LRBb0843

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/22/99**   Received By: **nelsorp1**

Wanted: **As time permits**   Identical to LRB:

For: **Senate Democratic Caucus**   By/Representing: **Walter**

This file may be shown to any legislator: **NO**   Drafter: **nelsorp1**

May Contact: Alt. Drafters:

Subject: **Courts - courts/judges**   Extra Copies:

Pre Topic:

SDC:.......Walter - Caucus #1733

Topic:

Create circuit court subdistricts in the odd branches in Milwaukee county

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Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	nelsorp1 06/22/99	wjackson 06/22/99		_____ _____			
/1			ismith 06/22/99	_____ _____	ismith 06/22/99		
/2	nelsorp1 06/24/99	wjackson 06/24/99	ismith 06/25/99	_____ _____	lrb_docadmin 06/25/99		
/3	rmarchan 06/25/99	wjackson 06/25/99	jfrantze 06/26/99	_____ _____	lrb_docadmin 06/26/99		

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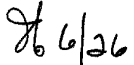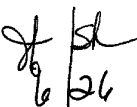Create circuit court subdistricts in the odd branches in Milwaukee county

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Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	nelsorp1 06/22/99	wjackson 06/22/99		_____ _____			
/1			ismith 06/22/99	_____ _____	ismith 06/22/99		
/2	nelsorp1 06/24/99	wjackson 06/24/99	ismith 06/25/99	_____ _____	lrb_docadmin 06/25/99		

FE Sent For:

<END>

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Extra Copies:

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Topic:

Create circuit court subdistricts in the odd branches in Milwaukee county

Instructions:

Scc Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	nelsorp1 06/22/99	wjackson 06/22/99		_____			
/1		/2 WLj 6/24	ismith 06/22/99	_____	ismith 06/22/99		
FE Sent For:			IS 6/25	IS/MRC 6/25			

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/22/99**

Wanted: **As time permits**

For: **Senate Democratic Caucus**

This file may be shown to any legislator: **NO**

May Contact:

Subject: **Courts - courts/judges**

Received By: **nelsorp1**

Identical to LRB:

By/Representing: **Walter**

Drafter: **nelsorp1**

Alt. Drafters:

Extra Copies:

Pre Topic:

SDC:......Walter - Caucus #1733

Topic:

Create circuit court subdistricts in the odd branches in Milwaukee county

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Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	nelsorp1	/1 WLJ 6|22	IS 6/22	IS/JP 6/22			

FE Sent For:

<END>

Agency: Circuit Courts

duplicate flag:

duplicate with:

Other reference numbers:

LFB Sum #:

bill number/amendment number:

LRB draft #   1030/3

LRB P-draft:

description: LRB 1030/3. Provision to apply only to circuit courts in Milwaukee County. As modified, this version would create circuit court subdistricts but would not create court of appeals subdistricts.

other notes

drafting instructions: LRB 1030/3. See above.

more instructions:

Agency: **Circuit Courts**

Number of Amendments: 1

$\varsigma\rho$(

Walter

Judicial Subdistricts

LRB 1030/3

As modified, provision will apply only to circuit courts in Milwaukee County. The modified version would create circuit court subdistricts but would <u>not</u> create court of appeals subdistricts.

1999 SENATE BILL

1 AN ACT *to renumber and amend* 752.04; *to amend* 753.06 (1)(a); and *to create*

2 752.04 (2) and 753.015 of the statutes; **relating to:** creating court of appeals

3 and circuit court subdistricts in Milwaukee County and adding circuit court

4 branches in Milwaukee County.

Analysis by the Legislative Reference Bureau

Under current law, court of appeals judges are elected in each court of appeals district on an at–large basis for six–year terms. Current law requires those judges to reside in the districts in which they were elected. Under this bill, the four court of appeals judges elected in district I (Milwaukee County) are elected in four appellate subdistricts consisting of specified Milwaukee County supervisory districts. The bill requires those judges to reside in the subdistricts in which they were elected.

Under current law, circuit judges are elected in each circuit on an at–large basis for six–year terms. Current law requires those judges to reside in the circuits in which they were elected. This bill adds three branches to the Milwaukee County circuit, bringing the number of branches to 50. Under this bill, circuit judges elected in the odd–numbered branches in the first judicial administrative district (Milwaukee County) are elected in 25 judicial subdistricts consisting of the Milwaukee County supervisory districts. The bill requires those judges to reside in the subdistricts in which they were elected.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

1   SECTION 1. 752.04 of the statutes is renumbered 752.04 (1) and amended to

2   read:

3   752.04 (1) ~~Court~~ Except as provided in sub. (2), court of appeals judges shall

4   be elected by district on an at–large basis for terms of 6 years. Terms shall commence

5   on August 1 next succeeding each election and shall terminate on July 31. A court

6   of appeals judge shall reside within the district in which he or she is elected, except

7   that a court of appeals judge elected under sub. (2) shall reside within the subdistrict

8   in which he or she is elected. Only one court of appeals judge may be elected in a

9   district in any year, except that in district I only one court of appeals judge may be

10   elected in a subdistrict in any year.

