2017 ASSEMBLY BILL 836

January 12, 2018 – Introduced by Representatives NOVAK and SUBECK, cosponsored by Senators OLSEN and MILLER. Referred to Committee on Local Government.

1   AN ACT *to amend* 5.58 (2), 5.58 (3), 165.987 (1) and 978.03 (1m) of the statutes;

2   **relating to:** population standard for populous counties.

Analysis by the Legislative Reference Bureau

Under current law, certain provisions of the statutes apply to populous counties. Generally, under current law, these "populous counties" provisions apply to counties having a population of 500,000 or more, based on the most recent census data (currently only Milwaukee County). This bill changes the standard in these "populous counties" provisions to counties having a population of 750,000 or more (currently only Milwaukee County).

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

3   **SECTION 1.** 5.58 (2) of the statutes is amended to read:

4   5.58 **(2)** STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; JUDICIARY; COUNTY

5 EXECUTIVE; COUNTY COMPTROLLER; AND COUNTY SUPERVISORS. There shall be one

6 separate ballot for state superintendent, judicial officers, county executive under s.

7 59.17, and county supervisor, except as authorized in s. 5.655. In counties having a

1   population of 750,000 or more, the ballot shall also include the office of comptroller

2   and ~~in counties having a population of 500,000 or more, the ballot shall also include~~

3   those offices under s. 8.11 (2) (b) and (2m). The arrangement of names of candidates

4   for state superintendent, justice, court of appeals judge, and circuit court judge shall

5   be determined by the commission in the manner specified in s. 5.60 (1) (b).

6   Arrangement of the names of candidates for county executive, county comptroller,

7   and county supervisor shall be determined by the county clerk or by the executive

8   director of the county board of election commissioners in the manner specified in s.

9   5.60 (1) (b).

10   **SECTION 2.** 5.58 (3) of the statutes is amended to read:

11   5.58 **(3)** NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,

12   for any judicial office, for any elected seat on a metropolitan sewerage commission

13   or town sanitary district commission, in counties having a population of 750,000 or

14   more, only 2 candidates for the office of comptroller, ~~in counties having a population~~

15   ~~of 500,000 or more~~ and only 2 candidates for member of the board of supervisors

16   within each district, in counties having a population of less than ~~500,000~~ 750,000

17   only 2 candidates for each member of the county board of supervisors from each

18   district or numbered seat or only 4 candidates for each 2 members of the county board

19   of supervisors from each district whenever 2 supervisors are elected to unnumbered

20   seats from the same district, in 1st class cities only 2 candidates for any at-large seat

21   and only 2 candidates from any election district to be elected to the board of school

22   directors, in school districts electing school board members to numbered seats, or

23   pursuant to an apportionment plan or district representation plan, only 2 school

24   board candidates for each numbered seat or within each district, and twice as many

25   candidates as are to be elected members of other school boards or other elective

1   officers receiving the highest number of votes at the primary shall be nominees for

2   the office at the spring election. Only their names shall appear on the official spring

3   ballot.

4   **SECTION 3.** 165.987 (1) of the statutes is amended to read:

5   165.987 **(1)** From the appropriation under s. 20.455 (2) (kj), the department of

6   justice shall allocate $500,000 in each fiscal year to enter into a contract with an

7   organization to provide services in a county having a population of ~~500,000~~ 750,000

8   or more for the diversion of youths from gang activities into productive activities,

9   including placement in appropriate educational, recreational, and employment

10   programs. Notwithstanding s. 16.75, the department may enter into a contract

11   under this subsection without soliciting bids or proposals and without accepting the

12   lowest responsible bid or offer.

13   **SECTION 4.** 978.03 (1m) of the statutes is amended to read:

14   978.03 **(1m)** The district attorney of any prosecutorial unit having a population

15   of 200,000 or more but ~~not more than 499,999~~ less than 750,000 may appoint 3 deputy

16   district attorneys and such assistant district attorneys as may be requested by the

17   department of administration and authorized in accordance with s. 16.505. The

18   district attorney shall rank the deputy district attorneys for purposes of carrying out

19   duties under this section. The deputies, according to rank, may perform any duty

20   of the district attorney, under the district attorney's direction. In the absence or

21   disability of the district attorney, the deputies, according to rank, may perform any

22   act required by law to be performed by the district attorney. Any such deputy must

23   have practiced law in this state for at least 2 years prior to appointment under this

24   section.

