

State of Wisconsin



2007 Assembly Bill 848

Date of enactment: **March 21, 2008**

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2007 WISCONSIN ACT 158

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

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

SECTION 1. 8.25 (5) of the statutes is amended to read:

8.25 (5) DISTRICT ATTORNEY; TERM. A district attorney shall be elected for each prosecutorial unit specified in s. 978.01 at the general election in ~~1990 and biennially 2008 and quadrennially~~ thereafter. The regular term of the office of district attorney 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).

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

59.20 (2) COUNTY OFFICERS; TERMS. (a) ~~Except as provided in par. (c), a county clerk, treasurer, coroner, clerk of circuit court, register of deeds, and surveyor, who shall be a registered land surveyor, shall be elected in each county for full terms at the general election held in each even-numbered year. Beginning in 2008 and quadrennially thereafter, a register of deeds, county clerk, and county treasurer shall be chosen at the general election by the electors of each county for the term of 4 years. Except as provided in this paragraph, beginning in 2008 and quadrennially thereafter, a surveyor shall be chosen~~

at the general election by the electors of each county in which the office of surveyor is filled by election, for the term of 4 years. No surveyor shall be elected in counties having a population of 500,000 or more. The regular term of office of each such officer register of deeds, county clerk, county treasurer, and county surveyor shall commence on the first Monday of January next succeeding his or her election and shall continue ~~2~~ 4 years and until his or her successor qualifies.

(b) ~~A sheriff shall be elected for each county at the general election in 2002 and quadrennially thereafter. Beginning in 2006 and quadrennially thereafter, a sheriff shall be chosen at the general election by the electors of each county for the term of 4 years. Except as provided in this paragraph, beginning in 2006 and quadrennially thereafter, a coroner shall be chosen at the general election by the electors of each county in which there is a coroner, for the term of 4 years. No coroner shall be elected in counties having a population of 500,000 or more or in counties in which a medical examiner system is instituted.~~ The regular term of the office of ~~each~~ sheriff commences and coroner shall commence on the first Monday in January next succeeding the sheriff's ~~his or her~~ election and shall continue 4 years and until his or her successor qualifies.

(c) In counties that elect a surveyor, the surveyor shall be a registered land surveyor. In lieu of electing a surveyor in any county having a population of less than

* Section 991.11, WISCONSIN STATUTES 2005-06 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

500,000, the board may, by resolution, designate that the duties under ss. 59.45 (1) and 59.74 (2) be performed by any registered land surveyor employed by the county.

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

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

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

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

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