

2011 DRAFTING REQUEST

Assembly Amendment (AA-SB275)

Received: 03/13/2012

Received By: jkuesel

Wanted: As time permits

Companion to LRB:

For: Cory Mason (608) 266-0634

By/Representing: Vicky Selkove

May Contact:

Drafter: jkuesel

Subject: Elections - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Mason@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Popular election of Milwaukee area technical college district board

Instructions:

Per attached #2.

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>
/?	jkuesel 03/13/2012	csicilia 03/13/2012		_____			
/1			phenry 03/13/2012	_____	lparisi 03/13/2012	lparisi 03/13/2012	

FE Sent For:

<END>

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12/1	jkuesel 3/13/12		3/13/12 ph	ph/ao			

FE Sent For:

<END>

Kuesel, Jeffery

From: Grant, Peter
Sent: Tuesday, March 13, 2012 12:46 PM
To: Kuesel, Jeffery
Subject: FW: Additional amendments to SB 275

Jeff, can you do items 1 and 2? In item 2, MATC means the Milwaukee Area Technical College.

Thanks,

Peter

From: Kunkel, Mark
Sent: Tuesday, March 13, 2012 12:40 PM
To: Grant, Peter
Subject: FW: Additional amendments to SB 275

From: Selkove, Vicky
Sent: Tuesday, March 13, 2012 12:34 PM
To: Kunkel, Mark
Subject: Additional amendments to SB 275

Hi Mark –

Here are the additional needed amendments for the Assembly Dem caucus to SSA 2 to SB 275. My apologies. Call or email with questions – I'll be running around the building but have my phone with me so can respond easily via email.

Thanks,
Vicky

1. A substitute amendment to SSA 2 to SB 275 that specifies that, statewide, all boards of all technical colleges will be elected by (eligible voters) people in that district.
2. A substitute amendment to SSA 2 to SB 275 that specifies that, just for MATC, the board shall be elected by the (eligible voters) people in that district.
3. Here's where it gets ugly. For each of the below, we need separate simple amendments to SSA 2 to SB 275 that replaces the governing body of each of the below (City Council, County Board, School District) with a Board appointed by another body. I've tried to specify it as clearly as possible in the first example so you can see what we mean.

City: South Milwaukee – Prepare a simple amendment to SSA 2 to SB 275 that replaces South Milwaukee's governing body (City Council) with a body appointed by Milwaukee County's Executive and County Board Supervisors

County: Milwaukee – Prepare a simple amendment to SSA 2 to SB 275 that replaces Milwaukee County's Board with a body appointed by the City of Milwaukee's Common Council

School District: South Milwaukee School District – Prepare a simple amendment to SSA 2 to SB 275 that replaces the South Milwaukee School District's Board with a body appointed by the Milwaukee County Executive and County Board of Supervisors.

In all cases, for all of these simple amendments, use this same format: Replace the city/town/village's governing body with a body appointed by the County Executive/County Administrator and the County Board Supervisors, replace the County's governing body with a body appointed by the City, and replace the School District Board with a body appointed by the County Executive and the County Board of Supervisors. Each separate simple amendment needs to be specific to the cities, counties, and school

districts referenced below.

City: Markesan
County: Green Lake County
School District: Markesan School District

City: Sister Bay
County: Door
School District: Gibraltar Area School District

City: Big Bend
County: Waukesha
School District: Mukwonago Area School District

City: Sheboygan
County: Sheboygan
School District: Sheboygan Area School District

City: Brookfield
County: Waukesha
School District: Elmbrook School District

City: Cascade
County: Sheboygan
School District: Plymouth School District

CITY – SPRING GREEN
COUNTY – SAUK COUNTY
SCHOOL DISTRICT – RIVER VALLEY SCHOOL DISTRICT

CITY – HARTFORD
COUNTY – DODGE & WASHINGTON
SCHOOL DISTRICT – SCHOOL DISTRICT OF HARTFORD

CITY – RICE LAKE
COUNTY – BARRON COUNTY
SCHOOL DISTRICT – RICE LAKE AREA SCHOOL DISTRICT

CITY - OSHKOSH
COUNTY – WINNEBAGO
SCHOOL DISTRICT – OSHKOSH AREA SCHOOL DISTRICT

City: West Bend
County: Washington
School District: West Bend School District

City: Fond du Lac
County: Fond du Lac
School District: Fond du Lac School District

Vicky Selkove

Office of State Representative Cory Mason

62nd Assembly District

State Capitol, Room 6 North

PO Box 8953, Madison, WI 53708

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Toll-free: (888) 534-0062

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State of Wisconsin
2011 - 2012 LEGISLATURE

2840/1
LRB#28397
JTKg.....
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Tue 3/13 : 5:45 PM

