

2013 DRAFTING REQUEST

Bill

Received:	1/25/2013	Received By:	mshovers
Wanted:	As time permits	Same as LRB:	
For:	Joe Sanfelippo (608) 266-0620	By/Representing:	Josh
May Contact:		Drafter:	mshovers
Subject:	Elections - miscellaneous Employ Pub - collective bargain Local Gov't - counties	Addl. Drafters:	chanaman jkuesel rchampag tkuczens
		Extra Copies:	EVM

Submit via email: YES
Requester's email: Rep.Sanfelippo@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

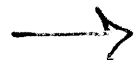
No specific pre topic given

Topic:

Make the Milwaukee County board part-time; reduce the authority of the Milwaukee County board; add certain authority for Milwaukee County executive

Instructions:

See attached. Combine LRB -1091/3 and -0840/1, and attached changes. Delete the authority of the Milwaukee County board to do certain things, i.e. items listed in s. 59.79 (4) [due to be repealed 4/1/13], (6), (8), (10), (11), (12), and (13); contracts below \$500,000 don't need board approval; county departments report to county exec, not county board; county exec. has sole authority over sale and lease of land and buildings.



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/?	mshovers 2/1/2013	kfollett 2/4/2013	phenry 2/4/2013	_____			
/1	mshovers 2/8/2013			_____	sbasford 2/4/2013		Local
/2	mshovers 3/8/2013	kfollett 2/11/2013	phenry 2/11/2013	_____	mbarman 2/11/2013	mbarman 2/15/2013	Local
/3	mshovers 3/11/2013	kfollett 3/8/2013	jfrantze 3/8/2013	_____	srose 3/8/2013	srose 3/8/2013	Local Retire
/4		kfollett 3/11/2013	jfrantze 3/11/2013	_____	lparisi 3/11/2013	lparisi 3/11/2013	Local Retire

FE Sent For:

2/4/2013 12:00:00 AM,2/4/2013 12:00:00 AM,2/15/2013 12:00:00 AM

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AT
INTRO.

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RAC

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14 MES 3/11/13 146F of PRs
 3/8/13 12:00:00 AM, 2/4/2013 12:00:00 AM, 2/15/2013 12:00:00 AM

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Subject: **Elections - miscellaneous** Addl. Drafters: **chanaman**
Employ Pub - collective bargain **jkuesel**
Local Gov't - counties **tkuczens**

Extra Copies: **EVM**

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13 MES 3/8/13
 FE Sent For: 11 2/4/2013 12:00:00 AM 3/8 3/8 gm
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12 2-15-2013
 per Josh from Sanfelippo's
 office

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old "/1"
Version

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cmH

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/1	12 MES 2/8/13 2/11 12/5F			ph	sbasford 2/4/2013		Local
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FE Sent For:

02-04-2013 9/11 ph
(1/1")

See attached

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 Local Gov't - counties gmalaise
 jkuesel
 tkuczens

Extra Copies: EVM

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 Requester's email: Rep.Sanfelippo@legis.wisconsin.gov
 Carbon copy (CC) to:

*Please send out
 for a FE
 right away -
 per Josh*

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No specific pre topic given

Topic:

2/4 ph B / ph

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Drafting History:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? mshovers

2/11/13
2/14/13
y q bh
B J L

FE Sent For:

<END>

Milwaukee County Government Reform Bill #2 Summary

This bill will remove outdated/irrelevant statutes that are no longer required by Milwaukee County for day to day operations. For example, state statutes specifically give Milwaukee County authority to issue cat licenses and own a professional baseball team, both of which have not been utilized in decades.

The bill will also seek to more clearly define the roles of both the County Board and the County Executive. The roles of each were never properly defined when the state created the County Executive branch back around 1960. For example, the bill will:

- 1) Clearly establish that the County Executive is responsible for the day to day operations of county government. The County Exec will have the authority to propose policy but can only enact policy that is approved by the board. This holds true for operational policy as well as budget authority.
- 2) Clearly establish that the County Board is responsible for long range strategic and financial planning, approving policy regarding programs and services to be provided by the county (whether originating from the Board or the Executive), holding the County Executive responsible for carrying out the policies approved by the board, and approving the county budget.
- 3) Provide an opportunity for all nineteen municipalities making up Milwaukee County to have input into any future proposals that would consolidate county programs/services with other government.

There is a very important role for the County Board to play in county governance. However under the present structure, without a clear definition of exactly what that role should be, county government is plagued by both inefficiency and ineffectiveness.

The end result of the statute changes will lead to a more orderly functioning of county government by establishing a "chain of command" whereby the County Board is clearly the policy making branch and holds the County Executive, the administrative branch, responsible for carrying out that policy by efficiently and effectively operating the day to day business of the departments.

COUNTY BOARD

Establish Policy
Long Range Planning
↓ ↑

COUNTY EXECUTIVE

Administer Policy
Oversee Departments
Report to County Board
↓ ↑

COUNTY DEPARTMENTS

Carryout Programs and Services
Report to County Executive

Shovers, Marc

From: Hoisington, Joshua
Sent: Monday, January 28, 2013 2:44 PM
To: Shovers, Marc
Subject: FW: Additional Changes

*59.17(2)(b) kind 2, is reporting OK
59.55 (1)(c)*

Additionally, please make the language clear that all county departments answer to and take direction solely from the County Executive. Please make sure that the language states the board cannot create its own departments to answer to them such as IGR and DBE.

Best,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

*Disadvantaged
BUSINESS
ENTERPRISE
indus. dev. A2
D. 59.57
see A. 59.54(8)
59.55
CONS. PROTECTION A
59.794(3)(b)*

From: Hoisington, Joshua
Sent: Monday, January 28, 2013 2:40 PM
To: Shovers, Marc
Subject: Additional Changes

*Key - all admin agencies report to
county exec & are under county exec's
exclusive jurisdiction*

Hi Mark,

Please include the additional changes listed below. Thank you for your help.

Best,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

2. how diff from A. 59.17(2)?

Add:

- The Executive and administrative power of the County shall be vested exclusively in the executive branch.
- ~~The County executive or his/her designee shall be the sole representative of the County in all meetings and negotiations with the heads of other government or quasi-government bodies.~~
- The County Executive can call special meetings of the County Board as necessary.
- IGR and DBE should both be returned to the executive branch. State statute is very clear the these were intended to be administrative and management functions

*2. intergovernmental relations limited
Disadvantaged business enterprise
Key board can't have control of any department -
day to day control of any board/ dept/ agency
- sheriff?
A. 59.11(2)(c)*

1. Create two year terms for Milwaukee County Board members starting in 2016 (meaning those elected in 2016 will be up for election in 2018).

