

1999 DRAFTING REQUEST**Assembly Amendment (AA-AB105)**Received: **03/1/99**Received By: **kuesejt**Wanted: **03/2/99**

Identical to LRB:

For: **Mark Miller (608) 266-5342**By/Representing: **Lisa Ellinger**This file may be shown to any legislator: **NO**Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

AA to AB-105

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>
/?	kuesejt 03/1/99	wjackson 03/1/99		_____			
/1			martykr 03/2/99	_____	lrb_docadmin 03/2/99	lrb_docadmin 03/2/99	

FE Sent For:

<END>

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1/1	kuesejt 3/1	1 3/1 Wlj	km 3/2	Ch 3/2 km 3/2			

FE Sent For:

<END>

Kuesel, Jeffery

From: Ellinger, Lisa
Sent: Friday, February 26, 1999 5:43 PM
To: Kuesel, Jeffery
Cc: Miller, Mark
Subject: AB 105 amendment

Rep. Miller would like the following amendments prepared for AB 105:

1. Page 4, lines 10 through 17 "If the referendum appeal board finds, with the concurrence of at least 4 members that an emergency which requires a special referendum ..."
 - change the "4" in line 11 to "3".
 - include language proposed by Representative Walker adding a September date in odd-numbered years
 - add language to this paragraph to say the board must actively make a decision to deny the referendum (rather than a no-decision within the 10-day deadline leading to automatic denial).
3. Page 5, lines 9-12, please add the underlined language and delete the crossed-out language: "The board shall consist of the election board designees of ~~the governor,~~ the senate majority leader, the senate minority leader, the speaker of the assembly and the assembly minority leader ~~or the designees of these persons. Members of the board shall serve for indefinite terms.~~ The designating official may temporarily serve on the referendum appeals board in lieu of an election board member who is unavailable or not appointed.

(What Mark is trying to do here is to make the appeal board a 4 member sub-group of the elections board, rather than a separate entity. He crossed out the term language because, as board members, they already have limited terms.)

4. Add a provision that permits referenda to be included only when a special election involving more than 50% of the electorate is held.

(Mark's intent is to disallow sectors of a larger constituency to make decisions for the whole. For example, if Cottage Grove has a special election to fill a village board seat, referenda effecting the Monona Grove School District - of which Cottage Grove is a part - should not be on the ballot.)

Let me know if you have any questions.

Lisa Ellinger
Legislative Assistant to Rep. Mark Miller
3 North State Capitol
PO Box 8953
Madison, WI 53708
608-266-5342

Kuesel, Jeffery

From: Miller, Mark
Sent: Friday, February 26, 1999 7:04 PM
To: Ellinger, Lisa; Kuesel, Jeffery
Subject: RE: AB 105 amendment

Jeff, I just want to clarify a little on Lisa's email:

I am requesting three amendments. The first just changes "4" to "3" on line 11, page 2.

The second amendment changes the referendum appeal board to a subcommittee of the elections board, consisting of the four elections board appointments designated by the majority leaders and minority leaders of the senate and assembly (deleting the governor's designee as proposed in the original bill). The referendum appeal board must act affirmatively within 10 days to deny the request by a vote of three members to deny. A tie vote or failure to act within ten days is *de facto* approval of the request for an emergency referendum. In the absence or vacancy of an appeal board member, the designating public official can act as a temporary replacement. Time is of the essence with respect to denial.

The third amendment allows for a referendum to accompany a special election affecting more than 50% of the population of the jurisdiction of the governmental body affected by the referendum. The 50% rule to be resolved strictly by reference to the most recently published population data of the respective jurisdictions as determined by an appropriate Wisconsin population data source. In the example of Monona Grove School District where over half of the population lives in the City of Monona and the remainder are equally divided between the Town of Cottage Grove and the Village of Cottage Grove, a school referendum could accompany a special election in the City of Monona but not a special election in either the Town of Cottage Grove or the Village of Cottage Grove.

Rep. Mark Miller
48th Assembly District
3 North State Capitol
PO Box 8953, Madison, WI 53708
608-266-5342, FAX 608-282-3648

-----Original Message-----

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To: Kuesel, Jeffery
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Lisa Ellinger
Legislative Assistant to Rep. Mark Miller
3 North State Capitol
PO Box 8953
Madison, WI 53708
608-266-5342

1999

Date (time) needed

Tue 3/29 AM

LRB a 0126, 1

AMENDMENT

JLK: WLj:

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

~~TO S A AMENDMENT (LRBa 1),~~

~~TO S A SUBSTITUTE AMENDMENT (LRBs 1),~~

TO 1999 ~~SB SJR SR~~ AB AJR AR 105 (LRB 1)

At the locations indicated, amend the 6:11 as follows:

(fill ONLY if "engrossed" or "as shown by")

#. Page 4, line 8: delete lines 8 thru 11 and substitute

No 9

"appeal board for permission to hold a special referendum submitting a specified question on a date specified in the petition. If the referendum appeal board finds, within 10 days after receipt of a petition under this subsection, and with the concurrence of at least 3 members, that no

#. Page 4, line 15: delete the material beginning with "permit" and ending with "unit." line 17 and substitute

No 9

"disapprove the scheduling of a referendum relating to the question specified in the petition on the date specified in the petition. If the referendum does not so find, within 10 days after receipt of a petition under this subsection, and with the concurrence of at least 3 members, the local governmental unit may hold the special referendum on the date specified in the petition."



(65)
SECTION # Page 5, line 9: delete the material beginning with "the governor" and ending with "persons." ~~on~~
line 11, and substitute "4 members appointed by the elections board, including one individual designated by each of the following: the senate majority leader, the senate minority leader, the speaker of the assembly and the assembly minority leader. In case of an absence or temporary vacancy, the officer designating that member may serve as a member of the board."

(End)