11   SECTION 2. 752.04 (2) of the statutes is created to read:

12   752.04 (2) In district I, elections shall be conducted in 4 appellate subdistricts.

13   The 1st appellate subdistrict shall consist of the 1st, 2nd, 5th, 7th, 10th and 13th

14   Milwaukee County supervisory districts, plus all parts of the 16th Milwaukee

15   County supervisory district between Vliet Street on the north and Wisconsin Avenue

16   on the south. The 2nd appellate subdistrict shall consist of the 3rd, 6th, 9th, 15th,

17   18th and 25th Milwaukee County supervisory districts, plus all parts of the 16th

18   Milwaukee County supervisory district north of Vliet Street. The 3rd appellate

19   subdistrict shall consist of the 4th, 8th, 12th, 14th, 17th and 24th Milwaukee County

20   supervisory districts, plus that part of the 16th Milwaukee County supervisory

21   district to the east of North 76th Street and to the south of Wisconsin Avenue. The

1   4th appellate subdistrict shall consist of the 11th, 19th, 20th, 21st, 22nd and 23rd

2   Milwaukee County supervisory districts plus that part of the 16th Milwaukee

3   County supervisory district west of North 76th Street. Within one year after the

4   number of court of appeals judges in district I changes or after the number of

5   Milwaukee County supervisory districts changes, the Milwaukee County board of

6   supervisors shall create appellate subdistricts in a number equal to the number of

7   court of appeals judges in district I, and shall assign each judge of the court of appeals

8   in district I to one of the created appellate subdistricts. The appellate subdistricts

9   shall be substantially equal in population.

10   SECTION 3. 753.015 of the statutes is created to read:

11   **753.015 Elections. (1)** Except as provided in sub. (2), circuit judges shall be

12   elected by qualified electors of that circuit on an at–large basis. A circuit judge shall

13   reside within the circuit in which he or she is elected.

14   **(2)** The circuit judges for each of the odd–numbered branches in the 1st judicial

15   administrative district shall be elected in judicial subdistricts, numbered 1 to 25.

16   The boundaries of each judicial subdistrict shall be the same as the boundaries

17   established for the Milwaukee County board of supervisors. Each judicial subdistrict

18   shall take the same number as the corresponding county supervisory district that

19   bounds it. Each of the 25 judicial subdistricts shall elect one circuit judge. The circuit

20   judge to be elected from each judicial subdistrict shall be for those odd–numbered

21   branches numbered in ascending numerical order, such that the circuit judge for

22   branch one shall be elected by the electors in judicial district one, the circuit judge

23   for branch three shall be elected by the electors in judicial district two, the circuit

24   judge for branch five shall be elected by the electors in judicial district three, and

25   continuing in that manner with the circuit judge for branch forty–nine being elected

1   by the electors in judicial district twenty–five. The person elected as circuit judge

2   for a judicial subdistrict under this subsection shall reside in the judicial subdistrict

3   in which he or she is elected. Within one year after the number of branches in the

4   1st judicial administrative district changes or after the number of Milwaukee

5   County supervisory districts changes, the Milwaukee County board of supervisors

6   shall create judicial subdistricts in a number not less than 25 that results in each of

7   the odd–numbered circuit branches being within one of the created judicial

8   subdistricts.

9   **SECTION 4.** 753.06 (1) (a) of the statutes is amended to read:

10   753.06 **(1)** (a) Milwaukee County. The circuit has 46 branches. Commencing

11   August 1, 1999, the circuit has 47 branches. <u>Commencing August 1, 2001, the circuit</u>

12   <u>has 50 branches.</u>

13   **SECTION 5. Nonstatutory provisions.**

14   (1) CIRCUIT COURT BRANCHES, 2000. The initial election for circuit judge for

15   branches 48, 49 and 50 of the circuit court for Milwaukee County shall be at the

16   spring election of 2001 for terms commencing August 1, 2001, and ending July 31,

17   2007.

18   (2) CIRCUIT JUDGE POSITIONS. The authorized FTE positions for the circuit courts

19   are increased by 3.0 GPR circuit judge positions on August 1, 2001, to be funded from

20   the appropriation under section 20.625 (1) (a) of the statutes, to provide one

21   additional circuit court judge for each of the circuit court branches created by this act.

22   (3) COURT REPORTER POSITIONS. The authorized FTE positions for the circuit

23   courts are increased by 6.0 GPR court reporter positions on August 1, 2001, to be

24   funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide

25   one additional court reporter for each of the circuit court branches created in this act.