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT,
TO 2011 SENATE BILL 275

Freeze ~~Bill~~ amendment
after all inserts
are in

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 2, as follows:

3 (END)



2011 BILL

including the material inserted by senate amendment 1

Page 1, line 5: delete the material beginning with that line and ending with page 6, line 20 and substitute

1 AN ACT ~~to repeal~~ 38.04 (1), 38.08 (1g), (2) and (2m) and 38.10, ~~to amend~~ 5.02
 2 (3), (5) and (23), 5.58 (3), 5.60 (1) (title), 5.60 (1) (b), 7.60 (4) (a) and (5) (a), 7.70
 3 (3) (d), 9.10 (1) (a), 9.10 (2) (b), 9.10 (2) (d), 9.10 (3) (a), 9.10 (4) (title), 9.10 (4)
 4 (a), 9.10 (4) (d), 9.10 (7), 11.26 (1) (c), 11.26 (2) (c), 11.31 (1) (f), 11.31 (1) (g)
 5 (intro.) and 38.08 (1) (b) ~~to repeal and recreate~~ 17.27 (3) and 38.08 (1) (a); and
 6 ~~to create~~ 5.58 (2s), 5.60 (1) (am), 7.70 (6), 8.10 (3) (ae), 8.11 (6), 17.01 (10m),
 7 17.02 (2), 17.17 (2), 38.06 (6), 38.08 (1) (c) and 38.08 (6) of the statutes; relating
 8 ~~to: popular election of technical college district boards~~ ^{the Milwaukee area technical college district board} providing an exemption
 9 from and extending the time limit for emergency rule procedures, and granting
 10 rule-making authority.

Analysis by the Legislative Reference Bureau

Currently, the technical college system is managed on the local level by district boards consisting of nine members in each of the state's 16 technical college districts. The members of the technical college district board for each district are appointed by an appointment committee consisting of local elected officials in accordance with a representation plan based upon population distribution within the district,

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including distribution of women and minorities. All members of a district board must be residents of the district. Two members must be employers and two members must be employees. One member must be a school district administrator of a school district that lies within the technical college district. All members serve for three-year terms.

This bill provides for the election of all members of district boards from election districts within each technical college district on a nonpartisan ballot at the spring election. Each member must be an elector of the election district from which he or she is elected. Terms are changed to four years. Under the bill, current district board members serve until July 1, 2013, at which time district board members who are elected at the 2013 spring election take office. The terms of the members are staggered so that at least two are elected every year. Nomination paper signature requirements, contribution limits, and spending guidelines are the same as for the office of representative to the assembly. Candidates for the district board are not eligible to receive public grants to finance their campaigns.

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:

LPS: change all auto numbers to hard numbers (freeze document if that will work)

SECTION 1. 5.02 (3), (5) and (23) of the statutes are amended to read:

5.02 (3) "Educational officer" means the state superintendent, ~~a member of a~~ the Milwaukee area technical college district board, and a school board ~~members~~ member.

(5) "General election" means the election held in even-numbered years on the Tuesday after the first Monday in November to elect United States senators, representatives in congress, presidential electors, state senators, representatives to the assembly, district attorneys, state officers other than the state superintendent, Milwaukee Area members of the technical college district boards, and judicial officers, and county officers other than supervisors and county executives.

(23) "State office" means the offices of governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, justice of the supreme court, court of appeals judge, circuit court judge, state senator, state

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1 representative to the assembly and, district attorney, and member of a technical
2 college district board.

3 SECTION 2. 5.58 (2s) of the statutes is created to read:

4 5.58 (2s) ~~TECHNICAL COLLEGE DISTRICT BOARD.~~ ^{MILWAUKEE AREA ← CS} In those years when a primary
5 is scheduled, there shall be a separate ballot for member of the ^{Milwaukee area} technical college
6 district board. Arrangement of the names on the ballot shall be determined by the
7 government accountability board under s. 5.60 (1), (b). The ballot shall be titled
8 "Official Primary Ballot for ~~the name of district~~ ^{Milwaukee Area} Technical College District Board."

