

2011 DRAFTING REQUEST

Bill

Received: **01/11/2012**

Received By: **mshovers**

Wanted: **As time permits**

Companion to LRB:

For: **Kathleen Bernier (608) 266-9172**

By/Representing: **Chad**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - misc
Elections - miscellaneous**

Addl. Drafters:

Extra Copies: **EVM, JTK**

Submit via email: **YES**

Requester's email: **Rep.Bernier@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Change responsibility from clerk of court to county clerk for running first village, city election

Instructions:

See attached. Amend s. 66.0213 (4) so that the county clerk runs the election, not the clerk of courts.

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|--------------------|-----------------------|----------------|-----------------------|-----------------------|-----------------|
| /? | | | | | | | |
| /1 | mshovers 01/19/2012 | jdye 01/19/2012 | jmurphy 01/19/2012 | _____ | lparisi 01/19/2012 | ggodwin 01/23/2012 | |

FE Sent For:

None

<END>

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|--------------|----------------|-----------------|---------------|-----------------|------------------|-----------------|-----------------|
| /? | mshovers | 1/19 jld | Jm 1/19/12 | Self 1/19/12 | | | |

FE Sent For:

<END>

Kathy

needs before 1/19

Chad

Rep. Bernier

6-9172

→ chad.zuleger@legis.wis.gov

when a town petitions to become a

city or village, the clerk of courts

is the responsible official - -

change this to the county

clerk

have clerk of courts notify

county clerk & have county

clerk conduct the election



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3852/7
MES

ld
fmr

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

today

gen

✓

1 AN ACT ...; **relating to:** requiring the county clerk to organize the first election
2 of officers following the incorporation of a city or village. ✓

Analysis by the Legislative Reference Bureau

the

Under current law, upon the incorporation of a town as a city or village, the clerk of the circuit court of the county in which the incorporation petition was filed is required to organize first election for officers of the newly incorporated city or village. Under this bill, the responsibility for organizing the election is changed to the county clerk of the county in which the petition was filed. ✓

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

3 SECTION 1. 66.0213 (4) (a) ✓ of the statutes is amended to read:
4 66.0213 (4) (a) Within 10 days after incorporation of the village or city, the clerk
5 of the circuit court with whom county clerk ✓ of the county in which the petition was
6 filed shall fix a time for the first election, and where appropriate designate the
7 polling place or places, and name 3 inspectors of election for each place. The time for
8 the election shall be fixed no less than 40 nor more than 50 days after the date of the

1 certificate of incorporation issued by the secretary of state, irrespective of any other
2 provision in the statutes. Nomination papers shall conform to ch. 8 to the extent
3 applicable. Nomination papers shall be signed by not less than 5% nor more than
4 10% of the total votes cast at the referendum election, and be filed no later than 15
5 days before the time fixed for the election. Ten days' previous notice of the election
6 shall be given by the ~~clerk of the circuit court~~ [✓] county clerk by publication in the
7 newspapers selected under s. 66.0211 (2) and by posting notices in 3 public places in
8 the village or city, but failure to give notice does not invalidate the election.

9 **History:** 1977 c. 203 s. 106, 1989 a. 192; 1991 a. 32, 316; 1993 a. 301, 329; 1995 a. 16 s. 2; 1995 a. 201, 216; 1999 a. 150 s. 41; Stats. 1999 s. 66.0213.

9 **SECTION 2.** 66.0213 (4) (b) of the statutes is amended to read:

10 66.0213 (4) (b) The election shall be conducted as prescribed by ch. 6, except
11 that no registration of voters may be required. The inspectors shall make returns
12 to the ~~clerk of the circuit court~~ [✓] county clerk who shall, within one week after the
13 election, canvass the returns and declare the result. The ~~clerk~~ [✓] shall notify the
14 officers-elect and issue certificates of election. If the first election is on the first
15 Tuesday in April the officers elected and their appointees shall commence and hold
16 their offices as for a regular term. Otherwise they shall commence within 10 days
17 and hold their offices until the regular village or city election and the qualification
18 of their successors and the terms of their appointees expire as soon as successors
19 qualify.

20 **History:** 1977 c. 203 s. 106, 1989 a. 192; 1991 a. 32, 316; 1993 a. 301, 329; 1995 a. 16 s. 2; 1995 a. 201, 216; 1999 a. 150 s. 41; Stats. 1999 s. 66.0213.

20 **SECTION 3. Initial applicability.**

21 (1) This act first applies to a city or village that is incorporated on the effective
22 date of this subsection. [✓]

23 (END)

Godwin, Gigi

From: Zuleger, Chad
Sent: Monday, January 23, 2012 4:31 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-3852/1 Topic: Change responsibility from clerk of court to county clerk for running first village, city election

Please RUSH. Thanks.

Chad Zuleger
Office of Rep. Bernier
6-9172

Please Jacket LRB 11-3852/1 for the ASSEMBLY.