4 years. No coroner shall be elected~~

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1 in counties having a population of 500,000 or more or in counties in which a medical
2 examiner system is instituted. The regular term of the office of each sheriff
3 commences and coroner shall commence on the first Monday in January next
4 succeeding ~~the sheriff's~~ his or her election and shall continue 4 years and until his
5 or her successor qualifies.

6 (c) In counties that elect a surveyor, the surveyor shall be a registered land
7 surveyor. In lieu of electing a surveyor in any county having a population of less than
8 500,000, the board may, by resolution, designate that the duties under ss. 59.45 (1)
9 and 59.74 (2) be performed by any registered land surveyor employed by the county.

10 (d) Except as provided in par. (b), in any county containing one town only, the
11 county board may, by resolution, designate any county office a part-time position,
12 combine 2 or more county offices, and, if concurred in by the town board, combine the
13 offices of county clerk and town clerk and any other county and town offices, provided
14 that the offices combined are not incompatible and the combination is not expressly
15 forbidden by law. If the town board so concurs, the election may be for the combined
16 office and no separate election for the town office shall be held until after the county
17 board has by resolution decided to abandon the combination and the town board has
18 concurred by resolution. ~~In counties having a population of 500,000 or more, no~~
19 ~~county coroner or county surveyor may be elected. In any county in which a medical~~
20 ~~examiner system is instituted, no coroner may be elected.~~

NOTE: Amends existing language to reflect changes regarding the terms of office for certain county officials made by the constitutional amendment contained in 2005 Enrolled Joint Resolution 2. Paragraph (c) is divided into 2 separate paragraphs to reflect the separate concepts contained therein. Language previously contained in the last 2 sentences of paragraph (c) is moved for more logical placement. Language previously contained in paragraph (a) regarding the requirement that an elected surveyor be a registered land surveyor is moved to paragraph (c) for more logical placement.

21 **SECTION 3.** 59.20 (2) (bm) of the statutes is created to read:

ASSEMBLY BILL 848**SECTION 3**

1 59.20 (2) (bm) Beginning in 2006 and quadrennially thereafter, a clerk of
2 circuit court shall be chosen at the general election for the term of 4 years by the
3 electors of each county, subject to removal as provided by law. The regular term of
4 office of each clerk of circuit court shall commence on the first Monday of January
5 next succeeding his or her election and shall continue 4 years and until his or her
6 successor qualifies.

NOTE: Reflects changes regarding the term of office for clerks of circuit court made
by the constitutional amendment contained in 2005 Enrolled Joint Resolution 2 (see
section 6 of the resolution), and retains language applicable to clerks of circuit court that
was previously contained in s. 59.20 (2) (a) relating to commencement and continuation
of terms of office.

7 **SECTION 4.** 978.01 (1) of the statutes is amended to read:

8 978.01 (1) There shall be 71 district attorneys elected for full terms at the
9 general election held in each ~~even-numbered year~~ 2008 and quadrennially
10 thereafter. The regular term of office for each district attorney is ~~2~~ 4 years,
11 commencing on the first Monday of January next succeeding his or her election.
12 Each county is a prosecutorial unit and shall elect a district attorney, except that
13 Shawano and Menominee counties form one 2-county prosecutorial unit and shall
14 elect a single district attorney by the combined electorate of the 2 counties.

NOTE: Reflects changes regarding the term of office for district attorneys made by
the constitutional amendment contained in 2005 Enrolled Joint Resolution 2 (see section
2 of the resolution).

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(END)