1999 – 2000 Legislature   – 5 –   LRB–1030/3
RPN:wlj&jlg:ch
SECTION 5

SENATE BILL

1   (4) ASSIGNMENT OF COURT OF APPEALS JUDGES. The Milwaukee County board of

2   supervisors shall assign each judge of the court of appeals in district I on the effective

3   date of this subsection to one of the appellate subdistricts created under section

4   752.04 (2) of the statutes.

5   **SECTION 6. Effective date.**

6   (1) This act takes effect on January 1, 2001.

7   **(END)**

1999

Date (time) needed _____ *Soon*

CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS] *SDC*

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 1999 ASSEMBLY BILL 133

\>\>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page *1407*, line *18*: after that line insert:
(Insert 1407-18)

NON STATS

#. Page *1501*, line *24*: after that line insert:
(Insert 1501-24)

EFF DATES

#. Page *1606*, line *13*: after that line insert:
(Insert 1606-13)

#. Page ...., line ....:

(END)

#. Page ...., line ....:

#. Page ...., line ....:

1999 SENATE BILL

Inserts

1   AN ACT *to amend* 753.06 (1) (a); and *to create* 753.015 of the statutes; **relating**

2   **to:** creating circuit court subdistricts in Milwaukee County and adding circuit

3   court branches in Milwaukee County.

Analysis by the Legislative Reference Bureau

Under current law, circuit judges are elected in each circuit on an at–large basis for six–year terms. Current law requires those judges to reside in the circuits in which they were elected. This bill adds three branches to the Milwaukee County circuit, bringing the number of branches to 50. Under this bill, circuit judges elected in the odd–numbered branches in the first judicial administrative district (Milwaukee County) are elected in 25 judicial subdistricts consisting of the Milwaukee County supervisory districts. The bill requires those judges to reside in the subdistricts in which they were elected.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3049d

4   SECTION 1. 753.015 of the statutes is created to read:

1   **753.015 Elections.** (1) Except as provided in sub. (2), circuit judges shall be

2   elected by qualified electors of that circuit on an at–large basis. A circuit judge shall

3   reside within the circuit in which he or she is elected.

4   (2) The circuit judges for each of the odd–numbered branches in the 1st judicial

5   administrative district shall be elected in judicial subdistricts, numbered 1 to 25.

6   The boundaries of each judicial subdistrict shall be the same as the boundaries

7   established for the Milwaukee County board of supervisors. Each judicial subdistrict

8   shall take the same number as the corresponding county supervisory district that

9   bounds it. Each of the 25 judicial subdistricts shall elect one circuit judge. The circuit

10   judge to be elected from each judicial subdistrict shall be for those odd–numbered

11   branches numbered in ascending numerical order, such that the circuit judge for

12   branch one shall be elected by the electors in judicial district one, the circuit judge

13   for branch three shall be elected by the electors in judicial district two, the circuit

14   judge for branch five shall be elected by the electors in judicial district three, and

15   continuing in that manner with the circuit judge for branch forty–nine being elected

16   by the electors in judicial district twenty–five. The person elected as circuit judge

17   for a judicial subdistrict under this subsection shall reside in the judicial subdistrict

18   in which he or she is elected. Within one year after the number of branches in the

19   1st judicial administrative district changes or after the number of Milwaukee

20   County supervisory districts changes, the Milwaukee County board of supervisors

21   shall create judicial subdistricts in a number not less than 25 that results in each of

22   the odd–numbered circuit branches being within one of the created judicial

23   subdistricts.

24   SECTION 2. 753.06 (1) (a) of the statutes is amended to read:

Insert 1407-18
cont.

1   753.06 **(1)** (a) Milwaukee County. The circuit has 46 branches. Commencing

2   August 1, 1999, the circuit has 47 branches. <u>Commencing August 1, 2001, the circuit</u>

3   <u>has 50 branches.</u>

4   ~~SECTION 3. Nonstatutory provisions.~~

5   CIRCUIT COURT BRANCHES, ~~2000.~~ The initial election for circuit judge for

6   branches 48, 49 and 50 of the circuit court for Milwaukee County shall be at the

7   spring election of 2001 for terms commencing August 1, 2001, and ending July 31,

8   2007

9   CIRCUIT JUDGE POSITIONS. The authorized FTE positions for the circuit courts

10   are increased by 3.0 GPR circuit judge positions on August 1, 2001, to be funded from

11   the appropriation under section 20.625 (1) (a) of the statutes, to provide one

12   additional circuit court judge for each of the circuit court branches created by this act.

13   COURT REPORTER POSITIONS. The authorized FTE positions for the circuit

14   courts are increased by 6.0 GPR court reporter positions on August 1, 2001, to be

15   funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide

16   two additional court reporters for each of the circuit court branches created in this

17   act.

