



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1988/1
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2011 ASSEMBLY JOINT RESOLUTION 51

August 2, 2011 - Introduced by Representatives SPANBAUER, BERCEAU, CLARK, DOYLE, HINTZ, T. LARSON and WYNN, cosponsored by Senator WANGGAARD. Referred to Committee on Election and Campaign Reform.

1 **To amend** so as in effect **to repeal** section 4 (1) (b) of article VI, section 4 (1) (c) of
2 article VI and section 4 (3) (a) of article VI; **to renumber** section 4 (3) (b) of
3 article VI; **to amend** section 4 (1) (a) of article VI, section 12 (2) of article VII
4 and section 1 of article XIII; and **to create** section 4 (1) (d) of article VI, section
5 4 (1) (e) of article VI, section 1 (3) of article XIII and section 18 of article XIV of
6 the constitution; **relating to:** nonpartisan elections for district attorney,
7 sheriff, register of deeds, county clerk, treasurer, surveyor, coroner, and clerk
8 of circuit court, and changing the election at which those officers are elected
9 (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2011 legislature on first consideration, makes elections for the office of district attorney, sheriff, register of deeds, county clerk, treasurer, surveyor, coroner, and clerk of circuit court nonpartisan and changes the term of office to begin on the first Monday in June.

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

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

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

3 [Article VI] Section 4 (1) (a) ~~Except as provided in pars. (b) and (c)~~ (d) and (e)
4 and sub. (2), coroners, registers of deeds, and all other elected county officers, except
5 judicial officers, sheriffs, and chief executive officers, shall be chosen by the electors
6 of the respective counties once in every 2 years.

7 **SECTION 2.** Section 4 (1) (b) of article VI of the constitution is amended so as
8 in effect to repeal said paragraph:

9 [Article VI] Section 4 (1) (b) ~~Beginning with the first general election at which~~
10 ~~the governor is elected which occurs after the ratification of this paragraph, sheriffs~~
11 ~~shall be chosen by the electors of the respective counties, or by the electors of all of~~
12 ~~the respective counties comprising each combination of counties combined by the~~
13 ~~legislature for that purpose, for the term of 4 years and coroners in counties in which~~
14 ~~there is a coroner shall be chosen by the electors of the respective counties, or by the~~
15 ~~electors of all of the respective counties comprising each combination of counties~~
16 ~~combined by the legislature for that purpose, for the term of 4 years.~~

17 **SECTION 3.** Section 4 (1) (c) of article VI of the constitution is amended so as in
18 effect to repeal said paragraph:

19 [Article VI] Section 4 (1) (c) ~~Beginning with the first general election at which~~
20 ~~the president is elected which occurs after the ratification of this paragraph, district~~
21 ~~attorneys, registers of deeds, county clerks, and treasurers shall be chosen by the~~
22 ~~electors of the respective counties, or by the electors of all of the respective counties~~
23 ~~comprising each combination of counties combined by the legislature for that~~

1 ~~purpose, for the term of 4 years and surveyors in counties in which the office of~~
2 ~~surveyor is filled by election shall be chosen by the electors of the respective counties,~~
3 ~~or by the electors of all of the respective counties comprising each combination of~~
4 ~~counties combined by the legislature for that purpose, for the term of 4 years.~~

5 **SECTION 4.** Section 4 (1) (d) of article VI of the constitution is created to read:

6 [Article VI] Section 4 (1) (d) Beginning with the first spring election after the
7 first general election at which the governor is elected which occurs after the
8 ratification of this paragraph, sheriffs shall be chosen on a nonpartisan ballot by the
9 electors of the respective counties, or by the electors of all of the respective counties
10 comprising each combination of counties combined by the legislature for that
11 purpose, for the term of 4 years from the succeeding first Monday in June; and
12 coroners in counties in which there is a coroner shall be chosen on a nonpartisan
13 ballot by the electors of the respective counties, or by the electors of all of the
14 respective counties comprising each combination of counties combined by the
15 legislature for that purpose, for the term of 4 years from the succeeding first Monday
16 in June.

17 **SECTION 5.** Section 4 (1) (e) of article VI of the constitution is created to read:

18 [Article VI] Section 4 (1) (e) Beginning with the first spring election after the
19 first general election at which the president is elected which occurs after the
20 ratification of this paragraph, district attorneys, registers of deeds, county clerks,
21 and treasurers shall be chosen on a nonpartisan ballot by the electors of the
22 respective counties, or by the electors of all of the respective counties comprising each
23 combination of counties combined by the legislature for that purpose, for the term
24 of 4 years from the succeeding first Monday in June; and surveyors in counties in
25 which the office of surveyor is filled by election shall be chosen on a nonpartisan

1 ballot by the electors of the respective counties, or by the electors of all of the
2 respective counties comprising each combination of counties combined by the
3 legislature for that purpose, for the term of 4 years from the succeeding first Monday
4 in June.

5 **SECTION 6.** Section 4 (3) (a) of article VI of the constitution is amended so as
6 in effect to repeal said paragraph:

7 [Article VI] Section 4 (3) (a) ~~Sheriffs may not hold any other partisan office.~~

8 **SECTION 7.** Section 4 (3) (b) of article VI of the constitution is renumbered
9 section 4 (3) of article VI.

10 **SECTION 8.** Section 12 (2) of article VII of the constitution is amended to read:

11 [Article VII] Section 12 (2) Beginning with the first spring election after the
12 first general election at which the governor is elected which occurs after the
13 ratification of this subsection, a clerk of circuit court shall be chosen on a nonpartisan
14 ballot by the electors of each county, for the term of 4 years from the succeeding first
15 Monday in June, subject to removal as provided by law.

16 **SECTION 9.** Section 1 of article XIII of the constitution is amended to read:

17 [Article XIII] Section 1 (1) The political year for this state shall commence on
18 the first Monday of January in each year, for all officers elected on a partisan ballot
19 at the general election and shall commence on the 3rd Monday after the spring
20 election for all officers elected on a nonpartisan ballot at the spring election in
21 odd-numbered years other than the superintendent of public instruction, justices,
22 and judges.

23 (2) The general election shall be held on the Tuesday next succeeding the first
24 Monday of November in even-numbered years.

25 **SECTION 10.** Section 1 (3) of article XIII of the constitution is created to read:

1 [Article XIII] Section 1 (3) A spring election for officers elected on a nonpartisan
2 ballot shall be held in odd-numbered years at the time prescribed by law.

3 **SECTION 11.** Section 18 of article XIV of the constitution is created to read:

4 [Article XIV] Section 18. The terms of office of district attorneys, sheriffs,
5 registers of deeds, county clerks, treasurers, surveyors, coroners, and clerks of circuit
6 court elected at the last general election held before this amendment takes effect
7 expire on the first Monday in June after the first spring election at which an election
8 is held for the office.

9 **SECTION 12. Numbering of new provisions.** If another constitutional
10 amendment ratified by the people creates the number of any provision created in this
11 joint resolution, the chief of the legislative reference bureau shall determine the
12 sequencing and the numbering of the provisions whose numbers conflict.

13 ***Be it further resolved, That*** this proposed amendment be referred to the
14 legislature to be chosen at the next general election and that it be published for three
15 months previous to the time of holding such election.

16 (END)