OK
59.52(31)
start @
59.60

2. Clarify board review of contracting authority in the following manner: Contracts under \$100,000 are not subject to board approval. Contracts from \$100,000 to \$500,000 are subject to passive review. Under passive review, the county's finance committee has the ability to trigger the review of a contract with a majority vote of committee members. Once that that review is triggered, the finance committee has two weeks to vote to approve or reject the contract (or the contract goes into effect). If rejected, the contract must be voted on by the whole board within 30 days. Contracts over \$500,000 are subject to full board approval. Finally, the county board's finance committee shall have exclusive jurisdiction among board committees to review contracts.

3. We would like to clarify the application of 59.22(3), which allows for the reimbursement of out-of-pocket expenses. Such expenses should be allowed, however the money to pay for such expenses must be included in the .4% board operations cap. No per diems are allowed (I believe that's the way the current draft is written).

4. We want to clarify that all county departments are to be administered exclusively by the county executive. We wish to be explicit that the county board shall not administer any county department. *move all existing board auth. to cr; admin departments -> county exec. just for mil. county*

5. We need language that prohibits the board from terminating or lowering the pay of any county employee in the county executive's office until a new board is sworn in after the 2016 elections.

Anyone on county exec. staff can't have position eliminated or salary lowered

*what about cnty/board auth. under;
59.53(5)(a) - brd KW/ DCF to imp. admin, child & spousal support*

Rep. Santilupo
414-234-0562

DRAFTING NOTES

LRB 1091/3 – changes

- Page 2, Line 9 after "...required by a law" included:
The salary limit shall only be increased above the rate of inflation if, at the beginning of a new term, it is submitted to a vote of the electors of the county, and approved by the majority of all votes cast on the question at the election in the county
- Referendum on April '14 ballot, pay changes take effect in '16, at the beginning of the new term
- Salary capped at the per capita income of the county as defined annually by the US Census Bureau. (effect: currently \$24,051 (1.10.13))
- County Board Chair allowed to make 150% of supervisor salary
- Cap budget of the board at .4% of the levy. Exempt Supervisor salary from falling under the cap until 2016, new term
- Provide statutory provision that legacy costs (health and pension commitments) if provided for in the county budget, not be counted as part of the county board budget cap
- Any duties of the County Clerk directed in 59.23 specific to task related to the County Board are not included in board's budget cap and not affected by this bill
- Make sure County Board has no ability to give itself per diems or any other compensation above the salary cap
- Contract approval process should be a passive review process by board for all contracts under \$500k, over \$500k in lump sum or aggregate requires board action
- Change any occurrence of the word "Council" to "Board"
- Join both LRB 1091/3 and LRB 0840/1 to one draft

LRB 0840/1

- Insert language mirroring Cuyahoga County into 59.51

SECTION X COUNTY EXECUTIVE.

SECTION X COMPENSATION.

SECTION X POWERS AND DUTIES.

The County Executive shall have all the powers and duties of an administrative nature under this Charter and such powers and duties of an administrative

nature, except as otherwise provided herein, as are vested in or imposed upon boards of county commissioners by general law. Such powers and duties include, but are not limited to, the following:

(1) To appoint, suspend, discipline and remove all County personnel, including those appointive officers provided for in Article V hereof and except those who, as provided by general law, are under the jurisdiction of officers, boards, agencies, commissions and authorities of the County other than the board of county commissioners, and except those who are appointed by the Council pursuant to Section 3.09(1) of this Charter or by the Prosecuting Attorney.

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies, commissions and authorities as are provided by general law to be appointed by boards of county commissioners.

see o. 59.17 (2) (6)

*Add this to 59.17(2) 2

If the Council shall fail to act on the question of such an appointment by the County Executive within thirty days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council. The County Executive and the Council shall use good faith efforts to reflect the diversity of the people of the County in appointing such officers and members.

What about adding to o. 59.17(2)(b)(2)

*Add this to 59.17

(3) To advocate for the interests of the County with other levels of government and to advocate for and promote cooperation and collaboration with other political subdivisions.

Please did not draft no legal effect

(4) To approve or veto any ordinance or resolution as provided in Section 3.11 of this Charter.

(5) To serve, in person or by his or her delegate, as a member of the County Budget Commission and of the County Board of Revision.

*Subject to contract approval process

(6) To execute contracts, conveyances and evidences of indebtedness on behalf of the County.

(7) To attend meetings of the Council and take part in the discussion of all matters before the Council.

NO comptroller 2, o. 5 a. 255 corp. counsel 2 5 a. 42 (2) (b) req of depts 59.43(2) 59.52(2a) (a) pub. works mentioned in

(8) To introduce ordinances and resolutions for consideration by the Council and otherwise to make recommendations for actions to be taken by the County.

(9) To submit to the Council prior to the beginning of each biennium, a proposed operating budget for the upcoming biennium, which shall contain at least the following:

(a) A statement of estimated revenues from all sources, including fund balances from the preceding biennium;

- (b) A statement of proposed expenditures, shown by department, office, agency, authority, board and commission, and by activity, character and object;
- (c) A schedule of estimated revenues and proposed expenditures for each County department, office, agency, authority, board and commission, on a monthly basis; and
- (d) A summary of the contents of the proposed operating budget.
- (10) To submit to the Council prior to the beginning of each biennium a capital improvements program, which shall contain at least the following:
 - (a) The capital improvements scheduled for, or proposed to be undertaken within that biennium, along with the estimated cost of each improvement and the proposed or established method of financing;
 - (b) A summary of the detailed contents of the program for the current biennium; and
 - (c) The capital improvements projected for the five years next succeeding the current biennium.
- (11) To submit a written message to the Council accompanying the proposed operating budget and capital improvements program explaining the budget both in fiscal terms and in terms of work to be done, outlining the proposed financial policies of the County for the current biennium and describing the important features of the budget. The message shall include any proposals for major changes in financial policies and in expenditures, appropriations and revenues as compared with the preceding biennium and the reasons for such proposals, and an itemization and explanation of each proposed capital improvement.
- (12) To conduct collective bargaining regarding wages and compensatory benefits with any recognized employee bargaining unit, in conjunction with the Human Resource Commission, and administer uniform personnel procedures for all County employees.
- (13) To submit to the Council annually a five-year financial forecast for the general operating funds of the County.
- (14) To employ and supervise such number of deputies, assistants and employees as shall be reasonably necessary to assist the County Executive in carrying out the duties of the office.

[Effective January 1, 2010; Article II, Sections 2.03(9), (10) and (11) amended by the electors on November 6, 2012]

SECTION X VACANCY.

