

SENATE BILL 275 (LRB -0294)

An Act to renumber and amend 38.08 (1); to amend 38.08 (2m), 38.10 (2) (c) and 38.10 (2) (fm); and to create 38.08 (1b) of the statutes; relating to: membership of technical college district boards.

2011

- 11-01. S. Introduced by Senators **Grothman, Cowles, Darling, Galloway, Lasee and Lazich**; cosponsored by Representatives **Honadel, Ballweg, Bies, Craig, Endsley, Kooyenga, LeMahieu, Marklein, Pridemore, Rivard, Spanbauer, Strachota and Thiesfeldt**.
- 11-01. S. Read first time and referred to committee on Agriculture, Forestry, and Higher Education 560
- 12-08. S. Public hearing held.

2012

- 02-22. S. Senate substitute amendment 1 offered by Senator Grothman (**LRB s0328**) 732
- 02-23. S. Executive action taken.
- 02-24. S. Report introduction and adoption of Senate Amendment 1 to Senate Substitute Amendment 1 recommended by committee on Agriculture, Forestry, and Higher Education, Ayes 4, Noes 3 (**LRB a2470**) 739
- 02-24. S. Report adoption of Senate Substitute Amendment 1 recommended by committee on Agriculture, Forestry, and Higher Education, Ayes 4, Noes 3 739
- 02-24. S. Report passage as amended recommended by committee on Agriculture, Forestry, and Higher Education, Ayes 4, Noes 3 739
- 02-24. S. Available for scheduling.
- 03-06. S. Placed on calendar 3-7-2012 pursuant to Senate Rule 18(1) 760
- 03-07. S. Read a second time 776
- 03-07. S. Senate amendment 1 to Senate substitute amendment 1 withdrawn and returned to author 776
- 03-07. S. Senate substitute amendment 1 withdrawn and returned to author 776
- 03-07. S. Senate amendment 1 to Senate substitute amendment 2 offered by Senators Grothman and Harsdorf (**LRB a2662**) 776
- 03-07. S. Senate amendment 1 to Senate substitute amendment 2 **adopted** 776
- 03-07. S. Senate substitute amendment 2 offered by Senator Grothman (**LRB s0377**) 776
- 03-07. S. Refused to refer to committee on Agriculture, Forestry, and Higher Education, Ayes 16, Noes 17 776
- 03-07. S. Senate substitute amendment 2 **adopted**, Ayes 17, Noes 16 777
- 03-07. S. Ordered to a third reading 777
- 03-13. S. Placed at the foot of the calendar of 03-13-2012.
- 03-13. S. Read a third time.
- 03-13. S. Refused to refer to committee on Agriculture, Forestry, and Higher Education, Ayes 16, Noes 17.
- 03-13. S. **Passed**, Ayes 17, Noes 16.
- 03-13. S. Refused to reconsider vote by which bill was passed, Ayes 16, Noes 17.
- 03-13. S. Messaged.
- 03-13. A. Received from Senate 911
- 03-13. A. Read first time and referred to committee on Rules 911
- 03-13. A. Made a special order of business at 9:09 A.M. on 3-14-2012 pursuant to Assembly Resolution 24 929
- 03-15. A. **LRB correction**. ← **to orig. bill**
- 03-15. A. Read a second time.
- 03-15. A. Assembly substitute amendment 3 offered by Representative Mason (**LRB s0415**).
- 03-15. A. Assembly substitute amendment 3 laid on table, Ayes 54, Noes 33.
- 03-15. A. Assembly substitute amendment 2 offered by Representative Mason (**LRB s0416**).
- 03-15. A. Assembly substitute amendment 2 laid on table, Ayes 54, Noes 33.
- 03-15. A. Assembly substitute amendment 1 offered by Representative Mason (**LRB s0414**).
- 03-15. A. Assembly substitute amendment 1 laid on table, Ayes 54, Noes 33.
- 03-15. A. Assembly amendment 1 offered by Representative C. Taylor (**LRB a2834**).
- 03-15. A. Assembly amendment 1 laid on table, Ayes 54, Noes 33.
- 03-15. A. Assembly amendment 2 offered by Representative C. Taylor (**LRB a2808**).
- 03-15. A. Assembly amendment 2 withdrawn and returned to author.
- 03-15. A. Assembly amendment 3 offered by Representative C. Taylor (**LRB a2809**).
- 03-15. A. Assembly amendment 3 withdrawn and returned to author.
- 03-15. A. Assembly amendment 4 offered by Representative C. Taylor (**LRB a2810**).
- 03-15. A. Assembly amendment 4 withdrawn and returned to author.
- 03-15. A. Assembly amendment 5 offered by Representative C. Taylor (**LRB a2811**).
- 03-15. A. Assembly amendment 5 withdrawn and returned to author.
- 03-15. A. Assembly amendment 6 offered by Representative C. Taylor (**LRB a2812**).
- 03-15. A. Assembly amendment 6 withdrawn and returned to author.
- 03-15. A. Assembly amendment 7 offered by Representative Mason (**LRB a2813**).

