



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Senate Bill 95

**Senate
Amendments 1, 2, 3, and 4**

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2013 SENATE BILL 95

2013 Senate Bill 95 makes various changes relating to Milwaukee County government. Among other changes, the bill requires a referendum regarding Milwaukee County Board supervisors' compensation to be held in Milwaukee County during the Spring Elections in 2014. If the referendum passes, then, beginning with the term that commences after the 2016 Spring Election, the bill generally limits the annual salary that may be paid to a Milwaukee County Board supervisor to the annual per capita income of Milwaukee County, as determined by the most recent U.S. Census (currently \$24,051).

The bill also makes several changes that are not contingent upon the passage of a referendum. For example, beginning with the term that commences after the April 2016 Election, the bill shortens the term for Milwaukee County Board supervisors from four years to two years. Subject to specified exceptions, the bill also generally limits expenditures that are directly related to the operation and functioning of the board to .4% of the county's portion of the county tax levy. In addition, the bill makes various changes to the powers of the Milwaukee County Executive and Milwaukee County Board, and creates new procedures for the approval of contracts and negotiation of intergovernmental agreements by Milwaukee County.

SENATE AMENDMENT 1

The bill creates a new requirement for intergovernmental cooperation agreements negotiated by Milwaukee County. Under the bill, before such an agreement may take effect and become binding on the county, the agreement must be approved by an executive council, comprised of the elected executive officer of every city and village that is wholly located within Milwaukee County, provided that the elected executive officer is also a member of the Executive Council for the Milwaukee Metropolitan Sewerage District.

Senate Amendment 1 provides that the Mayor of the City of Milwaukee is also a member of the Executive Council established under the bill. It also limits the application of the new procedures to any single contract, or group of contracts between the same parties which generally relate to the same transaction, with a value or aggregate value of more than \$300,000. Finally, the amendment limits the application of the procedures to agreements entered into by Milwaukee County and another local governmental unit that is located wholly within Milwaukee County.

SENATE AMENDMENT 2

Senate Amendment 2 modifies Senate Bill 95 as follows:

- The amendment removes the term “exclusively” from a provision under the bill that specifies that the Milwaukee County Executive, exclusively, shall administer, supervise, and direct all county departments, and from a provision authorizing the Milwaukee County Executive to contract with the Department of Children and Families to implement certain programs under the Social Security Act.
- Under the bill, the Milwaukee County Executive is authorized to create departments and subunits, provided that the creation of such departments is approved by the Board. Under the amendment, the creation *and funding* of such departments and subunits must be approved by the Board.
- Under the bill, expenses of the Milwaukee County Board generally may not exceed .4% of the county’s portion of the county tax levy. One of several exceptions to the .4% limitation applies to salaries paid to Milwaukee County Board supervisors and the Milwaukee County Board chair prior to the 2016 Spring Election. The amendment adds expenditures for health and pension benefits for Milwaukee County Board supervisors and the Milwaukee County Board chair during terms beginning before April 2016 to the expenditures that are exempted from the .4% budget limitation.
- The bill makes the limitation on board supervisors’ salaries contingent upon the approval of a referendum to be submitted to the voters in the county in the Spring 2014 Election. The amendment adds the specific dollar limit that would currently apply to supervisors’ compensation to the language to be included in the referendum.

SENATE AMENDMENT 3

Some provisions in the bill apply to counties with populations greater than 500,000, whereas other provisions apply to counties with populations greater than 750,000.¹ Senate Amendment 3 replaces all instances of “500,000” in the bill with references to “750,000.” In addition, the amendment changes “500,000” to “750,000” in two provisions of current law that relate to the Milwaukee County Executive’s responsibilities.

¹ Milwaukee County is currently the only county in the state with a population that satisfies either of those criterion. However, as of the most recent regular census conducted by the U.S. Census Bureau, the population in Dane County is relatively close to 500,000.

SENATE AMENDMENT 4

The bill alters the definition of “municipal employer” for purposes of subch. IV of ch. 111, Stats., relating to municipal employment relations, such that the “municipal employer” in Milwaukee County is the county executive.

Senate Amendment 4 retains the current definition of “municipal employer,” and instead, provides that the Milwaukee County Executive is responsible for the municipal employer functions under the municipal relations subchapter, with respect to employees of Milwaukee County.

BILL HISTORY

Senate Amendments 1, 2, and 3 were offered by Senator Darling on April 23, 2013. Senate Amendment 4 was offered by Senator Darling on May 8, 2013. The Senate Committee on Elections and Urban Affairs voted to recommend adoption of the four amendments on May 8, 2013, each on a vote of Ayes, 5; Noes, 0. The committee then voted to recommend the passage of Senate Bill 95, as amended, on a vote of Ayes, 3; and Noes, 0.

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