

No. 441, S.]

[Published August 26, 1959.

CHAPTER 327

AN ACT to create 16.33 (1) (s) and (t) and 59.031 of the statutes, relating to the office and duties of a county executive in populous counties.

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

SECTION 1. 16.33 (1) (s) and (t) of the statutes are created to read:

16.33 (1) (s) County executive.

(t) Administrative secretary to county executive.

SECTION 2. 59.031 of the statutes is created to read:

59.031 COUNTY EXECUTIVE IN POPULOUS COUNTIES. (1) ELECTION AND TERM OF OFFICE. In each county having a population of 500,000 or more, a county executive shall be elected for a term of 4 years at the election to be held on the first Tuesday in April of each year in which county supervisors are elected, and he shall take office on the first Monday in May following his election. The county executive shall be elected from residents of the county at large by a majority vote of all qualified electors in the county voting in the election. The first election under this section in a county presently (1959) having a population of 500,000 or more shall be held on the first Tuesday in April 1960. In any county which hereafter attains such population, such first election shall be held on the first Tuesday in April in the year following the official announcement of the federal census.

(2) DUTIES AND POWERS. The duties and powers of the county executive shall be, without restriction because of enumeration, to:

(a) Co-ordinate and direct by executive order or otherwise all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.

(b) Appoint the heads of all departments in the classified service of the county except where the statutes provide that the appointment shall be made by a board or commission or by other elected officers; but he shall, subsequent to the effective date of this section (1959), also appoint all department heads where the law provides that the appointment shall be made by the chairman of the county board or by the county board. Such appointments shall not require the confirmation of the county board. The county executive may file charges for the removal, discharge, or suspension of any persons so appointed.

(c) Appoint the members of all boards and commissions where such appointments are required after the effective date of this section (1959) and where the statutes provide that such appointment shall be made by the county board or the chairman of the county board. All appointments to boards and commissions by the county executive shall be subject to the confirmation of the county board.

(3) ADMINISTRATIVE SECRETARY TO COUNTY EXECUTIVE; STAFF. The county executive may appoint an administrative secretary who shall be exempt from county civil service and such additional staff assistants as the county board may provide pursuant to ss. 16.31 to 16.44.

(4) COMPENSATION OF COUNTY EXECUTIVE, DEPUTY, AND STAFF ASSISTANTS. The county board shall fix the compensation of the county executive, his administrative secretary and his staff assistants, provided that the

salary of the county executive shall be established at least 90 days prior to any election held to fill the office and may not be increased during his term of office nor decreased during such term without his consent.

(5) MESSAGE TO THE COUNTY BOARD; SUBMISSION OF ANNUAL BUDGET. The county executive shall annually and otherwise as may be necessary, communicate to the county board of supervisors the condition of the county, and shall recommend such matters to them for their consideration as he may deem expedient. Notwithstanding any other provision of the law, he shall be responsible for the submission of the annual budget to the county board and may exercise the power to veto any increases or decreases in the budget under sub. (6).

(6) COUNTY EXECUTIVE TO APPROVE OR VETO RESOLUTIONS OR ORDINANCES; PROCEEDINGS ON VETO. Every resolution or ordinance passed by the county board shall, before it becomes effective, be presented to the county executive. If he approves, he shall sign it; if not, he shall return it with his objections, which objections shall be entered at large upon the journal and the board shall proceed to reconsider the matter. Appropriations may be approved in whole or in part by the county executive and the part approved shall become law, and the part objected to shall be returned in the same manner as provided for in other resolutions or ordinances. If, after such reconsideration, two-thirds of the members-elect of the county board agree to pass the resolution or ordinance or the part of the resolution or ordinance objected to, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. In all such cases, the votes of the members of the county board shall be determined by ayes and nays and the names of the members voting for or against the resolution or ordinance or the part thereof objected to shall be entered on the journal. If any resolution or ordinance is not returned by the county executive to the county board at its first meeting occurring not less than 6 days, Sundays excepted, after it has been presented to him, it shall become effective unless the county board has recessed or adjourned for a period in excess of 60 days, in which case it shall not be effective without his approval.

(7) REMOVAL FROM OFFICE; VACANCY, HOW FILLED. The county executive may be removed from office by the governor for cause pursuant to s. 17.16. A vacancy in the office of county executive shall be filled by appointment by the chairman of the county board, subject to confirmation by the county board, from among electors of the county in the same manner as vacancies in the office of county supervisor are filled under s. 17.21 (5).

Approved August 24, 1959.

---