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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Veterans, Homeland Security,
Military Affairs, Small Business and Government
Reform (SC-VHSMASBGR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform

Senate Bill 34

Relating to: the method of filling vacancies in certain county, city, village, and town elective offices.
By Senators Leibham and Lassa; cosponsored by Representatives Loeffelholz, Nass, LeMahieu and Ott.

February 02, 2005 Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

March 23, 2005 **PUBLIC HEARING HELD**

Present: (4) Senators Brown, Zien, Breske and Wirch.
Absent: (1) Senator Kanavas.

Appearances For

- None.

Appearances Against

- Kent Woods, Pewaukee — Wisconsin Towns Association

Appearances for Information Only

- None.

Registrations For

- Joe Leibham — State Senator

Registrations Against

- Ed Huck, Madison — Wisconsin Alliance of Cities

May 11, 2005

EXECUTIVE SESSION HELD*

- **- POLLING**

Moved by the Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform that **Senate Bill 34** be recommended for passage.

Ayes: (3) Senators Brown, Zien and Kanavas.

Noes: (2) Senators Breske and Wirch.

PASSAGE RECOMMENDED, Ayes 3, Noes 2

Daniel Lindstedt
Committee Clerk

SENATE BILL 34 (LRB -0445)

An Act to amend 8.50 (intro.), 8.50 (1) (a) and (b), 8.50 (2) (b), 8.50 (4) (fm), 17.21 (3), 17.23 (1) (a) and (c), 17.24 (2), 17.25 (1) and 59.10 (3) (e) of the statutes; relating to: the method of filling vacancies in certain county, city, village, and town elective offices.

2005

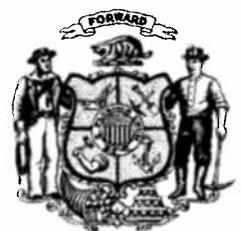
02-02.	S.	Introduced by Senators Leibham and Lassa ; cosponsored by Representatives Loeffelholz , Nass , LeMahieu and Ott .	
02-02.	S.	Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform	61
03-23.	S.	Public hearing held.	
05-11.	S.	Executive action taken.	
05-13.	S.	Report passage recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 3, Noes 2	222
05-13.	S.	Available for scheduling.	
06-14.	S.	Placed on calendar 6-15-2005 by committee on Senate Organization.	
06-15.	S.	Read a second time	259
06-15.	S.	Senate amendment 1 offered by Senator Breske (LRB a0576)	259
06-15.	S.	Senate amendment 1 laid on table, Ayes 20, Noes 13	259
06-15.	S.	Ordered to a third reading	259
06-15.	S.	Rules suspended	259
06-15.	S.	Read a third time and passed	259
06-15.	S.	Ordered immediately messaged	262
06-28.	A.	Received from Senate	343
06-28.	A.	Read first time and referred to committee on Urban and Local Affairs	344
07-14.	A.	Public hearing held.	
11-03.	A.	Assembly amendment 1 offered by Representative Pridemore (LRB a1105)	575
11-15.	A.	Executive action taken.	
11-17.	A.	Report Assembly Amendment 1 adoption recommended by committee on Urban and Local Affairs, Ayes 7, Noes 0	624
11-17.	A.	Report concurrence as amended recommended by committee on Urban and Local Affairs, Ayes 7, Noes 0	624
11-17.	A.	Referred to committee on Rules	624

2006

01-11.	A.	Placed on calendar 1-17-2006 by committee on Rules.	
01-17.	A.	Read a second time	726
01-17.	A.	Assembly amendment 1 adopted	726
01-17.	A.	Ordered to a third reading	726
01-19.	A.	Read a third time and concurred in as amended	733
01-27.	S.	Received from Assembly concurred in as amended	563
01-27.	S.	Available for scheduling.	
02-22.	S.	Placed on calendar 2-23-2006 by committee on Senate Organization.	
02-23.	S.	Assembly amendment 1 concurred in	621
02-23.	S.	Action ordered immediately messaged	624
02-27.	S.	Report correctly enrolled on 2-27-2006	636
03-28.	S.	Presented to the Governor on 3-28-2006	757
03-31.	S.	Report approved by the Governor on 3-30-2006. 2005 Wisconsin Act 248	760
04-04.	S.	Published 4-12-2006	762



WISCONSIN STATE LEGISLATURE





Joe Leibham

State Senator
9th State Senate District

**Testimony Submitted to the
Senate Committee on Veterans, Homeland Security, Military Affairs, Small
Business and Government Reform
Senate Bill 34
March 23, 2005**

Thank you Chairman Brown, committee members and concerned citizens. I am sorry that I am unable to be before you personally today due to another committee responsibility but, nonetheless, I thank you for holding a hearing on this bill and for your service to our state.

Some time ago, I received calls from a number of local officials in my district who believed that the citizens of this state should be given the right to choose a successor in the event that one of their local officials becomes unable to complete a term in elected office. As such, I chose to author Senate Bill 34, which would give local governments the option to hold special elections for open seats on their boards.

Today, as you know, these vacant positions may only be filled via appointment.

Wisconsin has a rich history of representative and responsive government. S.B. 34 would enhance that tradition by bringing the people of this state closer to their local elected officials, getting voters directly involved in the filling of vacant local elected offices.

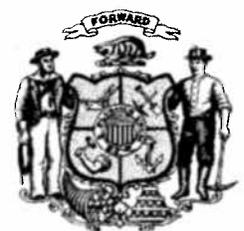
This bill is not a mandate. It is completely up to each individual local municipality to determine if this is the way they want to choose successors to complete unfulfilled terms.