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

10 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,
11 for any judicial office, for any elected seat on a metropolitan sewerage commission
12 or town sanitary district commission, ^{the Milwaukee area} for member of a technical college district board
13 from any election district, in counties having a population of 500,000 or more only
14 2 candidates for member of the board of supervisors within each district, in counties
15 having a population of less than 500,000 only 2 candidates for each member of the
16 county board of supervisors from each district or numbered seat or only 4 candidates
17 for each 2 members of the county board of supervisors from each district whenever
18 2 supervisors are elected to unnumbered seats from the same district, in 1st class
19 cities only 2 candidates for any at-large seat and only 2 candidates from any election
20 district to be elected to the board of school directors, in school districts electing school
21 board members to numbered seats, or pursuant to an apportionment plan or district
22 representation plan, only 2 school board candidates for each numbered seat or within
23 each district, and twice as many candidates as are to be elected members of other
24 school boards or other elective officers receiving the highest number of votes at the

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1 primary shall be nominees for the office at the spring election. Only their names
2 shall appear on the official spring ballot.

as affected by 2011 Wisconsin Act 62

3 SECTION 4. 5.60 (1) (title) of the statutes is amended to read:

4 5.60 (1) (title) ~~STATE SUPERINTENDENT NONPARTISAN STATE OFFICERS; JUDICIARY;~~

5 ~~COUNTY EXECUTIVE AND COUNTY SUPERVISORS. SUPERVISOR.~~

6 SECTION 5. 5.60 (1) (am) of the statutes is created to read:

7 5.60 (1) (am) In those years when an election is scheduled, there shall be a
8 separate ballot for each member of the ^{*Milwaukee area*} technical college district board. The
9 government accountability board shall determine the official ballot arrangement for
10 technical college district board candidates by using the same method as that used
11 under par. (b).

12 SECTION 6. 5.60 (1) (b) of the statutes is amended to read:

13 5.60 (1) (b) The board shall certify the candidates' names and designate the
14 official ballot arrangement for candidates for state superintendent, justice, court of
15 appeals judge, circuit judge, ^{*the Milwaukee area*} member of a technical college district board, and, if
16 commissioners are elected under s. 200.09 (11) (am), the metropolitan sewerage
17 commission. The arrangement of names of all candidates on the ballot whose
18 nomination papers are filed with the board shall be determined by the board by the
19 drawing of lots not later than the 2nd Tuesday in January, or the next day if the first
20 Tuesday is a holiday. Whenever a primary is held for an office, a 2nd drawing of all
21 candidates for that office shall be held by or under the supervision of the board not
22 later than the 3rd day following the completion of the primary canvass to determine
23 the arrangement of candidates on the election ballot.

24 SECTION 7. 7.60 (4) (a) and (5) (a) of the statutes are amended to read:

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1 7.60 (4) (a) The board of canvassers shall make separate duplicate statements
 2 showing the numbers of votes cast for the offices of president and vice president; state
 3 officials; U.S. senators and representatives in congress; state legislators; justice;
 4 court of appeals judge; circuit judges; members of the ^{Milwaukee area} technical college district
 5 boards; district attorneys; and metropolitan sewerage commissioners, if the
 6 commissioners are elected under s. 200.09 (11) (am). If a municipal judge elected
 7 under s. 755.01 (4) serves a municipality that is located partially within the county
 8 and candidates for that judgeship file nomination papers in another county, the
 9 board of canvassers shall prepare a duplicate statement showing the numbers of
 10 votes cast for that judgeship in that county for transmittal to the other county. For
 11 partisan candidates, the statements shall include the political party or principle
 12 designation, if any, next to the name of each candidate. The board of canvassers shall
 13 also prepare a statement showing the results of any county, technical college district,
 14 or statewide referendum. Each statement shall state the total number of votes cast
 15 in the county for each office; the names of all persons for whom the votes were cast,
 16 as returned; the number of votes cast for each person; and the number of votes cast
 17 for and against any question submitted at a referendum. The board of canvassers
 18 shall use one copy of each duplicate statement to report to the government
 19 accountability board, technical college district board, or board of canvassers of any
 20 other county and shall file the other statement in the office of the county clerk or
 21 board of election commissioners.

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SECTION # Am; 7.60(5)(a), as affected by 2011 Wisconsin Acts 75 and 115

~~(5) (a) Immediately following the canvass, the county clerk shall deliver or send to the government accountability board, by 1st class mail, a certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, state legislators, justice, court of~~

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1 appeals judge, circuit judge, ~~members of the technical college district boards,~~ district
2 attorney, and metropolitan sewerage commissioners, if the commissioners are
3 elected under s. 200.09 (11) (am). The statement shall record the returns for each
4 office or referendum by ward, unless combined returns are authorized under s. 5.15
5 (6) (b) in which case the statement shall record the returns for each group of
6 combined wards. Following primaries the county clerk shall enclose on forms
7 prescribed by the government accountability board the names, party or principle
8 designation, if any, and number of votes received by each candidate recorded in the
9 same manner. The county clerk shall deliver or transmit the certified statement to
10 the government accountability board no later than 7 days after each primary except
11 the September primary, no later than 10 days after the September primary and any
12 other election except the general election, and no later than 14 days after the general
13 election. The board of canvassers shall deliver or transmit a certified copy of each
14 statement for any technical college district referendum to the secretary of the
15 ~~technical college district board.~~