In the event the office of the County Executive becomes vacant by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason, the President of Council shall succeed to the office of County Executive on an interim basis. If a vacancy occurs in the first or second year of a four-year term, the interim succession shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the principal term. If a vacancy occurs in the third or fourth year of a four-year term, the interim succession shall extend until the next countywide general election, at which time the position shall be filled for the next four-year

None of it is in ch. III -

2. p. 59.22(2)(d)

County exec has responsibility for labor negotiations w/ EES

~~term. The interim succession of the President of Council to the office of County Executive as provided herein shall create a vacancy in the membership of County Council and in the position of President of Council. Upon the occurrence of a vacancy in the position of President of Council, the Vice-President of Council shall assume the position of President, and the Council shall elect a member to serve as Vice-President. The Council seat vacated by the former Council president shall be filled in the manner described herein.~~

~~[Effective January 1, 2010]~~

~~SECTION X INVESTIGATIONS BY COUNTY EXECUTIVE.~~

~~The County Executive may, at any time and without notice, cause the administrative affairs or the official acts and conduct of any official or employee of any County office, department or agency over which the Executive has authority to be examined. The County Executive, or any person appointed by the Executive to conduct such an examination, shall have the same power to take testimony, administer oaths and compel the attendance of witnesses and the production of papers, books and evidence and refer witnesses to the Prosecuting Attorney to be punished for contempt as is conferred upon Council by this Charter. Subpoenas may not be issued pursuant to this section except by resolution adopted by a two-thirds vote of Council.~~

~~[Effective January 1, 2010]~~

SECTION X POWERS AND DUTIES OF THE COUNCIL.

The legislative power of the County, including the power to introduce, enact and amend ordinances and resolutions relating to all matters within the legislative power of the County, is vested in the Board. All powers of the Council shall be exercised by ordinance or resolution and shall include, but not be limited to, the following:

(1) ~~To appoint and provide for the compensation and duties of the Clerk of Council and such other assistants for the Council as a whole as the Council determines to be necessary for the efficient performance of its duties.~~

~~*Give to County Executive subject to board approval~~

(2) ~~To establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in this Charter, as the Council determines to be necessary for the efficient administration of the County.~~

(3) ~~To establish procedures under which the County Executive may employ experts and consultants in connection with the administration of the affairs of the County.~~

(4) ~~To establish procedures governing the making of County contracts and the purchasing of County supplies and equipment pursuant to competitive bidding.~~

(5) ~~To adopt and amend the County's annual tax budget, biennial operating budget and biennial capital improvements program and to make appropriations for the County. Council shall determine by ordinance the beginning and end dates of the biennium.~~

(6) ~~To determine which officers and employees shall give bond and to fix the amount and~~

form thereof.

already in bill - 0.59. 52(6)(a) n AM:of

*Give to County Executive subject to board approval

(7) To provide for the acquisition, construction, maintenance, administration, rental, and leasing of property, including buildings and other public improvements.

*Ok, but include same terms subjecting to ICC approval

(8) To cooperate or join by contract with any municipality, county, state or political subdivision or agency thereof, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for providing a common service, and to provide the terms upon which the County shall perform any of the services and functions of any other county or any municipality or other political subdivision. In furtherance of such intergovernmental cooperation, the Council may provide for grants or loans to other political subdivisions and public agencies.

already in P. 66.0301

(9) To provide for the procedure for making public improvements and levying assessments for such improvements.

already in 0.59.51 address constituent concerns

(10) To require, as necessary, the attendance of any County employee or officer at Council meetings to provide information as may be requested. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the County Executive. Neither the Council, nor any member thereof, shall give orders to any of the subordinates of the County Executive either in public or in private.

Board may ask but can't give orders/instruction to county staff

~~(11) To establish and provide for the administration of a program to provide scholarships, loans, grants and other forms of financial assistance for residents of the County that will enable them to participate in post-secondary education, including vocational education and job training and retraining; for the funding of the program from money determined to be saved by the operation of the County government under this Charter and from other funds of the County, including gifts, grants and donations received for such purpose; and for the conditions for eligibility for participation in the program by individuals and educational institutions.~~

(12) To establish by ordinance a code of ethics, which shall be in addition to, and not inconsistent with, general law on the subject, which shall guide and inform County officers and employees in the performance of their official duties in a manner that will represent high standards of professionalism and loyalty to the residents of the County and that will avoid conflicts of interest, self-dealing and other violations of the public trust.

No public money of, or under the control of, the County, from whatever source derived, shall be subject to appropriation, application or distribution at the order or direction of any individual member of the Council.

[Effective January 1, 2010; Article III, Section 3.09(5) amended by the electors on November 6, 2012]



[Handwritten signature]



[Handwritten signature]

2013 BILL

*INSTRUCTIONS -
incorporate this into
the bill*

[Handwritten signature]

1 AN ACT to amend 59.10 (title), 59.10 (2) (c), 59.22 (1) (a) 1. and 59.60 (7) of the
2 statutes; relating to: changing the compensation structure by which a
3 Milwaukee County board supervisor may be paid and requiring a referendum.

INS ANL-1

Analysis by the Legislative Reference Bureau

Under current law, in a county with a population of at least 500,000 (presently only Milwaukee County), county board supervisors are paid an annual salary that is set by the board. In general, county board supervisors may receive other benefits such as life and health insurance, and supervisors in counties other than Milwaukee County are paid a per diem by the county for each day that the supervisor attends a county board meeting. Current law provides a maximum number of days for which a supervisor may receive such per diem payments, ranging from 20 to 30 days, based on the population of the county.

Subject to approval by the electors in a referendum to be held in Milwaukee County in April 2013, under this bill, county board supervisors in a county with a population of at least 500,000 (presently only Milwaukee County) may be paid an annual salary that does not exceed \$15,000. Under the bill, a Milwaukee County supervisor may not receive any additional compensation or benefits, that are not authorized or required by law. Current law authorizes reimbursement for mileage and expenses for supervisors in counties other than Milwaukee County.

Generally, under current law, the compensation level for elective county officials is set by the county board before the nomination papers for that office may be filed, and the compensation established may not be increased or decreased during

BILL

the officer's term. Under the bill, this current law provision does not apply to county board supervisors who serve in a county with a population of at least 500,000.

If the referendum is approved by the electors in Milwaukee County, the changes contained in the bill will take effect on January 1, 2014.

The bill also limits the Milwaukee County board's expenditures for expenses related to the county board, such as salaries and fringe benefits of county board members, costs for staff, and certain items related to the functioning of the board, to no more than 0.4 percent of the county portion of the property tax levy.

Under current law, a county board may schedule an advisory referendum or a referendum on the question of ratification of an ordinance or resolution of the county board. This bill prohibits a county board from scheduling a referendum on any matter that is subject to the approval of the electors of a county under this bill to be held concurrently with the election at which the question of approval is presented to the electors.