18   ~~SECTION 4. Effective date.~~ *The treatment of section 753.015 of the statutes*

19   **(2)** ~~This act~~ takes effect on January 1, 2001.

20   **(END)**

Insert 1606-13

SDC:......Walter – Caucus #1733 Create circuit court subdistricts in the odd branches in Milwaukee county

FOR 1999–01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1   At the locations indicated, amend the substitute amendment as follows:

2   **1.** Page 1407, line 18: after that line insert:

3   "SECTION 3049d. 753.015 of the statutes is created to read:

4   **753.015 Elections. (1)** Except as provided in sub. (2), circuit judges shall be

5   elected by qualified electors of that circuit on an at–large basis. A circuit judge shall

6   reside within the circuit in which he or she is elected.

7   **(2)** The circuit judges for each of the odd–numbered branches in the 1st judicial

8   administrative district shall be elected in judicial subdistricts, numbered 1 to 25.

9   The boundaries of each judicial subdistrict shall be the same as the boundaries

10   established for the Milwaukee County board of supervisors. Each judicial subdistrict

1   shall take the same number as the corresponding county supervisory district that

2   bounds it. Each of the 25 judicial subdistricts shall elect one circuit judge. The circuit

3   judge to be elected from each judicial subdistrict shall be for those odd–numbered

4   branches numbered in ascending numerical order, such that the circuit judge for

5   branch one shall be elected by the electors in judicial *sub* district one, the circuit judge

6   for branch ~~three~~ *3* shall be elected by the electors in judicial *sub* district ~~two~~ *2*, the circuit

7   judge for branch ~~five~~ *5* shall be elected by the electors in judicial *sub* district ~~three~~ *3*, and

8   continuing in that manner with the circuit judge for branch ~~forty-nine~~ *49* being elected

9   by the electors in judicial *sub* district ~~twenty-five~~ *25*. The person elected as circuit judge

10   for a judicial subdistrict under this subsection shall reside in the judicial subdistrict

11   in which he or she is elected. Within one year after the number of branches in the

12   ~~first~~ *first* judicial administrative district changes or after the number of Milwaukee

13   County supervisory districts changes, the Milwaukee County board of supervisors

14   shall create judicial subdistricts in a number not less than 25 that results in each of

15   the odd–numbered circuit branches being within one of the created judicial

16   subdistricts.

17   SECTION 3049g. 753.06 (1) (a) of the statutes is amended to read:

18   753.06 (1) (a) Milwaukee County. The circuit has 46 branches. Commencing

19   August 1, 1999, the circuit has 47 branches. <u>Commencing August 1, 2001, the circuit</u>

20   <u>has 50 branches.</u>".

21   **2.** Page 1501, line 24: after that line insert:

22   "(2mm) CIRCUIT COURT BRANCHES, MILWAUKEE COUNTY. The initial election for

23   circuit judge for branches 48, 49 and 50 of the circuit court for Milwaukee County

1   shall be at the spring election of 2001 for terms commencing August 1, 2001, and

2   ending July 31, 2007.

3   (2mn) CIRCUIT JUDGE POSITIONS, MILWAUKEE COUNTY. The authorized FTE

4   positions for the circuit courts are increased by 3.0 GPR circuit judge positions on

5   August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of

6   the statutes, to provide one additional circuit court judge for each of the circuit court

7   branches created by this act.

8   (2mp) COURT REPORTER POSITIONS, MILWAUKEE COUNTY. The authorized FTE

9   positions for the circuit courts are increased by 6.0 GPR court reporter positions on

10   August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of

11   the statutes, to provide two additional court reporters for each of the circuit court

12   branches created in this act.".

13   **3.** Page 1606, line 13: after that line insert:

14   "(1mm) CIRCUIT COURT SUBDISTRICTS. The treatment of section 753.015 of the

15   statutes takes effect on January 1, 2001.".

16   **(END)**

D–Note

¶ This draft refers to judicial
subdistricts on lines 5, 6, 7 and 9
of page 2.

RPN

This draft refers to judicial subdistricts on lines 5, 6, 7 and 9 of page 2.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267–7511

Soon

RMR

DrOTE

SDC:......Walter – Caucus #1733 Create circuit court subdistricts in the odd branches in Milwaukee county

FOR 1999–01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

INSERT 1-1

1   At the locations indicated, amend the substitute amendment as follows:

2   **1.** Page 1407, line 18: after that line insert:

3   "SECTION 3049d. 753.015 of the statutes is created to read:

4   **753.015 Elections.** (1) Except as provided in sub. (2), circuit judges shall be

5   elected by qualified electors of that circuit on an at–large basis. A circuit judge shall

6   reside within the circuit in which he or she is elected. *At each applicable election held on or after the effective date of this subsection.... (revisor insert date), the*

7   (2) The circuit judges for each of the odd–numbered branches in the 1st judicial

8   administrative district shall be elected *from* judicial subdistricts, numbered 1 to 25.