9MB

- 03-15. A. Assembly amendment 7 withdrawn and returned to author.
- 03-15. A. Assembly amendment 8 offered by Representative C. Taylor (LRB a2814).
- 03-15. A. Assembly amendment 8 withdrawn and returned to author.
- 03-15. A. Assembly amendment 9 offered by Representative C. Taylor (LRB a2815).
- 03-15. A. Assembly amendment 9 withdrawn and returned to author.
- 03-15. A. Assembly amendment 10 offered by Representative C. Taylor (LRB a2816).
- 03-15. A. Assembly amendment 10 withdrawn and returned to author.
- 03-15. A. Assembly amendment 11 offered by Representative C. Taylor (LRB a2817).
- 03-15. A. Assembly amendment 11 withdrawn and returned to author.
- 03-15. A. Assembly amendment 12 offered by Representative C. Taylor (LRB a2818).
- 03-15. A. Assembly amendment 12 withdrawn and returned to author.
- 03-15. A. Assembly amendment 13 offered by Representative C. Taylor (LRB a2819).
- 03-15. A. Assembly amendment 13 withdrawn and returned to author.
- 03-15. A. Assembly amendment 14 offered by Representative C. Taylor (LRB a2820).
- 03-15. A. Assembly amendment 14 withdrawn and returned to author.
- 03-15. A. Assembly amendment 15 offered by Representative C. Taylor (LRB a2821).
- 03-15. A. Assembly amendment 15 withdrawn and returned to author.
- 03-15. A. Assembly amendment 16 offered by Representative C. Taylor (LRB a2822).
- 03-15. A. Assembly amendment 16 withdrawn and returned to author.
- 03-15. A. Assembly amendment 17 offered by Representative Mason (LRB a2839).
- 03-15. A. Assembly amendment 17 withdrawn and returned to author.
- 03-15. A. Assembly amendment 18 offered by Representative Hulsey (LRB a2840).
- 03-15. A. Assembly amendment 18 withdrawn and returned to author.
- 03-15. A. Assembly amendment 19 offered by Representative Hulsey (LRB a2899).
- 03-15. A. Assembly amendment 19 withdrawn and returned to author.
- 03-15. A. Assembly amendment 20 offered by Representative Mason (LRB a2901).
- 03-15. A. Assembly amendment 20 withdrawn and returned to author.
- 03-15. A. Assembly amendment 21 offered by Representative Hulsey (LRB a2900).
- 03-15. A. Assembly amendment 21 withdrawn and returned to author.
- ~~03-15. A. Assembly amendment 22 offered by Representative Hulsey (LRB a2902).~~
- 03-15. A. Assembly amendment 23 offered by Representative Hulsey (LRB a2898).
- 03-15. A. Assembly amendment 23 withdrawn and returned to author.
- 03-15. A. Assembly amendment 24 offered by Representative Hulsey (LRB a2907).
- 03-15. A. Assembly amendment 24 withdrawn and returned to author.
- 03-15. A. Assembly amendment 25 offered by Representative Hulsey (LRB a2896).
- 03-15. A. Assembly amendment 25 withdrawn and returned to author.
- 03-15. A. Assembly amendment 26 offered by Representative Hulsey (LRB a2908).
- 03-15. A. Assembly amendment 26 withdrawn and returned to author.
- 03-15. A. Assembly amendment 27 offered by Representative Hulsey (LRB a2909).
- 03-15. A. Assembly amendment 27 withdrawn and returned to author.
- 03-15. A. Assembly amendment 28 offered by Representative Hulsey (LRB a2906).
- 03-15. A. Assembly amendment 28 withdrawn and returned to author.
- 03-15. A. Assembly amendment 29 offered by Representative Hulsey (LRB a2910).
- 03-15. A. Assembly amendment 29 withdrawn and returned to author.
- 03-15. A. Assembly amendment 30 offered by Representative Hulsey (LRB a2902).
- 03-15. A. Assembly amendment 30 withdrawn and returned to author.
- 03-15. A. Assembly amendment 31 offered by Representative Hulsey (LRB a2904).
- 03-15. A. Assembly amendment 31 withdrawn and returned to author.
- 03-15. A. Assembly amendment 32 offered by Representative Hulsey (LRB a2903).
- 03-15. A. Assembly amendment 32 withdrawn and returned to author.
- 03-15. A. Assembly amendment 33 offered by Representative Hulsey (LRB a2905).
- 03-15. A. Assembly amendment 33 withdrawn and returned to author.
- 03-15. A. Assembly amendment 34 offered by Representative Mason (LRB a2991).
- 03-15. A. Assembly amendment 34 withdrawn and returned to author.
- 03-15. A. Assembly amendment 35 offered by Representative Mason (LRB a2992).
- 03-15. A. Assembly amendment 35 withdrawn and returned to author.
- 03-15. A. Assembly amendment 36 offered by Representative Mason (LRB a2993).
- 03-15. A. Assembly amendment 36 withdrawn and returned to author.
- 03-15. A. Assembly amendment 37 offered by Representative Mason (LRB a3000).
- 03-15. A. Assembly amendment 37 withdrawn and returned to author.
- 03-15. A. Assembly amendment 38 offered by Representative Mason (LRB a3005).
- 03-15. A. Assembly amendment 38 withdrawn and returned to author.