For further information see the *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.** 59.10 (title) of the statutes is amended to read:

2 **59.10 (title) Boards: composition; election; terms; compensation;**
3 **compatibility; staff.**

4 **SECTION 2.** 59.10 (2) (c) of the statutes is amended to read:

5 59.10 (2) (c) *Compensation.* Each supervisor shall be paid by the county an
6 annual salary set by the board. ~~The board may provide additional compensation for~~
7 ~~the chairperson. Section 66.0505 applies to this paragraph at an amount that may~~
8 not exceed \$15,000. A supervisor may not receive any other benefits or compensation
9 not specifically authorized or required by law.

10 **SECTION 3.** 59.22 (1) (a) 1. of the statutes is amended to read:

11 59.22 (1) (a) 1. The board shall, before the earliest time for filing nomination
12 papers for any elective office to be voted on in the county, other than supervisors and
13 circuit judges, which officer is paid in whole or part from the county treasury,

BILL

1 establish the total annual compensation for services to be paid to the officer exclusive
2 of reimbursements for expenses out-of-pocket provided for in sub. (3). Except as
3 provided in subd. 2., the annual compensation may be established by resolution or
4 ordinance, on a basis of straight salary, fees, or part salary and part fees, and if the
5 compensation established is a salary, or part salary and part fees, it shall be in lieu
6 of all fees, including per diem and other forms of compensation for services rendered,
7 except those specifically reserved to the officer in the resolution or ordinance. The
8 Except for a county board supervisor who serves in a county with a population of at
9 least 500,000, the compensation established shall not be increased nor diminished
10 during the officer's term and shall remain for ensuing terms unless changed by the
11 board. Court fees shall not be used for compensation for county officers.

12 **SECTION 4.** 59.60 (7) of the statutes is amended to read:

13 59.60 (7) PUBLICATION OF BUDGET AND PUBLIC HEARING. The board shall refer the
14 executive's or administrator's budget to the finance committee and such committee
15 shall publish as a class 1 notice, under ch. 985, a summary of the executive's or
16 administrator's budget and comparative figures together with a statement of the
17 county's bonded indebtedness, in the 2 daily newspapers having the largest
18 circulation in the county, and shall make available to the general public reprinted
19 copies of the summary as published. The publication shall also state the date, hour,
20 and place of the public hearing to be held by the board on such executive's or
21 administrator's budget. The board shall, not less than 14 days after publication of
22 the summary of the executive's or administrator's budget, but not later than the first
23 Monday in November of each year and prior to the adoption of the property tax levy,
24 hold a public hearing on such executive's or administrator's budget, at which time
25 citizens may appear and express their opinions. After such public hearing, and on

BILL

1 or before the annual meeting, the finance committee shall submit to the board its
2 recommendations for amendments to the executive's or administrator's budget, if
3 any, and the board shall adopt the budget with such changes as it considers proper
4 and advisable. The board of a county with a population of at least 500,000 may not
5 adopt a budget in which the total amount of budgeted expenditures related to the
6 compensation of county board members, and to any other costs that are directly
7 related to the operation and functioning of the county board, including staff, is
8 greater than 0.4 percent of the county portion of the tax levy for that year to which
9 the budget applies. When so adopted, the sums provided shall, subject to the
10 provisions of sub. (8), constitute legal appropriations and anticipated revenues for
11 the ensuing year.

SECTION 5. Nonstatutory provisions.

13 (1) (a) Notwithstanding section 8.37 of the statutes, if this act is enacted on or
14 before February 16, 2013, there shall be submitted to a vote of the electors of each
15 county with a population of at least 500,000 at the spring election to be held on
16 April 2, 2013, the following question: "Shall that portion of 2013 Wisconsin Act
17 (this act) which limits the compensation of members of the board of supervisors of
18 (name of county) to receipt of an annual salary of not more than \$15,000; which
19 prohibits supervisors from receiving any compensation or benefits not specifically
20 authorized or required by law; and which eliminates the current prohibition against
21 decreasing the compensation of supervisors during a supervisor's term become
22 effective in this county on January 1, 2014?"

23 (b) If the question under paragraph (a) is approved by a majority of all votes
24 cast on the question at the election in the county, the portions of this act specified in

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1 paragraph (a) shall take effect in that county; otherwise, the portions of this act
2 specified in paragraph (a) shall not take effect in that county.

3 (2) Notwithstanding section 59.52 (25) of the statutes, no board of supervisors
4 of any county may schedule a referendum to be held on April 2, 2013, with respect
5 to any matter that is subject to the approval of the electors of the county on that date
6 under subsection (1).

7 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
8 except as follows:

9 (1) Subject to approval by the electors of each affected county of the question
10 submitted under SECTION 5 of this act, the treatment of sections 59.10 (title) and (2)
11 (c) and 59.22 (1) (a) 1. of the statutes takes effect on January 1, 2014.

12

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE

-1340/1
JTK/ LRB-0840/1
MES/GMM/FFK/TKK:1/16ph
RMNR
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2013 BILL

D-NOTE

WANTED;
MONDAY BY
1:00

repeal

1 AN ACT *to repeal* 46.21 (2) (b), 46.21 (4m), 46.21 (7), 48.207 (1) (k), 48.58, 49.147
2 (3m), 49.19 (11m), 59.79 (6), 59.79 (10), 59.79 (11), 59.79 (12), 59.79 (13), 59.80,
3 84.03 (4), 86.19 (1r), 150.93 (3m), 227.01 (13) (im), 303.18 (5), 806.155 and
4 938.207 (1) (k); *to amend* 20.437 (1) (b), 48.207 (2) (a), 48.48 (17) (a) 5., 48.57
5 (1) (e), 49.19 (11) (a) 1. a. (intro.), 49.26 (1) (g) (intro.), 49.26 (1) (h) 1s. b., 49.36
6 (2), 49.71 (1), 49.71 (2), 59.03 (2) (a), 59.06 (2), 59.47 (3), 59.52 (6) (a), 59.79 (8),
7 66.0301 (2), 71.07 (2dx) (a) 5., 71.07 (2dx) (b) 2., 71.07 (2dx) (b) 3., 71.07 (2dx)
8 (b) 4., 71.07 (2dx) (b) 5., 71.28 (1dx) (a) 5., 71.28 (1dx) (b) 2., 71.28 (1dx) (b) 3.,
9 71.28 (1dx) (b) 4., 71.28 (1dx) (b) 5., 71.47 (1dx) (a) 5., 71.47 (1dx) (b) 2., 71.47
10 (1dx) (b) 3., 71.47 (1dx) (b) 4., 71.47 (1dx) (b) 5., 76.636 (1) (e) 3., 76.636 (2) (b),
11 76.636 (2) (c), 76.636 (2) (d), 76.636 (2) (e), 150.93 (2), 238.30 (4m), 289.33 (3)
12 (d) and 938.207 (2); and *to create* 59.17 (2) (be) and 59.794 of the statutes;
13 relating to: *changing the compensation structure by which* limiting the authority of Milwaukee County to enter into certain

milwaukee county supervisor
may be paid, changing the term length
of a milwaukee county supervisor

BILL

- 1 intergovernmental agreements, removing some authority of the Milwaukee
 - 2 County board, ~~and~~ deleting obsolete statutory references
- increasing the authority of the Milwaukee County executive*
and requiring a referendum

INS
ANL-1

Analysis by the Legislative Reference Bureau

Under current law, the state, regional planning commissions, federally recognized Indian tribes and bands, and local units of government, including municipalities, counties, school districts, and other special purpose districts, may enter into intergovernmental cooperation agreements for the receipt or furnishing of services or joint exercise of powers. Under another provision of current law, a county and a city, village, or town (municipality), may enter into a contract to consolidate municipal services under which the county renders such services to the contracting municipality, either exclusively by the county or jointly with the municipality.