16 **SECTION 8.** 7.70 (3) (d) of the statutes is amended to read:

17 7.70 (3) (d) When the certified statements and returns are received, the
18 chairperson of the board or the chairperson's designee shall proceed to examine and
19 make a statement of the total number of votes cast at any election for the offices
20 involved in the election for president and vice president; a statement for each of the
21 offices of governor, lieutenant governor, if a primary, and a joint statement for the
22 offices of governor and lieutenant governor, if a general election; a statement for each
23 of the offices of secretary of state, state treasurer, attorney general, and state
24 superintendent; for U.S. senator; representative in congress for each congressional
25 district; the state legislature; justice; court of appeals judge; circuit judge; technical

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1 college district board member; district attorney; metropolitan sewerage commission,
2 if the commissioners are elected under s. 200.09 (11) (am); and for any referenda
3 questions submitted by the legislature.

4 SECTION 9. 7.70 (6) of the statutes is created to read:

5 7.70 (6) ~~TECHNICAL COLLEGE DISTRICT BOARD MEMBERS; DETERMINATIONS.~~ ^{MILWAUKEE AREA ← CS} The

6 government accountability board shall transmit to the secretary of the technical
7 college district board a copy of the certified determination of the chairperson of the
8 government accountability board or his or her designee for the election of each
9 member of the district board. ^{Milwaukee area technical college}

10 SECTION 10. 8.10 (3) (ae) of the statutes is created to read:

11 8.10 (3) (ae) For the office of member of the ^{Milwaukee area} technical college district board from
12 any election district, not less than 200 nor more than 400 electors.

13 SECTION 11. 8.11 (6) of the statutes is created to read:

14 8.11 (6) ~~TECHNICAL COLLEGE DISTRICT BOARD MEMBERS.~~ ^{MILWAUKEE AREA ← CS} A primary shall be held
15 in an election for any seat on a ^{the Milwaukee area} technical college district board whenever there are
16 more than 2 candidates in any election district.

17 SECTION 12. 9.10 (1) (a) of the statutes is amended to read:

18 9.10 (1) (a) The qualified electors of the state, of any county, city, village, or
19 town, of any congressional, legislative, judicial, ~~technical college~~ town sanitary, or
20 school district, ^{of the Milwaukee area technical college districts} or of any prosecutorial unit may petition for the recall of any
21 incumbent elective official by filing a petition with the same official or agency with
22 whom nomination papers or declarations of candidacy for the office are filed
23 demanding the recall of the officeholder.

24 SECTION 13. 9.10 (2) (b) of the statutes is amended to read:

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1 9.10 (2) (b) A recall petition for a city, village, town, ~~technical college district,~~ ^{Milwaukee area}
 2 town sanitary district, or school district office shall contain a statement of a reason
 3 for the recall which is related to the official responsibilities of the official for whom
 4 removal is sought.

5 **SECTION 14.** 9.10 (2) (d) of the statutes is amended to read:

6 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
 7 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the
 8 filing officer with whom the petition is filed. The petitioner shall append to the
 9 registration a statement indicating his or her intent to circulate a recall petition, the
 10 name of the officer for whom recall is sought and, in the case of a petition for the recall
 11 of a city, village, town, ~~technical college district,~~ ^{Milwaukee area} town sanitary district, or school
 12 district officer, a statement of a reason for the recall which is related to the official
 13 responsibilities of the official for whom removal is sought. No petitioner may
 14 circulate a petition for the recall of an officer prior to completing registration. The
 15 last date that a petition for the recall of an officer may be offered for filing is 5 p.m.
 16 on the 60th day commencing after registration. After the recall petition has been
 17 offered for filing, no name may be added or removed. No signature may be counted
 18 unless the date of the signature is within the period provided in this paragraph.

19 **SECTION 15.** 9.10 (3) (a) of the statutes is amended to read:

20 9.10 (3) (a) This subsection applies to the recall of all elective officials other
 21 than city, village, town, ~~technical college district,~~ ^{Milwaukee area} town sanitary district, and school
 22 district officials. City, village, town, ~~technical college district,~~ ^{Milwaukee area} town sanitary district,
 23 and school district officials are recalled under sub. (4).

24 **SECTION 16.** 9.10 (4) (title) of the statutes is amended to read:

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9.10 (4) (title) CITY, VILLAGE, TOWN, TOWN SANITARY DISTRICT, ~~TECHNICAL COLLEGE~~

DISTRICT, AND SCHOOL DISTRICT OFFICES.