9   The boundaries of each judicial subdistrict shall be the same as the boundaries

10   established for the Milwaukee County board of supervisors. Each judicial subdistrict

of the supervisory districts for the election of

1   shall take the same number as the corresponding county supervisory district that

2   bounds it. ~~Each of the 25 judicial subdistricts shall elect one circuit judge.~~ *(One circuit judge shall be elected from each)* The circuit

3   judge to be elected from each judicial subdistrict shall be for those odd-numbered

4   branches numbered in ascending numerical order, such that the circuit judge for

5   branch one shall be elected by the electors ~~in~~ *(of)* judicial subdistrict one, the circuit judge

6   for branch 3 shall be elected by the electors ~~in~~ *(of)* judicial subdistrict 2, the circuit judge

7   for branch 5 shall be elected by the electors ~~in~~ *(of)* judicial subdistrict 3, and continuing

8   in that manner with the circuit judge for branch 49 being elected by the electors ~~in~~ *(of)*

9   judicial subdistrict 25. The person elected as circuit judge ~~in~~ *(from)* a judicial subdistrict

10   under this subsection shall reside in the judicial subdistrict ~~in~~ *(from)* which he or she is

11   elected. Within ~~one year~~ *(30 days)* after the number of branches in the first judicial

12   administrative district changes or ~~after~~ the ~~number~~ *(boundaries)* of Milwaukee County

13   supervisory districts change, the Milwaukee County board of supervisors shall *(by ordinance)*

14   create *(revised)* judicial subdistricts in a number ~~not less than 25~~ that results in ~~each of the~~ *(the creation of one)*

15   ~~odd-numbered circuit branches being within one of the created~~ judicial subdistrict

16   **SECTION 3049g.** 753.06 (1) (a) of the statutes is amended to read:

17   753.06 (1) (a) Milwaukee County. The circuit has 46 branches. Commencing

18   August 1, 1999, the circuit has 47 branches. Commencing August 1, 2001, the circuit

19   has 50 branches.".

for each of the odd-numbered circuit branches, with the boundaries of each judicial subdistrict being concurrent with the boundaries of one county supervisory district

20   **2.** Page 1501, line 24: after that line insert:

21   "(2mm) CIRCUIT COURT BRANCHES, MILWAUKEE COUNTY. The initial election for

22   circuit judge for branches 48, 49 and 50 of the circuit court for Milwaukee County

23   shall be at the spring election of 2001 for terms commencing August 1, 2001, and

24   ending July 31, 2007.

1   (2mn) CIRCUIT JUDGE POSITIONS, MILWAUKEE COUNTY. The authorized FTE

2   positions for the circuit courts are increased by 3.0 GPR circuit judge positions on

3   August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of

4   the statutes, to provide one additional circuit court judge for each of the circuit court

5   branches created by this act.

6   (2mp) COURT REPORTER POSITIONS, MILWAUKEE COUNTY. The authorized FTE

7   positions for the circuit courts are increased by 6.0 GPR court reporter positions on

8   August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of

9   the statutes, to provide two additional court reporters for each of the circuit court

10   branches created in this act.".

11   **3.** Page 1606, line 13: after that line insert:

12   "(1mm) CIRCUIT COURT SUBDISTRICTS. The treatment of section 753.015 of the

13   statutes takes effect on January 1, 2001.".

14   **(END)**

5.58 (2)(a) and (2e), 5.60 (1)(intro.), (a), (ag) and (c), 9.10 (1)(a), 59.10 (2)(a) and

INSERT 1 – 1

1. Page 5, line 6: after that line insert:

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

5.58 **(2)** (a) There shall be one separate ballot for state superintendent, ~~judicial officers,~~ *or* county executive under s. 59.17 ~~and,~~ county supervisor <u>and judicial officers, except judicial officers that are elected from a judicial subdistrict in the 1st judicial administrative district</u>. In counties having a population of 500,000 or more, the ballot also shall include those offices under s. 8.11 (2) and (2m). The arrangement of names of candidates for state superintendent, justice, court of appeals judge and circuit court judge shall be determined by the board in the manner specified in s. 5.60 (1) (b). Arrangement of the names of candidates for county executive and county supervisor shall be determined by the county clerk or by the executive director of the county board of election commissioners in the manner specified in s. 5.60 (1) (b). The ballot shall be titled "Official Ballot for State Superintendent of Public Instruction, Judicial, County Executive and County Supervisor Primary".