Under this bill, before such a contract, or before an intergovernmental cooperation agreement, between a county with a population of 750,000 or more (presently only Milwaukee County) and another local unit of government may take effect and become binding on such a county, the contract or agreement must be approved by an executive council. The bill defines executive council as a body that consists of the mayor or village president of every city and village that is wholly located within that county.

The bill also removes obsolete references to entities that no longer exist in Milwaukee County, such as a county hospital, county sanitorium, city-county crime commission, and a directional sign to America's Black Holocaust Museum, or removes references to activities that have been completed, such as the demolition of the Park East Freeway corridor.

The Wisconsin Works program, under current law, provides work experience and monetary benefits to low-income custodial parents through placement in one of a number of employment positions, depending on the participant's skills, training, and experience. This bill eliminates the real work, real pay employment position in the Wisconsin Works program, which was a pilot program that was conducted in Milwaukee County and two other geographical areas in this state from January 1, 2008, to December 31, 2009. This bill also eliminates a demonstration project, under which benefits under the Aid to Families with Dependent Children program for an individual moving to Wisconsin from another state are calculated based on the benefit levels in the state where the individual previously resided. The eliminated demonstration project was authorized to operate in Milwaukee County and up to five other counties but was never implemented.

Under current law, a county children's home in a county having a population of 500,000 or more (Milwaukee County children's home) may provide care, including temporary shelter care, for children in need of protection or services and juveniles adjudicated delinquent and may provide temporary shelter care for children taken into custody under the Children's Code and for juveniles taken into custody under

BILL

the Juvenile Justice Code. This bill eliminates the Milwaukee County children's home.

This bill repeals an obsolete provision of civil procedure governing judgments entered before the first Monday in January 1962 in the civil court of Milwaukee or in any court which ceased to function on that date, or in any court functioning under ch. 254 of the 1959 Wisconsin Statutes.

This bill also removes certain authority currently possessed by the Milwaukee County board. Under the bill, the board may no longer do any of the following: appropriate money for planning or participating in a world festival celebration or any similar program designed to promote international commerce and culture; enter into a new contract for the services of a retired Milwaukee County employee; determine policy for the operation, maintenance, and improvement of a county hospital; own and operate a professional baseball team, and maintain a nonprofit corporation for such ownership or operation; require licenses for cats; and let a contract for the design-build construction of a sheriff's department training academy.

Under current law, a county board has general authority to acquire, lease, or rent real and personal property. Under this bill, in Milwaukee County, such authority is exercised by the county executive, although the sale or lease of property is subject to a simple approval or rejection by the county board. The board may not add or subtract terms or conditions to a sale or lease approved by the county executive.

For further information see the *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.** 20.437 (1) (b) of the statutes is amended to read:
2 20.437 (1) (b) *Children and family aids payments.* The amounts in the schedule
3 for services for children and families under s. 48.563, for reimbursement to counties
4 having a population of less than 500,000 for the cost of court attached intake services
5 under s. 48.06 (4), for shelter care under ~~ss. 48.58 and s.~~ 938.22, and for foster care
6 and subsidized guardianship care under ss. 48.645 and 49.19 (10). Social services
7 disbursements under s. 49.32 (2) (b) may be made from this appropriation. Refunds
8 received relating to payments made under s. 49.32 (2) (b) for the provision of services
9 for which moneys are appropriated under this paragraph shall be returned to this
10 appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of

BILL**SECTION 1**

1 children and families may transfer funds between fiscal years under this paragraph.
2 The department shall deposit into this appropriation funds it recovers under s.
3 48.569 (2) (b), from prior fiscal year audit adjustments. Except for amounts
4 authorized to be carried forward under s. 48.565, all funds recovered under s. 48.569
5 (2) (b) and all funds allocated under s. 48.563 and not spent or encumbered by
6 December 31 of each year shall lapse to the general fund on the succeeding January
7 1 unless carried forward to the next calendar year by the joint committee on finance.

8 **SECTION 2.** 46.21 (2) (b) of the statutes is repealed.

9 **SECTION 3.** 46.21 (4m) of the statutes is repealed.

10 **SECTION 4.** 46.21 (7) of the statutes is repealed.

11 **SECTION 5.** 48.207 (1) (k) of the statutes is repealed.

12 **SECTION 6.** 48.207 (2) (a) of the statutes is amended to read:

13 48.207 (2) (a) If a facility listed in sub. (1) (b) to ~~(k)~~ (i) is used to hold a child in
14 custody, or if supervisory services of a home detention program are provided to a child
15 held under sub. (1) (a), the authorized rate of the facility for the care of the child or
16 the authorized rate for those supervisory services shall be paid by the county in a
17 county having a population of less than 500,000 or by the department in a county
18 having a population of 500,000 or more. If no authorized rate has been established,
19 a reasonable sum to be fixed by the court shall be paid by the county in a county
20 having a population of less than 500,000 or by the department in a county having a
21 population of 500,000 or more for the supervision or care of the child.

22 **SECTION 7.** 48.48 (17) (a) 5. of the statutes is amended to read:

23 48.48 (17) (a) 5. ~~Place children in a county children's home in the county, to~~
24 ~~accept~~ Accept guardianship of children when appointed by the court and to place
25 children under its guardianship for adoption.

BILL

1 **SECTION 8.** 48.57 (1) (e) of the statutes is amended to read:

2 48.57 (1) (e) If a county department in a county with a population of 500,000
3 or more and if contracted to do so by the department, ~~to place children in a county~~
4 ~~children's home in the county under policies adopted by the county board of~~
5 ~~supervisors~~, to accept guardianship of children when appointed by the court and to
6 place children under its guardianship for adoption.

7 **SECTION 9.** 48.58 of the statutes is repealed.

8 **SECTION 10.** 49.147 (3m) of the statutes is repealed.