*Correct on
March 28, 2012
bill history.
AA 22 was
Withdrawn.
WLJ*

- 03-15. A. Assembly amendment 70 offered by Representatives Kessler and Mason (**LRB a2998**).
- 03-15. A. Assembly amendment 70 withdrawn and returned to author.
- 03-15. A. Ordered to a third reading.
- 03-15. A. Rules suspended.
- 03-15. A. Read a third time and **concurrent in**.
- 03-15. A. Ordered immediately messaged.
- 03-19. S. Received from Assembly concurrent in.

**2011
ENROLLED BILL**

11en SB-275

ADOPTED DOCUMENTS:

Orig

Engr

Σ SubAmdt 2

11 s 0377/1

Amendments to above (if none, write "NONE"):

SA1 — a 2662/1

Corrections - show date (if none, write "NONE"):

None

3-28-12 ccc to SA1 to SSA2 to SB 275 (WLJ)

Topic

Rel

3-20-12

Date

J. R. Miller

Enrolling Drafter



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBs0377/1
MDK:cjs&kjf:jm

**SENATE SUBSTITUTE AMENDMENT 2,
TO 2011 SENATE BILL 275**

March 7, 2012 – Offered by Senator GROTHMAN.

1 AN ACT *to repeal* 38.08 (1g); *to renumber* 38.10 (2) (g); *to renumber and*
2 *amend* 38.08 (1) (a) 1. and 38.10 (2) (c); *to amend* 38.08 (2m), 38.10 (2) (a) 2.,
3 38.10 (2) (b), 38.10 (2) (f) and 38.10 (2) (fm); and *to create* 38.08 (1) (a) 1g., 38.10
4 (1) (d) and 38.10 (2) (g) 2. of the statutes; **relating to:** the membership of
5 Milwaukee area technical college district board.

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

6 **SECTION 1.** 38.08 (1) (a) 1. of the statutes is renumbered 38.08 (1) (a) 1. (intro.)
7 and amended to read:

8 38.08 (1) (a) 1. (intro.) A district board shall administer the district and, except
9 as provided in subd. 1g., shall be composed of 9 members who are residents of the
10 district, including 2 consisting of the following:

11 a. Two employers, 2.