We are always working to find ways to bring government closer to the people it represents. S.B. 34 is a positive step in that direction, and I am proud to bring this idea before the legislature.

Thank you again for your attention and service. It is an honor to serve the residents of the 9th District in the State Senate!



WISCONSIN STATE LEGISLATURE



2005 SENATE BILL 34

Introduced by Senators LEIBHAM and LASSA, cosponsored by Representatives LOEFFELHOLZ, NASS, LEMAHIEU and OTT.

AN ACT *to amend* 8.50 (intro.), 8.50 (1) (a) and (b), 8.50 (2) (b), 8.50 (4) (fm), 17.21 (3), 17.23 (1) (a) and (c), 17.24 (2), 17.25 (1) and 59.10 (3) (e) of the statutes; *relating to: the method of filling vacancies in certain county, city, village, and town elective offices.*

Analysis by the Legislative Reference Bureau

Currently, vacancies in the statutory offices of county clerk, treasurer, or surveyor are filled by appointment of the county board of supervisors for the remainder of the unexpired term.

Vacancies in the office of county supervisor, except in counties having a population of 500,000 or more (Milwaukee) and counties having only one town (Menominee), are filled by the chairperson of the county board of supervisors.

Vacancies in the office of municipal judge are filled by temporary appointment of the municipal governing body.

Vacancies in the office of mayor or alderperson in second, third, or fourth class cities are filled by temporary appointment of the common council.

Vacancies in most other city offices, including offices in first class cities, are filled by temporary appointment of the mayor.

If a vacancy in the office of municipal judge or in a city office described above occurs on or before December 1 preceding a spring election, it is filled at that election; otherwise it is filled at the second succeeding spring election.

Vacancies in village offices are filled by the village board of trustees, except that if a vacancy occurs on or before December 1 preceding a spring election the vacancy may be filled at that election; otherwise it may be filled at the second succeeding spring election.

Vacancies in most town offices are filled by appointment of the town board of supervisors.

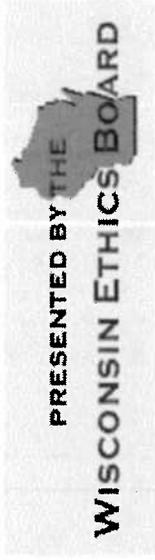
- This bill permits a county board of supervisors, common council, village board of trustees, or town board of supervisors to order a special election to be held to fill any of these vacancies in a county, city, village, or town office, respectively, if the vacancy occurs before June 1 preceding expiration of the term of office.

If the special election is ordered during the period beginning on June 1 and ending on November 30 of any year, the special election is held on the date of the following spring election and the special primary, if any, is held on the date of the spring primary.

If the special election is ordered during the period beginning on December 1 and ending on May 31 of the following year, the special election is held on the Tuesday after the first Monday in November following the date of the order and the primary, if any, is held on the second Tuesday in September.

If a municipal judge serves more than one municipality, the bill requires any special election to be called by the governing bodies of all municipalities served by the judge.

- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Tuesday, March 22, 2005

2005-2006 legislative session

Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Text, Sponsors and Analysis
 Status and Fiscal Estimate
 Lobbying Effort on this item

Senate Bill 34

the method of filling vacancies in certain county, city, village, and town elective offices.

No organization has reported lobbying activity on Senate Bill 34 2005 Regular Session.

Select a legislative proposal and click "go"

House	<input type="button" value="Assembly"/> <input checked="" type="button" value="Senate"/>
Proposal Type	<input checked="" type="button" value="Bill"/> <input type="button" value="Joint Resolution"/> <input type="button" value="Resolution"/>
Proposal Number	<input type="text" value="34"/> (enter proposal number)
Legislative Session	<input type="text" value="2005 Regular Session"/> <input type="button" value="Go"/>

ANALYSIS: SENATE BILL 34

Currently, vacancies in the statutory offices of county clerk, treasurer, or surveyor are filled by appointment of the county board of supervisors for the remainder of the unexpired term. Vacancies in the office of county supervisor, except in counties having a population of 500,000 or more (Milwaukee) and counties having only one town (Menominee), are filled by the chairperson of the county board of supervisors. Vacancies in the office of municipal judge are filled by temporary appointment of the municipal governing body. Vacancies in the office of mayor or alderperson in second, third, or fourth class cities are filled by temporary appointment of the common council. Vacancies in most other city offices, including offices in first class cities, are filled by temporary appointment of the mayor. If a vacancy in the office of municipal judge or in a city office described above occurs on or before December 1 preceding a spring election, it is filled at that election; otherwise it is filled at the second succeeding spring election. Vacancies in village offices are filled by the village board of trustees, except that if a vacancy occurs on or before December 1 preceding a spring election the vacancy may be filled at that election; otherwise it may be filled at the second succeeding spring election.

Vacancies in most town offices are filled by appointment of the town board of supervisors.

- This bill permits a county board of supervisors, common council, village board of trustees, or town board of supervisors to order a special election to be held to fill any of these vacancies in a county, city, village, or town office, respectively, if the vacancy occurs before June 1 preceding expiration of the term of office.
 - ✓ If the special election is ordered during the period beginning on June 1 and ending on November 30 of any year, the special election is held on the date of the following spring election and the special primary, if any, is held on the date of the spring primary.
 - ✓ If the special election is ordered during the period beginning on December 1 and ending on May 31 of the following year, the special election is held on the Tuesday after the first Monday in November following the date of the order and the primary, if any, is held on the second Tuesday in September.
 - ✓ If a municipal judge serves more than one municipality, the bill requires any special election to be called by the governing bodies of all municipalities served by the judge.