

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4680/1dn
JTK&RJM:kmg:jf

January 28, 2002

Representative Leibaum:

1. This draft does not attempt to treat clerks of court. Vacancies in the office of clerk of court are filled by temporary appointment under article VII, section 12, of the Wisconsin Constitution. In two cases, the clerks serve more than one county.
2. This draft does not treat county supervisors in Milwaukee and Menominee counties. In Milwaukee County, a special election is required to be held to fill a vacancy in the office of county supervisor that occurs on or before December 1 preceding a spring election at the next spring election, or otherwise at the 2nd succeeding spring election. In addition, the county executive may order a special election to fill a vacancy at any time. See s. 17.21 (5), stats. In Menominee County, county supervisors double as town supervisors. Under s. 59.10 (1) (d), stats., the Menominee County Board may determine a method of filling vacancies in the office of supervisor in that county.
3. This draft does not treat mayors and alderpersons in the city of Milwaukee. Under s. 17.23 (1) (b), stats., any vacancy in the office of mayor occurring earlier than 120 days before expiration of the term of office is filled by special election. Any vacancy in the office of alderperson that occurs on or before June 1 is filled on the first Tuesday after the first Monday in November following that date and any vacancy that occurs on or before December 1 is filled at the spring election following that date. In addition, the president of the common council may order a special election to fill an aldermanic vacancy at any time.

Please let us know if you would like to treat any of these situations in this draft.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us