



## 2011 SENATE JOINT RESOLUTION 36

July 19, 2011 – Introduced by Senators ZIPPERER, VUKMIR, KEDZIE, GALLOWAY, LASEE, OLSEN and WANGGAARD, cosponsored by Representatives AUGUST, KRUG, CRAIG, BIES, BROOKS, FARROW, JACQUE, KESTELL, KNILANS, KNUDSON, KRAMER, A. OTT, PETERSEN, PRIDEMORE, SPANBAUER, STRACHOTA, WYNN and MARKLEIN. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1     **To amend** section 4 (2) of article VII of the constitution; **relating to:** election of chief  
2           justice.

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*Analysis by the Legislative Reference Bureau*

**EXPLANATION OF PROPOSAL**

This constitutional amendment, proposed to the 2011 legislature on first consideration, directs the supreme court to elect a chief justice as the first order of business each time a justice is elected or reelected.

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

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3           **Resolved by the senate, the assembly concurring, That:**  
4           **SECTION 1.** Section 4 (2) of article VII of the constitution is amended to read:  
5           [Article VII] Section 4 (2) ~~The justice having been longest a continuous member~~  
6           ~~of said court, or in case 2 or more such justices shall have served for the same length~~  
7           ~~of time, the justice whose term first expires, shall be the chief justice. Each time a~~  
8           ~~justice is elected or reelected and takes the oath of office, the court shall elect a chief~~  
9           ~~justice as its first order of business.~~ The justice so designated as chief justice may,

1 irrevocably, decline to serve as chief justice or resign as chief justice but continue to  
2 serve as a justice of the supreme court.

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 three  
5 months previous to the time of holding such election.

6 (END)