SECTION 1bh. 5.58 (2e) of the statutes is created to read:

5.58 **(2e)** CIRCUIT COURT <u>JUDICIAL</u> SUBDISTRICTS. In the 1st judicial administrative district, there shall be a separate ballot for *the* ~~each~~ office of circuit judge elected from a judicial subdistrict. Arrangement of the names on the ballot shall be determined by the board in the manner specified in s. 5.60 (1) (b). The ballot shall be titled "Official Primary Ballot for the office of circuit judge".

SECTION 1bL. 5.60 (1) (intro.) of the statutes is amended to read:

5.60 **(1)** STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE AND COUNTY SUPERVISORS. (intro.) There shall be one separate ballot for state superintendent,

judicial officers, county executive and, county supervisor and judicial officers, except judicial officers that are elected from a judicial subdistrict in the 1st judicial administrative district. For county supervisor, the ballot shall be prepared in accordance with ss. 5.58 (2) and 59.10 (3). Arrangement of the names of candidates for county executive and county supervisor shall be determined by the county clerk or the executive director of the county board of election commissioners in the manner prescribed in par. (b).

SECTION 1bn. 5.60 (1) (a) of the statutes is renumbered 5.60 (1) (ar).

SECTION 1bq. 5.60 (1) (ag) of the statutes is created to read:

5.60 (1) (ag) In the 1st judicial administrative district, there shall be a separate ballot for the office of circuit judge elected from a judicial subdistrict. Arrangement of the names on the ballot shall be determined by the board in the manner specified under par. (b).

SECTION 1bu. 5.60 (1) (c) of the statutes is amended to read:

5.60 (1) (c) When 2 or more judges of the same court are to be elected, the official ballot shall contain the names of all candidates, shall state the number of judges to be elected and the number of candidates for whom each elector may vote. Each candidacy shall show the branch being filled. This paragraph does not apply to circuit judges to be elected from a judicial subdistrict in the 1st judicial administrative district.".

2. Page 6, line 7: after that line insert:

"SECTION 1jm. 9.10 (1) (a) of the statutes is amended to read:

9.10 **(1)** (a) The qualified electors of the state, of any county, city, village, town, of any congressional <u>district,</u> legislative <u>district,</u> judicial <u>district or subdistrict</u> or school district, or of any prosecutorial unit may petition for the recall of any incumbent elective official by filing a petition with the same official or agency with whom nomination papers or declarations of candidacy for the office are filed demanding the recall of the officeholder.".

delete space

3. Page 759, line 14: after that line insert:

"**SECTION 1575m.** 59.10 (2) (a) of the statutes is amended to read:

59.10 **(2)** (a) *Composition; supervisory districts.* Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, the board shall adopt and transmit to the governing body of each city and village wholly or partially contained within the county a tentative county supervisory district plan to be considered by the cities and villages when dividing into wards. The plan shall specify the number of supervisors to be elected and shall divide the county into a number of districts equal to the number of supervisors, with each district substantially equal in population and consisting of contiguous whole wards. <u>In any plan that ~~specifies~~ districts</u> <u>to be created within the boundaries of the 1st judicial administration district, the number of districts and the number of supervisors under the plan shall equal the number of odd–numbered branches of the circuit court within the 1st judicial administration district.</u> Except as otherwise provided in this

paragraph, the board shall develop and adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.".

(END OF INSERT 1-1)

INSERT B

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

5.58 **(3)** NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent, for ~~any judicial office~~ justice, court of appeals judge, circuit judge for each branch or circuit court within any judicial circuit, for any elected seat on a metropolitan sewerage commission or town sanitary district commission, in counties having a population of 500,000 or more only 2 candidates for member of the board of supervisors within each district, in counties having a population of less than 500,000 only 2 candidates for each member of the county board of supervisors from each district or numbered seat or only 4 candidates for each 2 members of the county board of supervisors from each district whenever 2 supervisors are elected to unnumbered seats from the same district, in 1st class cities only 2 candidates for any at–large seat and only 2 candidates from any election district to be elected to the board of school directors, in school districts electing school board members to numbered seats, or pursuant to an apportionment plan or district representation plan, only 2 school board candidates for each numbered seat or within each district, and twice as many candidates as are to be elected members of other school boards or other elective officers receiving the highest number of votes at the primary shall be nominees for the office at the spring election. Only their names shall appear on the official spring ballot.

LRBb0843/3dn
RPN, RJM & JTK:....

Attached is a redraft of the amendment you requested regarding judicial subdistricts in Milwaukee County. This redraft makes several conforming changes to the election laws in order to facilitate the implementation of this change. Please note that Article VII, Section 7 of the state constitution requires that the electors of each circuit choose the judges from that circuit. Presumably, this requirement means that all electors of a circuit must be allowed to vote for any judge from that circuit. By excluding some electors of the circuit from voting for judges from subdistricts within the circuit, this draft may violate Article VII, Section 7 of the state constitution.