9 **SECTION 11.** 49.19 (11) (a) 1. a. (intro.) of the statutes is amended to read:

10 49.19 (11) (a) 1. a. (intro.) Except as provided in ~~subs. (11m) and sub. (11s)~~,
11 monthly payments made under s. 20.437 (2) (dz) and (md) to persons or to families
12 with dependent children shall be based on family size and shall be at 80% of the total
13 of the allowances under subds. 2. and 4. plus the following standards of assistance
14 beginning on September 1, 1987:

15 **SECTION 12.** 49.19 (11m) of the statutes is repealed.

16 **SECTION 13.** 49.26 (1) (g) (intro.) of the statutes is amended to read:

17 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
18 Works group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) or who
19 is a recipient of aid under s. 49.19 is subject to the school attendance requirement
20 under par. (ge) if all of the following apply:

21 **SECTION 14.** 49.26 (1) (h) 1s. b. of the statutes is amended to read:

22 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin Works
23 group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) and who fails
24 to meet the school attendance requirement under par. (ge) is subject to a monthly
25 sanction.

BILL**SECTION 15**

1 **SECTION 15.** 49.36 (2) of the statutes is amended to read:

2 49.36 (2) The department may contract with any county, tribal governing body,
3 or Wisconsin Works agency to administer a work experience and job training
4 program for parents who are not custodial parents and who fail to pay child support
5 or to meet their children's needs for support as a result of unemployment or
6 underemployment. The program may provide the kinds of work experience and job
7 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
8 (3), ~~(3m)~~, or (4). The program may also include job search and job orientation
9 activities. The department shall fund the program from the appropriations under
10 s. 20.437 (2) (dz) and (k).

11 **SECTION 16.** 49.71 (1) of the statutes is amended to read:

12 49.71 (1) Each county may establish a county hospital for the treatment of
13 dependent persons, under s. 46.17, ~~and other persons authorized under s. 46.21 (4m).~~

14 **SECTION 17.** 49.71 (2) of the statutes is amended to read:

15 49.71 (2) In counties with a population of 500,000 or more, an institution
16 established under sub. (1) shall be governed under s. 46.21 ~~or 59.79 (10)~~, but in all
17 other counties it shall be governed under ss. 46.18, 46.19, and 46.20.

18 **SECTION 18.** 59.03 (2) (a) of the statutes is amended to read:

19 59.03 (2) (a) ~~Except~~ Subject to s. 59.794 (2) and (3) ~~and except~~ as elsewhere specifically
20 provided in these statutes, the board of any county is vested with all powers of a local,
21 legislative and administrative character, including without limitation because of
22 enumeration, the subject matter of water, sewers, streets and highways, fire, police,
23 and health, and to carry out these powers in districts which it may create for different
24 purposes, or throughout the county, and for such purposes to levy county taxes, to
25 issue bonds, assessment certificates and improvement bonds, or any other evidence

BILL

1 of indebtedness. The powers hereby conferred may be exercised by the board in any
 2 municipality, or part thereof located in the county upon the request of any such
 3 municipality, evidenced by a resolution adopted by a majority vote of the
 4 members-elect of its governing body, designating the particular function, duty or act,
 5 and the terms, if any, upon which the powers shall be exercised by the board or by
 6 a similar resolution adopted by direct legislation in the municipality in the manner
 7 provided in s. 9.20. The resolution shall further provide whether the authority or
 8 function is to be exercised exclusively by the county or jointly by the county and the
 9 municipality, and shall also find that the exercise of such power by the county would
 10 be in the public interest. Upon the receipt of the resolution, the board may, by a
 11 resolution adopted by a majority vote of its membership, elect to assume the exercise
 12 of the function, upon the terms and conditions set forth in the resolution presented
 13 by the municipality.

14 **SECTION 19.** 59.06 (2) of the statutes is amended to read:

15 59.06 (2) EFFECT OF TRANSFER. All deeds, contracts and agreements made on
 16 behalf of the county under the directions of the board under s. 59.52 (6), or by a county
 17 executive acting under s. 59.17 (2) (be), when signed and acknowledged by the clerk
 18 and the county seal is attached, are valid and binding on the county to the extent of
 19 the terms of the instrument and the right, title and interest which the county has in
 20 the property.

21 ~~SECTION 20.~~ 59.17 (2) (be) of the statutes is created to read:

22 ~~59.17 (2) (be)~~ In any county with a population of 500,000 or more, exercise the
 23 authority under s. 59.52 (6) (a) that would otherwise be exercised by a county board.
 24 With regard to the sale or lease of property, the county executive's action must be
 25 approved by the county board to take effect. The county board may only approve or

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(b) 3.
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SECTION 20

1 reject the contract as negotiated by the county executive, and the board may not
2 change or add any terms or conditions in such a contract.

3 **SECTION 21.** 59.47 (3) of the statutes is amended to read:

4 59.47 (3) If a county auditor's office is created under sub. (2), the chairperson
5 of the board shall appoint a person known to be skilled in matters of public finance
6 and accounting to act as county auditor. The appointment shall be made under ss.
7 63.01 to 63.17 and shall be subject to confirmation by the board. The auditor shall
8 direct the keeping of all of the accounts of the county, in all of its offices, departments
9 and institutions, and shall keep books of account necessary to properly perform the
10 duties of the office. The auditor's salary and the amount of the official bond shall be
11 fixed by the board. The auditor shall perform all duties pertaining to the office, have
12 all of the powers and perform the duties in sub. (1) and perform other duties imposed
13 by the board. In a county with a population at least 500,000, the auditor shall report
14 to the county executive.

15 **SECTION 22.** 59.52 (6) (a) of the statutes is amended to read:

16 59.52 (6) (a) *How acquired; purposes.* Take Except as provided in s. 59.17 (2)
17 ~~(be), take~~ and hold land acquired under ch. 75 and acquire, lease or rent property, real
18 and personal, for public uses or purposes of any nature, including without limitation
19 acquisitions for county buildings, airports, parks, recreation, highways, dam sites in
20 parks, parkways and playgrounds, flowages, sewage and waste disposal for county
21 institutions, lime pits for operation under s. 59.70 (24), equipment for clearing and
22 draining land and controlling weeds for operation under s. 59.70 (18), ambulances,
23 acquisition and transfer of real property to the state for new collegiate institutions
24 or research facilities, and for transfer to the state for state parks and for the uses and
25 purposes specified in s. 23.09 (2) (d).

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1 **SECTION 23.** 59.79 (6) of the statutes is repealed.

2 **SECTION 24.** 59.79 (8) of the statutes is amended to read:

3 **59.79 (8) CONTRACTUAL PERSONNEL SERVICES.** Enter into a contract for a period
4 not to exceed 2 years for the services of retired county employees, provided such
5 services shall not replace or duplicate an existing office or position in the classified
6 or unclassified service nor be considered an office or position under s. 63.03. No new
7 contracts may be entered into under this subsection on or after the effective date of
8 this subsection ... [LRB inserts date].