- 1 b. Two employees,~~3.~~
- 2 c. Three additional members,~~a.~~
- 3 d. One school district administrator, as defined under s. 115.001 (8),~~and one,~~
- 4 e. One elected official who holds a state or local office, as defined in s. 5.02.

5 1r. The board shall by rule define "employer" and "employee" for the purpose
 6 of this subdivision subd. 1. a. and b. For purposes of subd. 1g. a., "employer" means
 7 a business entity, as defined in s. 13.62 (5), nonprofit organization that provides
 8 health care services, credit union, or cooperative association.

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SAI-1

9 **SECTION 2.** 38.08 (1) (a) 1g. of the statutes is created to read:

10 38.08 (1) (a) 1g. The district board governing the Milwaukee area technical
 11 college shall be composed of 9 members who are residents of the district, consisting
 12 of the following:

- 13 a. Five persons representing employers. Three of the members shall represent
 14 employers with 15 or more employees, 2 of the members shall represent employers
 15 with 100 or more employees, and at least 2 of the members shall represent employers
 16 who are manufacturing businesses.
- 17 b. One school district administrator, as defined in s. 115.001 (8).
- 18 c. One elected official who holds a state or local office, as defined in s. 5.02.
- 19 d. Two additional members.

20 **SECTION 3.** 38.08 (1g) of the statutes is repealed.

21 **SECTION 4.** 38.08 (2m) of the statutes is amended to read:

22 38.08 (2m) Any member of a district board serving as an elected official under
 23 sub. (1) (a) 1. e. or 1g. c. shall cease to be a member upon vacating his or her office
 24 as an elected official.

25 **SECTION 5.** 38.10 (1) (d) of the statutes is created to read:

1 38.10 (1) (d) Notwithstanding pars. (a) to (c), the county executive of
2 Milwaukee County and the chairpersons of the Milwaukee, Ozaukee, and
3 Washington County boards of supervisors shall constitute the appointment
4 committee for the district board governing the Milwaukee area technical college.

5 **SECTION 6.** 38.10 (2) (a) 2. of the statutes is amended to read:

6 38.10 (2) (a) 2. The chairperson of the appointment committee shall fix a date,
7 to be no later than 60 days after receipt of notification of the vacancy or term
8 expiration, or 60 days after a spring election if a vacancy occurs within 120 days
9 preceding a spring election, and a time and place for a public hearing and meeting
10 of the appointment committee to approve a representation plan required under par.
11 (c) 1. and to appoint district board members, and shall send written notice of the
12 public hearing and meeting to each district board member, each governing body
13 having a member on the appointment committee, each member of the appointment
14 committee and the board.

15 **SECTION 7.** 38.10 (2) (b) of the statutes is amended to read:

16 38.10 (2) (b) The appointment committee member from the appropriate
17 governmental unit specified under sub. (1) (a), (b) or (c) having the largest population
18 in the district shall act as chairperson of the appointment committee. The county
19 executive of Milwaukee County shall act as the chairperson of the appointment
20 committee for the district board governing the Milwaukee area technical college.

21 **SECTION 8.** 38.10 (2) (c) of the statutes is renumbered 38.10 (2) (c) 1. and
22 amended to read:

23 38.10 (2) (c) 1. At the meeting and prior to the appointment of district board
24 members, the appointment committee shall formulate a plan of representation for
25 the membership of the district board. The plan shall give equal consideration to the

1 general population distribution within the district and the distribution of women
2 and minorities within the district. The plan of representation for the membership
3 of the district board that governs a district encompassing a 1st class city shall also
4 give equal consideration to the distribution of minorities within the 1st class city.
5 The plan shall form the basis upon which membership of the district board is
6 determined.

7 2. The board shall review district board appointments to determine whether
8 they comply with the provisions of the plan of representation required under subd.
9 1. and the requirements of s. 38.08 (1) (a).

10 **SECTION 9.** 38.10 (2) (f) of the statutes is amended to read:

11 38.10 (2) (f) Selection of district board members and approval of a
12 representation plan required under par. (c) 1. by the appointment committee shall
13 be by majority vote of a quorum under par. (g). If the appointment committee cannot
14 reach agreement on the representation plan and district board membership within
15 30 days after their first meeting, the board shall formulate the plan of representation
16 and appoint the district board members in accordance with the plan.