SECTION 17. 9.10 (4) (a) of the statutes is amended to read:

9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town, Milwaukee area technical college district, town sanitary district, or school district official, is offered for filing, the officer against whom the petition is filed may file a written challenge with the ~~municipal clerk or board of election commissioners or school district clerk~~ official or agency with whom it is filed, specifying any alleged insufficiency. If a challenge is filed, the petitioner may file a written rebuttal to the challenge with the ~~clerk or board of election commissioners~~ official or agency within 5 days after the challenge is filed. If a rebuttal is filed, the officer against whom the petition is filed may file a reply to any new matter raised in the rebuttal within 2 days after the rebuttal is filed. Within 14 days after the expiration of the time allowed for filing a reply to a rebuttal, the ~~clerk or board of election commissioners~~ official or agency shall file the certificate or an amended certificate. Within 31 days after the petition is offered for filing, the ~~clerk or board of election commissioners~~ official or agency shall determine by careful examination of the face of the petition whether the petition is sufficient and shall so state in a certificate attached to the petition. If the petition is found to be insufficient, the certificate shall state the particulars creating the insufficiency. The petition may be amended to correct any insufficiency within 5 days following the affixing of the original certificate. Within 2 days after the offering of the amended petition for filing, the ~~clerk or board of election commissioners~~ official or agency shall again carefully examine the face of the petition to determine sufficiency and shall attach to the petition a certificate stating the findings. Immediately upon finding an original or amended petition sufficient,

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1 except in cities over 500,000 population and in ^{the Milwaukee area} technical college districts, the
 2 ~~municipal clerk or school district clerk~~ official shall transmit the petition to the
 3 governing body or to the school board. Immediately upon finding an original or
 4 amended petition sufficient, in cities over 500,000 population, the board of election
 5 commissioners shall file the petition in its office. Immediately upon finding an
 6 original or amended petition sufficient, in ^{the Milwaukee area} technical college districts, the government
 7 accountability board shall file the petition in its office.

SECTION 18. 9.10 (4) (d) of the statutes is amended to read:

8
 9 9.10 (4) (d) Promptly upon receipt of a certificate under par. (a), the governing
 10 body, school board, ~~or~~ board of election commissioners, or government accountability
 11 board shall call a recall election. The recall election shall be held on the Tuesday of
 12 the 6th week commencing after the date on which the certificate is filed, except that
 13 if Tuesday is a legal holiday the recall election shall be held on the first day after
 14 Tuesday which is not a legal holiday.

SECTION 19. 9.10 (7) of the statutes is amended to read:

15
 16 9.10 (7) PURPOSE. The purpose of this section is to facilitate the operation of
 17 article XIII, section 12, of the constitution and to extend the same rights to electors
 18 of cities, villages, towns, ^{the Milwaukee area} technical college districts, town sanitary districts, and
 19 school districts.

SECTION 20. 11.26 (1) (c) of the statutes is amended to read:

20
 21 11.26 (1) (c) Candidates for representative to the assembly or member of
 22 ^{the Milwaukee area} technical college district board, \$500.

SECTION 21. 11.26 (2) (c) of the statutes is amended to read:

23
 24 11.26 (2) (c) Candidates for representative to the assembly or member of ^{the}
 25 ^{Milwaukee area} technical college district board, \$500.

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SECTION 22. 11.31 (1) (f) of the statutes is amended to read:

11.31 (1) (f) Candidates for representative to the assembly or member of ~~the Milwaukee area~~ the Milwaukee area technical college district board, \$17,250 total in the primary and election, with disbursements not exceeding \$10,775 for either the primary or the election.

SECTION 23. 11.31 (1) (g) (intro.) of the statutes is amended to read:

11.31 (1) (g) (intro.) In any jurisdiction or district, other than a ~~technical college district~~ the Milwaukee area technical college district or ~~district of~~ judicial district or circuit, with a population of 500,000 or more according to the most recent federal census covering the entire jurisdiction or district:

SECTION 24. 17.01 (10m) of the statutes is created to read:

17.01 (10m) By a member of ~~the Milwaukee area~~ the Milwaukee area technical college district board, to the secretary of the district board.

SECTION 25. 17.02 (2) of the statutes is created to read:

17.02 (2) ~~TECHNICAL COLLEGE DISTRICT BOARD.~~ MILWAUKEE AREA ← CS Of the resignation of a member of ~~a~~ the Milwaukee area technical college district board, by the secretary of the district board to the government accountability board.

SECTION 26. 17.17 (2) of the statutes is created to read:

17.17 (2) ~~TECHNICAL COLLEGE DISTRICT BOARD.~~ MILWAUKEE AREA ← CS In the office of member of ~~a~~ the Milwaukee area technical college district board, by the secretary of the district board to the government accountability board.