9 **SECTION 25.** 59.79 (10) of the statutes is repealed.

10 **SECTION 26.** 59.79 (11) of the statutes is repealed.

11 **SECTION 27.** 59.79 (12) of the statutes is repealed.

12 **SECTION 28.** 59.79 (13) of the statutes is repealed.

13 **SECTION 29.** 59.794 of the statutes is created to read:

14 **59.794 Milwaukee County, ^① limitations on intergovernmental**
15 **cooperation, shared services. (1) DEFINITIONS.** In this section:

16 (a) "Agreement" means an intergovernmental cooperation agreement under s.

17 66.0301, or a contract to provide consolidated services under s. 59.03 (2) (e), entered
18 into by a county and another local governmental unit. *the*
(b) "Board" means the

19 *(c) (b)* "County" means a county with a population *of* 750,000 or more.

20 *(d) (b)* "Executive council" means a body that consists of the elected executive
21 officer of every city and village that is wholly located within the county.

22 *(e) (b)* "Local governmental unit" has the meaning given in s. 66.0131 (1) (a).

23 (2) **LIMITATION ON AGREEMENTS.** Before an agreement may take effect and
24 become binding on a county, it must be approved by the executive council. If the

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SECTION 29

1 county enters into an agreement, the executive council shall meet as soon as
2 practicable to vote on the agreement.

3 **SECTION 30.** 59.80 of the statutes is repealed.

4 **SECTION 31.** 66.0301 (2) of the statutes is amended to read:

5 66.0301 (2) ~~In~~ Subject to s. 59.794 (2), and in addition to the provisions of any
6 other statutes specifically authorizing cooperation between municipalities, unless
7 those statutes specifically exclude action under this section, any municipality may
8 contract with other municipalities and with federally recognized Indian tribes and
9 bands in this state, for the receipt or furnishing of services or the joint exercise of any
10 power or duty required or authorized by law. If municipal or tribal parties to a
11 contract have varying powers or duties under the law, each may act under the
12 contract to the extent of its lawful powers and duties. A contract under this
13 subsection may bind the contracting parties for the length of time specified in the
14 contract. This section shall be interpreted liberally in favor of cooperative action
15 between municipalities and between municipalities and Indian tribes and bands in
16 this state.

17 **SECTION 32.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

18 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
19 in an area designated by the federal government as an economic revitalization area,
20 a person who is employed in an unsubsidized job but meets the eligibility
21 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
22 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~
23 ~~real pay project position under s. 49.147 (3m),~~ a person who is eligible for child care
24 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
25 economically disadvantaged youth, an economically disadvantaged veteran, a

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1 supplemental security income recipient, a general assistance recipient, an
2 economically disadvantaged ex-convict, a qualified summer youth employee, as
3 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
4 a food stamp recipient, if the person has been certified in the manner under sub. (2dj)
5 (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

6 **SECTION 33.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

7 71.07 (2dx) (b) 2. The amount determined by multiplying the amount
8 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
9 of full-time jobs created in a development zone and filled by a member of a targeted
10 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
11 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

12 **SECTION 34.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

13 71.07 (2dx) (b) 3. The amount determined by multiplying the amount
14 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
15 of full-time jobs created in a development zone and not filled by a member of a
16 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
17 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

18 **SECTION 35.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

19 71.07 (2dx) (b) 4. The amount determined by multiplying the amount
20 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
21 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
22 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
23 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
24 and for which significant capital investment was made and by then subtracting the

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1 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
2 ~~under s. 49.147 (3m) (e)~~ for those jobs.

3 **SECTION 36.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

4 71.07 (2dx) (b) 5. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
6 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
7 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in
8 a development zone and not filled by a member of a targeted group and by then
9 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
10 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

11 **SECTION 37.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

12 71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides
13 in an area designated by the federal government as an economic revitalization area,
14 a person who is employed in an unsubsidized job but meets the eligibility
15 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
16 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~
17 ~~real pay project position under s. 49.147 (3m),~~ a person who is eligible for child care
18 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
19 economically disadvantaged youth, an economically disadvantaged veteran, a
20 supplemental security income recipient, a general assistance recipient, an
21 economically disadvantaged ex-convict, a qualified summer youth employee, as
22 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
23 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
24 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

25 **SECTION 38.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

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1 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
2 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
3 of full-time jobs created in a development zone and filled by a member of a targeted
4 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
5 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e) for those jobs.~~

6 **SECTION 39.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

7 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
8 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
9 of full-time jobs created in a development zone and not filled by a member of a
10 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
11 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e) for those jobs.~~

12 **SECTION 40.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

13 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
14 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
15 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
16 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
17 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
18 and for which significant capital investment was made and by then subtracting the
19 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
20 ~~under s. 49.147 (3m) (e) for those jobs.~~

21 **SECTION 41.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

22 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
23 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
24 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
25 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in

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1 a development zone and not filled by a member of a targeted group and by then
2 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
3 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

4 **SECTION 42.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

5 71.47 (1dx) (a) 5. "Member of a targeted group" means a person who resides
6 in an area designated by the federal government as an economic revitalization area,
7 a person who is employed in an unsubsidized job but meets the eligibility
8 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
9 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~
10 ~~real pay project position under s. 49.147 (3m),~~ a person who is eligible for child care
11 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
12 economically disadvantaged youth, an economically disadvantaged veteran, a
13 supplemental security income recipient, a general assistance recipient, an
14 economically disadvantaged ex-convict, a qualified summer youth employee, as
15 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
16 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
17 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

18 **SECTION 43.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

19 71.47 (1dx) (b) 2. The amount determined by multiplying the amount
20 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
21 of full-time jobs created in a development zone and filled by a member of a targeted
22 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
23 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

24 **SECTION 44.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

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1 71.47 (1dx) (b) 3. The amount determined by multiplying the amount
2 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
3 of full-time jobs created in a development zone and not filled by a member of a
4 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
5 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

6 **SECTION 45.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

7 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
8 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
9 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
10 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
11 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
12 and for which significant capital investment was made and by then subtracting the
13 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
14 ~~under s. 49.147 (3m) (e)~~ for those jobs.