Robert J. Marchant
Legislative Attorney
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SDC:......Walter – Caucus #1733 Create circuit court subdistricts in the odd branches in Milwaukee county

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1   At the locations indicated, amend the substitute amendment as follows:

2   **1.** Page 5, line 6: after that line insert:

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

4   5.58 **(2)** (a) There shall be one separate ballot for state superintendent, ~~judicial~~

5   ~~officers,~~ county executive under s. 59.17 ~~and,~~ county supervisor <u>and judicial officers,</u>

6   <u>except judicial officers that are elected from a judicial subdistrict in the 1st judicial</u>

7   <u>administrative district.</u> In counties having a population of 500,000 or more, the

8   ballot also shall include those offices under s. 8.11 (2) and (2m). The arrangement

9   of names of candidates for state superintendent, justice, court of appeals judge and

10   circuit court judge shall be determined by the board in the manner specified in s. 5.60

1   (1) (b). Arrangement of the names of candidates for county executive and county

2   supervisor shall be determined by the county clerk or by the executive director of the

3   county board of election commissioners in the manner specified in s. 5.60 (1) (b). The

4   ballot shall be titled "Official Ballot for State Superintendent of Public Instruction,

5   Judicial, County Executive and County Supervisor Primary".

6   **SECTION 1bh.** 5.58 (2e) of the statutes is created to read:

7   5.58 **(2e)** CIRCUIT COURT SUBDISTRICTS. In the 1st judicial administrative

8   district, there shall be a separate ballot for the office of circuit judge elected from a

9   judicial subdistrict. Arrangement of the names on the ballot shall be determined by

10   the board in the manner specified in s. 5.60 (1) (b). The ballot shall be titled "Official

11   Primary Ballot for the Office of Circuit Judge".

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

13   5.58 **(3)** NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,

14   for ~~any judicial office~~ justice, court of appeals judge, circuit judge for each branch or

15   circuit court within any judicial circuit, for any elected seat on a metropolitan

16   sewerage commission or town sanitary district commission, in counties having a

17   population of 500,000 or more only 2 candidates for member of the board of

18   supervisors within each district, in counties having a population of less than 500,000

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

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

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

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

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

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

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

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

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

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

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

5   ballot.

6   **SECTION 1bL.** 5.60 (1) (intro.) of the statutes is amended to read:

7   5.60 **(1)** STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE AND COUNTY

8   SUPERVISORS. (intro.) There shall be one separate ballot for state superintendent,

9   ~~judicial officers,~~ county executive ~~and~~, county supervisor and judicial officers, except

10 judicial officers that are elected from a judicial subdistrict in the 1st judicial

11 administrative district. For county supervisor, the ballot shall be prepared in

12 accordance with ss. 5.58 (2) and 59.10 (3). Arrangement of the names of candidates

13 for county executive and county supervisor shall be determined by the county clerk

14 or the executive director of the county board of election commissioners in the manner

15 prescribed in par. (b).

16   **SECTION 1bn.** 5.60 (1) (a) of the statutes is renumbered 5.60 (1) (ar).

17   **SECTION 1bq.** 5.60 (1) (ag) of the statutes is created to read:

18   5.60 **(1)** (ag) In the 1st judicial administrative district, there shall be a separate

19 ballot for the office of circuit judge elected from a judicial subdistrict. Arrangement

20 of the names on the ballot shall be determined by the board in the manner specified

21 under par. (b).

22   **SECTION 1bu.** 5.60 (1) (c) of the statutes is amended to read:

23   5.60 **(1)** (c) When 2 or more judges of the same court are to be elected, the official

24 ballot shall contain the names of all candidates, shall state the number of judges to

25 be elected and the number of candidates for whom each elector may vote. Each

1   candidacy shall show the branch being filled. This paragraph does not apply to

2   circuit judges to be elected from a judicial subdistrict in the 1st judicial

3   administrative district.".

4   **2.** Page 6, line 7: after that line insert:

5   "**SECTION 1jpp.** 9.10 (1) (a) of the statutes is amended to read:

6   9.10 **(1)** (a) The qualified electors of the state, of any county, city, village, town,

7   of any congressional district, legislative district, judicial district or subdistrict or

8   school district, or of any prosecutorial unit may petition for the recall of any

9   incumbent elective official by filing a petition with the same official or agency with

10   whom nomination papers or declarations of candidacy for the office are filed

11   demanding the recall of the officeholder.".