17 **SECTION 10.** 38.10 (2) (fm) of the statutes is amended to read:

18 38.10 (2) (fm) If the board determines under par. (c) 2. that district board
19 appointments do not comply with the plan of representation required under par. (c)
20 1. or do not comply with s. 38.08 (1) (a), the board shall notify the appointment
21 committee that the district board appointments are in noncompliance. Within 45
22 days after receipt of the board's determination that the district board appointments
23 are in noncompliance, the appointment committee shall make district board
24 appointments that comply with the provisions of the plan of representation required
25 under par. (c) 1. and with s. 38.08 (1) (a). The board shall review any appointments

1 made under this paragraph. If the board determines that the appointments made
2 under this paragraph do not comply with a plan of representation required under
3 par. (c) 1, or do not comply with s. 38.08 (1) (a), the board shall formulate a plan of
4 representation that conforms with par. (c) 1 and the board shall appoint the district
5 board members in accordance with the plan of representation and with s. 38.08 (1)
6 (a).

7 **SECTION 11.** 38.10 (2) (g) of the statutes is renumbered 38.10 (2) (g) 1.

8 **SECTION 12.** 38.10 (2) (g) 2. of the statutes is created to read:

9 38.10 (2) (g) 2. Three members shall constitute a quorum for the appointment
10 committee for the district board governing the Milwaukee area technical college.

11 **SECTION 13. Nonstatutory provisions.**

12 (1) In this section, “employer” means a business entity, as defined in section
13 13.62 (5) of the statutes, nonprofit organization that provides health care services,
14 credit union, or cooperative association.

15 (2) Notwithstanding section 38.08 (1) (b) of the statutes, the initial members
16 of the district board governing the Milwaukee area technical college who are
17 specified in section 38.08 (1) (a) 1g., as created by this act, shall be appointed as
18 follows:

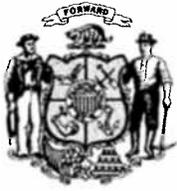
19 (a) Two of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,
20 as created by this act, and the member specified in section 38.08 (1) (a) 1g. b. of the
21 statutes, as created by this act, shall have terms expiring on June 30, 2014. Of the
22 members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by this act,
23 who are appointed under this paragraph, one member shall represent employers
24 with 15 or more employees and one member shall represent employers with 100 or
25 more employees and one of those members shall represent employers who are

1 manufacturing businesses. The members appointed under this paragraph shall
2 replace the members of the district board appointed under section 38.08 (1) (a) 1.,
3 2009 stats., whose terms were scheduled to expire on June 30, 2012.

4 (b) Two of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,
5 as created by this act, and one of the members specified in section 38.08 (1) (a) 1g.
6 d. of the statutes, as created by this act, shall have terms expiring on June 30, 2015.
7 Of the members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by
8 this act, who are appointed under this paragraph, one member shall represent
9 employers with 15 or more employees and one member shall represent employers
10 with 100 or more employees and one of those members shall represent employers
11 who are manufacturing businesses. The members appointed under this paragraph
12 shall replace the members of the district board appointed under section 38.08 (1) (a)
13 1., 2009 stats., whose terms were scheduled to expire on June 30, 2013.

14 (c) One of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,
15 as created by this act, the member specified in section 38.08 (1) (a) 1g. c. of the
16 statutes, as created by this act, and one of the members specified in section 38.08 (1)
17 (a) 1g. d. of the statutes, as created by this act, shall have terms expiring on June 30,
18 2016. The members appointed under this paragraph shall replace the members of
19 the district board appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms
20 were scheduled to expire on June 30, 2014.

21 (END)



State of Wisconsin
2011-2012 LEGISLATURE

CORRECTIONS IN:

**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO 2011 SENATE BILL 275**

Prepared by the Legislative Reference Bureau
(March 28, 2012)

In enrolling, the following correction was made:

1. Page 1, line 2: delete "7 of which who" and substitute "7 of whom".

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2662/1
MDK:kjfrs

SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO 2011 SENATE BILL 275

March 7, 2012 – Offered by Senators GROTHMAN and HARSDORF.

SAI-1

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

2 1. Page 2, line 11: after "district," insert "7 of ^{whom} ~~which~~ ^{are} ~~who~~ are residents of

3 Milwaukee County".

4 (END)