15 **SECTION 46.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

16 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
19 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
20 a development zone and not filled by a member of a targeted group and by then
21 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
22 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

23 **SECTION 47.** 76.636 (1) (e) 3. of the statutes is amended to read:

24 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
25 (1) (n), ~~or in a real work, real pay project position under s. 49.147 (3m).~~

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1 **SECTION 48.** 76.636 (2) (b) of the statutes is amended to read:

2 76.636 (2) (b) The amount determined by multiplying the amount determined
3 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
4 jobs created in a development zone and filled by a member of a targeted group and
5 by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
6 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

7 **SECTION 49.** 76.636 (2) (c) of the statutes is amended to read:

8 76.636 (2) (c) The amount determined by multiplying the amount determined
9 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
10 jobs created in a development zone and not filled by a member of a targeted group
11 and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
12 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

13 **SECTION 50.** 76.636 (2) (d) of the statutes is amended to read:

14 76.636 (2) (d) The amount determined by multiplying the amount determined
15 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
16 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
17 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
18 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
19 which significant capital investment was made and by then subtracting the
20 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
21 ~~under s. 49.147 (3m) (e)~~ for those jobs.

22 **SECTION 51.** 76.636 (2) (e) of the statutes is amended to read:

23 76.636 (2) (e) The amount determined by multiplying the amount determined
24 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
25 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,

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1 excluding jobs for which a credit has been claimed under s. 71.47 (1d), in a
2 development zone and not filled by a member of a targeted group and by then
3 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
4 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

5 **SECTION 52.** 84.03 (4) of the statutes is repealed.

6 **SECTION 53.** 86.19 (1r) of the statutes is repealed.

7 **SECTION 54.** 150.93 (2) of the statutes is amended to read:

8 150.93 (2) Except as provided in ~~subs. sub. (3) and (3m)~~, before July 1, 1996,
9 no person may obligate for a capital expenditure or implement services, by or on
10 behalf of a hospital, to increase the approved bed capacity of a hospital unless the
11 person has, prior to May 12, 1992, entered into a legally enforceable contract,
12 promise or agreement with another to so obligate or implement.

13 **SECTION 55.** 150.93 (3m) of the statutes is repealed.

14 **SECTION 56.** 227.01 (13) (im) of the statutes is repealed.

15 **SECTION 57.** 238.30 (4m) of the statutes is amended to read:

16 238.30 (4m) "Member of a targeted group" means a person who resides in an
17 area designated by the federal government as an economic revitalization area, a
18 person who is employed in an unsubsidized job but meets the eligibility requirements
19 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
20 is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work, real pay~~
21 ~~project position under s. 49.147 (3m)~~, a person who is eligible for child care assistance
22 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
23 disadvantaged youth, an economically disadvantaged veteran, a supplemental
24 security income recipient, a general assistance recipient, an economically
25 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a

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1 food stamp recipient, if the person has been certified in the manner under 26 USC
2 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

3 **SECTION 58.** 289.33 (3) (d) of the statutes is amended to read:

4 289.33 (3) (d) "Local approval" includes any requirement for a permit, license,
5 authorization, approval, variance or exception or any restriction, condition of
6 approval or other restriction, regulation, requirement or prohibition imposed by a
7 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
8 a town, city, village, county or special purpose district, including without limitation
9 because of enumeration any ordinance, resolution or regulation adopted under s.
10 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),
11 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
12 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),
13 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),
14 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4),
15 (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57
16 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1),
17 (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), ~~(6)~~, and (7),
18 ~~(8), (10) and (11)~~, 59.792 (2) and (3), ~~59.80~~, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77,
19 61.34, 61.35, 61.351, 61.354, 62.11, 62.23, 62.231, 62.234, 66.0101, 66.0415, 87.30,
20 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III of ch.
21 91.

22 **SECTION 59.** 303.18 (5) of the statutes is repealed.

23 **SECTION 60.** 806.155 of the statutes is repealed.

24 **SECTION 61.** 938.207 (1) (k) of the statutes is repealed.

25 **SECTION 62.** 938.207 (2) of the statutes is amended to read:

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1 938.207 (2) PAYMENT. If a facility listed in sub. (1) (b) to ~~(k)~~ (i) is used to hold
2 a juvenile in custody, or if supervisory services of a home detention program are
3 provided to a juvenile held under sub. (1) (a), the county shall pay the facility's
4 authorized rate for the care of the juvenile. If no authorized rate has been
5 established, the court shall fix a reasonable sum to be paid by the county for the
6 supervision or care of the juvenile.

7

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(END)

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1 or before the annual meeting, the finance committee shall submit to the board its
 2 recommendations for amendments to the executive's or administrator's budget, if
 3 any, and the board shall adopt the budget with such changes as it considers proper
 4 and advisable. The board of a county with a population of at least 500,000 may not
 5 adopt a budget in which the total amount of budgeted expenditures related to the
 6 compensation of county board members, and to any other costs that are directly
 7 related to the operation and functioning of the county board, including staff, is
 8 greater than 0.4 percent of the county portion of the tax levy for that year to which
 9 the budget applies. When so adopted, the sums provided shall, subject to the
 10 provisions of sub. (8), constitute legal appropriations and anticipated revenues for
 11 the ensuing year.

SECTION 5. Nonstatutory provisions.

12
 13 (1) (a) Notwithstanding section 8.37 of the statutes, if this act is enacted on or
 14 before February 16, 2013, there shall be submitted to a vote of the electors of each
 15 county with a population of at least 500,000 at the spring election to be held on
 16 April 2, 2013, the following question: "Shall that portion of 2013 Wisconsin Act

17 (this act) which limits the compensation of members of the board of supervisors of ...
 18 (name of county) ^{other than the chairperson} to receipt of an annual salary of not more than ~~\$15,000~~ ^{\$24,051} and which
 19 prohibits supervisors from receiving any compensation or benefits not specifically
 20 authorized or required by law ~~and which eliminates the current prohibition against~~
 21 ~~decreasing the compensation of supervisors during a supervisor's term~~ become
 22 effective in this county on ^{April 18, 2016} ~~January 1, 2014?~~"

23 (b) If the question under paragraph (a) is approved by a majority of all votes
 24 cast on the question at the election in the county, the portions of this act specified in

percent
 &
 which limits the compensation of the chairperson to 150% of that approved subject to limitations and adjustment specified by law and

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1 paragraph (a) shall take effect in that county; otherwise, the portions of this act
2 specified in paragraph (a) shall not take effect in that county.

3 (2) Notwithstanding section 59.52 (25) of the statutes, no board of supervisors
4 of any county may schedule a referendum to be held on April 2, 2013, with respect
5 to any matter that is subject to the approval of the electors of the county on that date
6 under subsection (1).

7 ~~SECTION 6. Effective dates. This act takes effect on the day after publication,~~
8 ~~except as follows:~~

9 (1) ~~Subject to approval by the electors of each affected county of the question~~
10 ~~submitted under SECTION 5 of this act, the treatment of sections 59.10 (title) and (2)~~
11 ~~(c) and 59.22 (1) (a) 1. of the statutes takes effect on January 1, 2014.~~

12

(END)

NOTE