SECTION 27. 17.27 (3) of the statutes is repealed and recreated to read:

17.27 (3) ~~TECHNICAL COLLEGE DISTRICT BOARD.~~ MILWAUKEE AREA ← CS Except as provided in s. 9.10, a vacancy in the office of member of ~~a~~ the Milwaukee area technical college district board may be filled by temporary appointment of the remaining members of the district board. The temporary appointee shall serve until a successor is elected and qualifies. If the vacancy occurs in any year after the first Tuesday in April and on or before December

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1, the vacancy shall be filled for the residue of the unexpired term, if any, at the succeeding spring election. If the vacancy occurs in any year after December 1 or on or before the first Tuesday in April, the vacancy shall be filled for the residue of the unexpired term, if any, at the 2nd succeeding spring election.

~~SECTION 28. 38.04 (15) of the statutes is repealed.~~

SECTION 29. 38.06 (6) of the statutes is created to read:
for the Milwaukee area technical college district

38.06 (6) Promptly upon issuance of a reorganization order by the board, the

director of the board shall transmit a copy of the order to the government accountability board.

SECTION 30. 38.08 (1) (a) ^{Am.} of the statutes is ^{created} repealed and recreated to read:

38.08 (1) (a) ~~A district board shall administer the district and shall be composed~~

~~of 9 members who are residents of the district.~~ *of the Milwaukee area technical college district*
The members shall be elected to represent numbered election districts within ~~each~~ ^{the Milwaukee area} technical college district by the

electors of each election district at the spring election. Each member of the district board shall be an elector of the numbered election district within the technical college district for which he or she seeks office.

SECTION 31. 38.08 (1) (b) of the statutes is amended to read:

~~District board members shall take office on July 1 and shall serve~~ *except as provided in par. (c), district*

~~staggered 3-year terms.~~

SECTION 32. 38.08 (1) (c) of the statutes is created to read:

38.08 (1) (c) ~~Promptly upon receipt of the determinations from the government~~ *District board members in the Milwaukee area technical college*

accountability board under s. 7.70 (6) and upon appointment of any person to fill a temporary vacancy on the district board, the secretary of the district board shall send written notification of the name and address of each member and expiration date of each member's term to the director of the technical college system board.

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shall serve 4-year terms.

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~~SECTION 33. 38.08 (1g), (2) and (2m) of the statutes are repealed.~~

SECTION 34. 38.08 (6) of the statutes is created to read:

38.08 (6) (a) Within 90 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 or within 90 days after alteration of the boundaries of an existing district, the district board of ~~each existing~~ *the Milwaukee area technical college* district shall apportion and prescribe the boundaries of 9 numbered election districts within the district, to be as nearly equal in population as possible.

~~Within 90 days after the creation of any new district, the technical college system board shall similarly apportion and prescribe the boundaries of 9 numbered election districts within that district.~~

the Alterations in election districts resulting from boundary changes to ~~existing~~ *the* districts may be made only to the extent required to facilitate the change. Insofar as possible, each election district shall be compact and observe the community of interest of existing neighborhoods. A detailed map and description of each election district prescribed by ~~the~~ *the* district board shall be prepared and transmitted by the district board to the director of the technical college system board.

(b) All proposed district boundaries prescribed by ~~the~~ *the Milwaukee area technical college* district board under par.

(a) shall become effective only upon their approval by the technical college system board. If the technical college system board disapproves the proposed boundaries, the district board shall submit a revised districting plan for approval of the technical college system board. Upon approval of the election district boundaries within any district, the technical college system board shall promulgate the boundaries

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1 established under par. (a) as a rule under ch. 227. The boundaries shall become
2 effective on the effective date of the rule.

3 ~~SECTION 35. 38.10 of the statutes is repealed.~~

4 **SECTION 36. Nonstatutory provisions.**

MILWAUKEE AREA TECHNICAL COLLEGE

5 (1) INITIAL ELECTION OF DISTRICT BOARDS. Notwithstanding section 38.08 (6) of

6 the statutes, as created by this act, within 60 days after the effective date of this

7 subsection, the appointment committee of ^{the Milwaukee area} each technical college district shall adopt

8 and transmit to the secretary of ^{the} each technical college district board and the director

9 of the technical college system board an initial districting plan for election districts

10 as required by section 38.08 (6) of the statutes, as created by this act. The technical

11 college system board shall review and determine its approval or disapproval of ^{the} each

12 plan as promptly as possible. If ^{the} a plan is rejected, the appointment committee shall

13 submit a new plan for approval. Notwithstanding section 227.24 (1) (a) ^{(2) (b)} and (3) of the

14 statutes, the technical college system board may promulgate the plan as an

15 emergency rule under section 227.24 of the statutes without providing evidence that

16 promulgating a rule under this subsection as an emergency rule is necessary for the

17 preservation of the public peace, health, safety, or welfare, and is not required to

18 provide a finding of emergency for a rule promulgated under this subsection.