12   **3.** Page 759, line 14: after that line insert:

13   "**SECTION 1575n.** 59.10 (2) (a) of the statutes is amended to read:

14   59.10 **(2)** (a) *Composition; supervisory districts.* Within 60 days after the

15   population count by block, established in the decennial federal census of population,

16   and maps showing the location and numbering of census blocks become available in

17   printed form from the federal government or are published for distribution by an

18   agency of this state, but no later than July 1 following the year of each decennial

19   census, the board shall adopt and transmit to the governing body of each city and

20   village wholly or partially contained within the county a tentative county

21   supervisory district plan to be considered by the cities and villages when dividing

22   into wards. The plan shall specify the number of supervisors to be elected and shall

23   divide the county into a number of districts equal to the number of supervisors, with

24   each district substantially equal in population and consisting of contiguous whole

1   wards. In any plan that specifies districts to be created within the boundaries of the

2   1st judicial administration district, the number of districts and the number of

3   supervisors under the plan shall equal the number of odd–numbered branches of the

4   circuit court within the 1st judicial administration district. Except as otherwise

5   provided in this paragraph, the board shall develop and adopt the tentative plan in

6   accordance with sub. (3) (b) 1. The board shall adopt a final plan by enacting an

7   ordinance in accordance with sub. (3) (b) 2. to 4.".

8   **4.** Page 1407, line 18: after that line insert:

9   "SECTION 3049d. 753.015 of the statutes is created to read:

10   **753.015 Elections. (1)** Except as provided in sub. (2), circuit judges shall be

11   elected by qualified electors of that circuit on an at–large basis. A circuit judge shall

12   reside within the circuit in which he or she is elected.

13   **(2)** At each applicable election held on or after the effective date of this

14   subsection .... [revisor inserts date], the circuit judges for each of the odd–numbered

15   branches in the 1st judicial administrative district shall be elected from judicial

16   subdistricts, numbered 1 to 25. The boundaries of each judicial subdistrict shall be

17   the same as the boundaries of the supervisory districts for the election of the

18   Milwaukee County board of supervisors. Each judicial subdistrict shall take the

19   same number as the corresponding county supervisory district that bounds it. One

20   circuit judge shall be elected from each of the 25 judicial subdistricts. The circuit

21   judge to be elected from each judicial subdistrict shall be for those odd–numbered

22   branches numbered in ascending numerical order, such that the circuit judge for

23   branch one shall be elected by the electors of judicial subdistrict one, the circuit judge

24   for branch 3 shall be elected by the electors of judicial subdistrict 2, the circuit judge

1   for branch 5 shall be elected by the electors of judicial subdistrict 3, and continuing

2   in that manner with the circuit judge for branch 49 being elected by the electors of

3   judicial subdistrict 25. The person elected as circuit judge from a judicial subdistrict

4   under this subsection shall reside in the judicial subdistrict from which he or she is

5   elected.

6   **(3)** Within 30 days after the number of branches in the first judicial

7   administrative district changes or the boundaries of Milwaukee County supervisory

8   districts change, the Milwaukee County board of supervisors shall, by ordinance,

9   create revised judicial subdistricts in a number that results in the creation of one

10   judicial subdistrict for each of the odd–numbered circuit branches, with the

11   boundaries of each judicial subdistrict being concurrent with the boundaries of one

12   county supervisory district.

13   **SECTION 3049g.** 753.06 (1) (a) of the statutes is amended to read:

14   753.06 **(1)** (a) Milwaukee County. The circuit has 46 branches. Commencing

15   August 1, 1999, the circuit has 47 branches. <u>Commencing August 1, 2001, the circuit</u>

16   <u>has 50 branches.</u>".

17   **5.** Page 1501, line 24: after that line insert:

18   "(2mm) CIRCUIT COURT BRANCHES, MILWAUKEE COUNTY. The initial election for

19   circuit judge for branches 48, 49 and 50 of the circuit court for Milwaukee County

20   shall be at the spring election of 2001 for terms commencing August 1, 2001, and

21   ending July 31, 2007.

22   (2mn) CIRCUIT JUDGE POSITIONS, MILWAUKEE COUNTY. The authorized FTE

23   positions for the circuit courts are increased by 3.0 GPR circuit judge positions on

24   August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of

1   the statutes, to provide one additional circuit court judge for each of the circuit court

2   branches created by this act.

3   (2mp) COURT REPORTER POSITIONS, MILWAUKEE COUNTY. The authorized FTE

4   positions for the circuit courts are increased by 6.0 GPR court reporter positions on

5   August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of

6   the statutes, to provide two additional court reporters for each of the circuit court

7   branches created in this act.".

8   **6.** Page 1606, line 13: after that line insert:

9   "(1mm) CIRCUIT COURT SUBDISTRICTS. The treatment of sections 5.58 (2) (a) and

10   (2e), 5.60 (1) (intro.), (a), (ag) and (c), 9.10 (1) (a), 59.10 (2) (a) and 753.015 of the

11   statutes takes effect on January 1, 2001.".

12   **(END)**