2001 SENATE JOINT RESOLUTION 16

February 7, 2001 – Introduced by Senators BRESKE, HUELSMAN, MOEN, SCHULTZ, FARROW, GROBSCHMIDT, ROESSLER, A. LASEE and DARLING, cosponsored by Representatives RYBA, ALBERS, BALOW, BOCK, GROTHMAN, HAHN, JESKEWITZ, LADWIG, M. LEHMAN, MUSSER, PETTIS, SKINDRUD, SYKORA, TOWNSEND, URBAN, WALKER, WILLIAMS, D. MEYER, KRAWCZYK, OLSEN, F. LASEE and LIPPERT. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

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).

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 senate, the assembly 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

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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)**