19 Notwithstanding section 227.24 (1) (c) of the statutes, an emergency rule

20 promulgated under this subsection applies until a rule replacing that rule takes

21 effect or until the actions specified in section 227.24 (1) (d) of the statutes occur,

22 whichever is sooner. Notwithstanding section 227.19 (4) to (6) of the statutes, the

23 rule replacing a valid emergency rule adopted under this subsection may not contain

24 any substantive change from the emergency rule.

INS 14-24

*7 NS
14-2*

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(2) TRANSITIONAL TERMS. Notwithstanding chapter 269, laws of 1981, section 22,

and section 38.08 (1) ~~(b)~~ of the statutes, as affected by this act, the members of ~~each~~ *the Milwaukee Area*

technical college district board who hold office on the effective date of this subsection

shall cease to hold office on July 1, 2013. At the 2013 spring election, 9 members shall

be elected to ~~each~~ *the* technical college district board for terms commencing on July 1,

2013. Notwithstanding section 38.08 (1) ~~(b)~~ *(cc)* of the statutes, as ~~affected~~ *created* by this act,

the persons elected to represent election districts numbered 1 and 2 at that election

shall serve for terms of one year, the persons elected to represent election districts

numbered 3 and 4 at that election shall serve for terms of 2 years, the persons elected

to represent election districts numbered 5 and 6 at that election shall serve for terms

of 3 years, and the persons elected to represent election districts numbered 7, 8, and

9 at that election shall serve for terms of 4 years.

(3) VACANCIES. Notwithstanding section 38.10 ~~(2009 stats)~~ *of the statutes*, the appointment

committee of ~~each~~ *the Milwaukee Area* technical college district shall not make any appointment to ~~each~~

the technical college district board for the purpose of filling a vacancy resulting from

expiration of a term of office after the effective date of this subsection.

SECTION 37. Effective dates. This act takes effect on August 1, 2012, except

as follows:

(1) The treatment of sections 17.01 (10m), 17.02 (2), 17.17 (2), 17.27 (3), ~~38.04~~ *(1) (intro.)*

~~(15)~~ *1. and 1m.5* 38.08 (1) (a), (b), and (c), (1g), (2), and (2m), 38.08 (6), and 38.10 of the statutes

takes effect on July 1, 2013. *W.*

(END)

JWS 3-8

Section 5.58 (3) of the statutes, as affected by 2011 Wisconsin Act 2011 Wisconsin Act 62, is amended to read:

the Milwaukee area

5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent, for any judicial office, for any elected seat on a metropolitan sewerage commission or town sanitary district ~~for member of a technical college district board from any election~~ commission, in counties having a population of 750,000 or more, only 2 candidates for the office district of comptroller, 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.

History: 1971 c. 304 ss. 6 to 8, 29 (2); 1973 c. 134, 243; 1973 c. 334 s. 57 (2); 1973 c. 340; 1975 c. 93; 1977 c. 187, 272, 445, 449; 1979 c. 32, 221, 260; 1981 c. 20, 377; 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29 s. 3202 (56); 1985 a. 89, 225; 1985 a. 304 ss. 27, 27m, 155; 1989 a. 192, 290; 1991 a. 5; 1993 a. 266; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 201, 219; 1997 a. 35; 1999 a. 150 s. 672; 1999 a. 182; 2003 a. 24 ss. 3, 4; 2005 a. 149; 2011 a. 45, 62.

2054-4

Section # 5.60 (1) (title) of the statutes is amended to read:

(CS)

NON PARTISAN STATE OFFICERS

5.60 (1) (title) ~~STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE; COUNTY COMPTROLLER; AND COUNTY SUPERVISORS.~~ SUPERVISOR

(CS)

History: 1971 c. 304 ss. 9 to 11, 29 (2); 1971 c. 336; 1973 c. 134; 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 187, 427, 445, 449; 1979 c. 221, 260, 355; 1981 c. 377; 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29 s. 3202 (56); 1985 a. 89, 225; 1985 a. 304 ss. 28, 155; 1987 a. 391; 1989 a. 192, 290; 1993 a. 266; 1995 a. 16 s. 2; 1995 a. 201; 1999 a. 150 s. 672; 1999 a. 182; 2003 a. 24; 2005 a. 149; 2011 a. 45, 62.