25   **SECTION 5. Nonstatutory provisions.**

1   (1) In the statutes indicated, replace "500,000" with "750,000": sections 7.30 (4)

2   (b) 2. a. and b., 8.10 (3) (c), (cm), (d), (f), and (g) and (3m), 8.11 (2) (b), 11.1101 (1) (d),

3   (2) (d), (3) (g), and (4) (g), 17.21 (5), 19.21 (5) (a) and (b), 27.02 (1), 27.03 (2), 27.06,

4   27.075 (1), 30.79 (4), 32.08 (1), 38.40 (4m) (a), 40.02 (17) (gm), (25) (a) 6., (28), and (36),

5   40.30 (1), 43.12 (1) (a) 1. and 3., (2) (intro.), and (7), 43.17 (9) (a), 43.19 (2) (a), 45.03

6   (13) (k) (intro.), 45.75 (1), 45.80 (4), 46.036 (5m) (em), 46.10 (12), 46.21 (1) (am), 46.22

7   (1) (a), 46.23 (3) (a), 46.48 (30) (a), 50.03 (2) (b), 51.08, 51.09, 51.437 (4g) (c) and (10m)

8   (intro.), 59.10 (1) (a), (2) (intro.), (3) (a) (intro.) and 1., (h), and (i), 59.11 (1) (c), 59.13

9   (3), 59.17 (1) (a) and (b), 59.18 (1), 59.20 (2) (a), (b), and (c), 59.25 (3) (a) 1. and 2. and

10   (b), 59.26 (1) (intro.) and (8) (a), 59.34 (1) (a), 59.38 (5), 59.40 (1) (a) and (b), 59.42 (1)

11   (a) and (2) (a) and (b) 4., 59.43 (7) (a) and (b), 59.45 (1) (a) 2. and (b), 59.52 (1) (a) and

12   (b), (3) (b), (4) (a) 20., (b) (intro.), and (c) (intro.), and (21), 59.55 (3), 59.56 (2) (c), (10)

13   (b), and (14) (a) 2. and (c), 59.57 (1) (b), 59.60 (1), (7m) (intro.), and (13) (a), 59.64 (4)

14   (d), 59.66 (2) (a) 2., 59.694 (2) (a) and (b), 59.70 (2) (intro.), 59.74 (2) (b) 1. and 2., (c),

15   and (h), 59.79 (intro.), 59.792 (1) (a), 59.80, 59.81, 59.82 (1) (intro.), 59.84 (1) (a), 59.85

16   (1) (d), 59.86, 59.87 (1) (b), 59.875 (1), 59.88 (1), 61.19, 62.23 (6) (am) 2. and (7) (d) 2.

17   and 2m. b., 63.01 (1), 63.03 (2) (km), (sg), and (sm), 63.065, 65.90 (1) and (6) (intro.),

18   66.0125 (4), 66.0427, 66.0602 (3) (d) 3., 66.0603 (1m) (e) (intro.) and (5) (intro.),

19   66.0607 (2), 66.1031 (1) and (3) (intro.), 67.045 (1) (g), 67.12 (12) (a), 70.51 (2), 71.38,

20   73.06 (1), 74.19, 74.37 (6), 75.521 (3) (a) 2., 75.67 (1), 75.69 (1m) (a), 83.01 (1) (b),

21   83.015 (3) (a), 83.025 (1) (d), 111.70 (8) (a) and (b), 111.77 (8) (a), 117.132 (1) and (1m)

22   (c), 118.175 (2), 118.23 (1), 118.25 (3), 120.08 (2) (c), 121.85 (9) (a), 125.04 (3) (f) 2.,

23   150.93 (3m), 150.951 (1), 164.06 (1), 165.55 (4), 167.27 (1), 174.001 (2j), 174.07 (1) (c)

24   and (3) (a), 174.10 (2), 175.40 (5) (a), 194.04 (3) (a), 195.29 (4), 198.22 (13), 228.01,

25   228.02, 228.03 (1), 228.04, 228.05, 228.06, 236.03 (2), 236.12 (1), 236.34 (1m) (em) 2.

1   c. and (er) 2. b., 236.41 (3), 236.46 (1) (b), 250.01 (4) (a) (intro.) and (b), 251.02 (1), (1m)

2   (intro.), (2) (a) (intro.) and (b), and (3m), 256.35 (3) (b) 8. a., b., and c., 287.13 (4) (a)

3   and (b) 1. and 2., 301.08 (1) (b) 2., 302.336 (1), 303.08 (14), 303.16 (3), 345.43 (3) (a),

4   349.03 (3), 349.13 (4), 753.30 (1) and (3) (intro.), 755.045 (1) (c), 757.41 (2), 757.68

5   (2m) (a) 1. and (b), (4m), and (5m), 799.04 (2), 814.70 (3) (a) and (b) and (4) (a) and

6   (b), 815.18 (6) (b) 3. and (13) (hm), 851.71 (4), 851.72 (7) and (9), 938.07 (3), 938.22

7   (1) (b) and (c) and (3) (a) and (b), 946.87 (3), 961.555 (2) (c), 973.075 (5m) (a) 2.,

8   973.076 (1) (b) 3., 978.03 (1), 978.07 (2), 978.12 (1) (a) 1. a. and b., (5) (b) and (c)

9   (intro.), and (6) (a) 2., 978.13 (1) (b), (c), and (d), 985.03 (1) (c), 985.08 (4), and 995.20

10   of the statutes.

11   **(END)**