2011 ASSEMBLY BILL 404

December 2, 2011 – Introduced by Representative E. COGGS. Referred to Committee on Homeland Security and State Affairs.

1   AN ACT *to repeal* 59.25 (3) (a) 2.; *to renumber and amend* 59.20 (2) (a) and

2   59.25 (3) (a) 1.; and *to create* 59.20 (2) (a) 2. and 59.23 (3) of the statutes;

3   **relating to:** abolishing the offices of Milwaukee County treasurer and register

4   of deeds and transferring the duties of those offices to the Milwaukee County

5   clerk.

Analysis by the Legislative Reference Bureau

Under this bill, the offices of treasurer and register of deeds in any county with a population of at least 750,000 (presently only Milwaukee County) are abolished and the duties, responsibilities, and obligations of those offices are transferred to the Milwaukee County clerk upon the election and qualification of that person at the 2012 general election. To the extent that he or she is not covered by a civil service ordinance, any employee in the current office of treasurer or register of deeds may continue in office subject to the approval of the elected clerk.

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.** 59.20 (2) (a) of the statutes is renumbered 59.20 (2) (a) 1. and

2   amended to read:

3   59.20 **(2)** (a) 1. Beginning in 2008 and quadrennially thereafter, <u>except as</u>

4   <u>provided in subd. 2.,</u> a register of deeds, county clerk, and county treasurer shall be

5   chosen at the general election by the electors of each county for the term of 4 years.

6   Except as provided in this paragraph, beginning in 2008 and quadrennially

7   thereafter, a surveyor shall be chosen at the general election by the electors of each

8   county in which the office of surveyor is filled by election, for the term of 4 years. No

9   surveyor shall be elected in counties having a population of 500,000 or more. The

10   regular term of office of each register of deeds, county clerk, county treasurer, and

11   county surveyor shall commence on the first Monday of January next succeeding his

12   or her election and shall continue 4 years and until his or her successor qualifies.

13   **SECTION 2.** 59.20 (2) (a) 2. of the statutes is created to read:

14   59.20 **(2)** (a) 2. Upon the election and qualification of a clerk under s. 59.23 in

15   a county with a population of 750,000 or more, in the general election in 2012, the

16   elective office of treasurer of a county with a population of 750,000 or more and the

17   elective office of register of deeds of a county with a population of 750,000 or more

18   are abolished, and all of the duties and responsibilities of the office of treasurer and

19   the office of register of deeds shall be transferred to the clerk as specified in s. 59.23.

20   The terms of such a treasurer and register of deeds shall expire upon the election and

21   qualification of the clerk as described in this subdivision and no person may then

22   hold the office of treasurer or the office of register of deeds in a county with a

23   population of 750,000 or more.

24   **SECTION 3.** 59.23 (3) of the statutes is created to read:

1   59.23 **(3)** ENHANCED DUTIES, POPULOUS COUNTIES. (a) Upon the election and

2   qualification of the clerk in a county with a population of 750,000 or more, in the

3   general election of 2012 and quadrennially thereafter, the person so elected and

4   qualified shall assume all of the duties, responsibilities, and obligations of a

5   treasurer under s. 59.25 for a county with a population of 750,000 or more and shall

6   exercise all of the authority of a treasurer for such a county.

7   (b) Upon the election and qualification of the clerk in a county with a population

8   of 750,000 or more, in the general election of 2012 and quadrennially thereafter, the

9   person so elected and qualified shall assume all of the duties, responsibilities, and

10   obligations of a register of deeds under s. 59.43 for a county with a population of

11   750,000 or more and shall exercise all of the authority of a register of deeds for such

12   a county.

13   **SECTION 4.** 59.25 (3) (a) 1. of the statutes is renumbered 59.25 (3) (a) and

14   amended to read:

15   59.25 **(3)** (a) Receive all moneys from all sources belonging to the county, and

16   all other moneys which by statute or county ordinance are directed to be paid to the

17   treasurer, and, except in counties having a population of 500,000 or more, in the case

18   of the payment of delinquent property taxes or the redemption of land subject to a

19   tax certificate, make out and deliver to the clerk duplicate receipts therefor, and file

20   in the treasurer's office the duplicate receipts delivered to the treasurer by the clerk

21   for money received by the clerk.

22   **SECTION 5.** 59.25 (3) (a) 2. of the statutes is repealed.

23   **SECTION 6. Nonstatutory provisions.**

24   (1) (a) If any individual serves as an employee in the office of the treasurer of

25   a county with a population of 750,000 or more on the effective date of this subsection,

1   to the extent that his or her tenure is not covered by a civil service ordinance, he or

2   she may continue to be employed in that office or in the office of the clerk of such a

3   county upon the election and qualification of the clerk who is elected under section

4   59.23 of the statutes in the general election of 2012 and quadrennially thereafter,

5   subject to the approval of the person so elected.

6   (b) If any individual serves as an employee in the office of the register of deeds

7   of a county with a population of 750,000 or more on the effective date of this

8   subsection, to the extent that his or her tenure is not covered by a civil service

9   ordinance, he or she may continue to be employed in that office or in the office of the

10   clerk of such a county upon the election and qualification of the clerk who is elected

11   under section 59.23 of the statutes in the general election of 2012 and quadrennially

12   thereafter, subject to the approval of the person so elected.

13   **(END)**