HW 5-22

~~Section #. 7.60 (5) (a) of the statutes is amended to read:~~

Milwaukee area

7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver or transmit to the government accountability board a certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, state legislators, ~~members of the technical college district board,~~ justice, court of appeals judge, circuit judge, district attorney, and metropolitan sewerage commissioners, if the commissioners are elected under s. 200.09 (11) (am). The statement shall record the returns for each office or referendum by ward, unless combined returns are authorized under s. 5.15 (6) (b) in which case the statement shall record the returns for each group of combined wards. Following primaries the county clerk shall enclose on forms prescribed by the government accountability board the names, party or principle designation, if any, and number of votes received by each candidate recorded in the same manner. The county clerk shall deliver or transmit the certified statement to the government accountability board no later than 9 days after each primary except the partisan primary, no later than 10 days after the partisan primary and any other election except the general election, and no later than 14 days after the general election. The board of canvassers shall deliver or transmit a certified copy of each statement for any technical college district referendum to the secretary of the technical college district board.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 ss. 14, 57; 1975 c. 93, 199; 1977 c. 187, 427, 449; 1979 c. 221, 260, 355; 1981 c. 4; 1983 a. 442, 484, 538; 1985 a. 89, 304, 332; 1987 a. 391; 1989 a. 31; 1991 a. 316; 1993 a. 399; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107, 109; 2005 a. 451; 2007 a. 1; 2011 a. 75, 115.

JNS 12-9

Section #. 38.08 (1) (a) 1. of the statutes is amended to read:

✓ Except as provided in subd. 1m, a

38.08 (1) (a) 1. ~~A~~ district board shall administer the district and shall be composed of 9 members who are residents of the district, including 2 employers, 2 employees, 3 additional members, a school district administrator, as defined under s. 115.001 (8), and one elected official who holds a state or local office, as defined in s. 5.02. The board shall by rule define "employer" and "employee" for the purpose of this subdivision.

~~History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 189 s. 329 (17); 1985 a. 29; 1987 a. 94; 1989 a. 31, 359; 1999 a. 182~~

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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INS 13-1:

^A
SECTION ?? 38.08 (1g) of the statutes is repealed.

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SECTION ?? 38.08 (2) and (2m) of the statutes are amended to read:

38.08 (2) Members of a district board other than the Milwaukee area technical college district board shall serve until their successors are appointed and qualified. A vacancy shall be filled for any unexpired term of more than 90 days in the manner provided for the making of original appointments in s. 38.10, except that if a vacancy occurs within 120 days preceding a spring election, the vacancy need not be filled until 60 days after the spring election, in the manner provided in s. 38.10.

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 189 s. 329 (17); 1985 a. 29; 1987 a. 94; 1989 a. 31, 359; 1999 a. 182.

(2m) Any member of a district board other than the Milwaukee area technical college district board serving as an elected official under sub. (1) (a) 1. shall cease to be a member upon vacating his or her office as an elected official.

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 189 s. 329 (17); 1985 a. 29; 1987 a. 94; 1989 a. 31, 359; 1999 a. 182.

INS 14-2:

^A
SECTION ?? 38.10 (1) (intro.) of the statutes is amended to read:

38.10 (1) (intro.) District board members in districts other than the Milwaukee area technical college district shall be appointed by an appointment committee constituted as follows:

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 192; 1987 a. 94; 1989 a. 31.

ANS 14-21

1 103.49 (3g) (1) Work performed by crew members on a Wisconsin conservation
2 corps project.

3 **SECTION 11. Nonstatutory provisions.**

4 (1) EMERGENCY RULES FOR OPERATION OF WISCONSIN CONSERVATION CORPS
5 PROGRAM. The Wisconsin conservation corps board may promulgate all rules
6 necessary for the operation of the Wisconsin conservation corps program under
7 section 16.24 of the statutes as emergency rules under section 227.24 of the statutes.

8 Notwithstanding section 227.24 (1) (c) of the statutes, emergency rules promulgated
9 under this subsection may remain in effect for not more than one year, and may be
10 extended under section 227.24 (2) of the statutes. Notwithstanding section 227.24
11 (1) (a), (2) (b), and (3) of the statutes, the board is not required to provide evidence
12 that promulgating a rule under this subsection as an emergency rule is necessary for
13 the preservation of the public peace, health, safety, or welfare and is not required to
14 provide a finding of emergency for a rule promulgated under this subsection.

15 ~~Notwithstanding sections 227.135 (2) and (4) and 227.24 (1) (e) 1d. and 1g. of the~~
16 statutes, a proposed emergency rule promulgated under this subsection and the
17 statement of the scope of the proposed emergency rule are not subject to approval of
18 the governor.

19 (2) ~~INITIAL TERMS OF APPOINTED MEMBERS OF THE WISCONSIN CONSERVATION CORPS~~
20 BOARD.

21 (a) Notwithstanding the length of term specified for the member of the
22 Wisconsin conservation corps board specified in section 15.105 (34) (e) of the statutes,
23 as created by this act, the initial term for the member appointed under section 15.105
24 (34) (e) of the statutes, as created by this act, shall expire on May 1, 2016.

NO P