

**2001 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB872)**

Received: 03/05/2002

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Timothy Carpenter (608) 266-1707**

By/Representing: **Rex**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Addl. Drafters: **rmarchan  
kuesejt**

Subject: **Counties - miscellaneous  
Elections - miscellaneous**

Extra Copies: **JTK**

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

The size of the Milwaukee County board, salaries of board members, part-time status of board members

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**Instructions:**

Milwaukee County board may enact an ordinance or adopt a referendum that does 3 things: Reduces the size of the board; Decreases the salary of supervisors; makes supervisors part-time. None of the changes could take effect unless they are approved in a referendum.

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**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>
/1	shoveme 03/05/2002	gilfokm 03/05/2002	kfollet 03/05/2002	_____	lrb_docadmin 03/05/2002	lrb_docadmin 03/05/2002	

FE Sent For:

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<END>



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBs0367/  
MES&RJM&JTK...:k...

King  
hmk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 2001 ASSEMBLY BILL 872

O-note

today

King

1 AN ACT ~~relating to~~; relating to: the size of the county board of supervisors, the amount  
2 of time worked by county board supervisors, and decreases in the salary of  
3 county board supervisors in populous counties.

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

④

SECTION 1. 59.10 (2) (d), (e) and (f) of the statutes <sup>are</sup> created to read:

5 59.10 (2) (d) *Number of supervisors, salary, part-time status.* Subject to pars.  
6 (e) and (f), and not more frequently than once every 4 years, the board may enact an  
7 ordinance or adopt a resolution that does all of the following:

8 1. Decreases the number of supervisors after the enactment of a supervisory  
9 district plan under par. (a).

10 2. Decreases the salary of supervisors.

11 3. Requires ~~that~~ the office of supervisor <sup>to</sup> be a part-time position.

**I** Referendum.

(e) Subject to par. (f), an ordinance enacted or resolution adopted under par. (d) may not take effect unless it is approved in a referendum as described in s. 59.52 (25), which shall be called for by the board and which shall be held not earlier than 42 days after the enactment of the ordinance or adoption of the resolution. The referendum question shall be substantially as follows: "May the board of supervisors of .... County reduce its size from .... [current number of supervisors] to .... [proposed number of supervisors] supervisors before the board redistricts itself following the .... [year of next federal decennial census] federal census? ~~May the board of supervisors of .... County reduce the annual salary paid to each supervisor by .... % percent [or by \$.... per year] and May the board require the office of supervisor to be only a part-time position.?"~~ If a majority of the electors who vote in the referendum vote "Yes" the board shall take the action specified in the ordinance or resolution described under par. (f).

**I** District boundaries readjusted.

(f) 1. If an ordinance or resolution described under par. (e) is approved in a referendum under par. (e), the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. The standards in sub. (3) (b) 2. and 3. with regard to contiguity apply under this subdivision. The board shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent

1 possible, shall be retained. The chairperson of the board shall file a certified copy of  
2 any redistricting plan adopted under this subdivision with the secretary of state.

3 2. Except as otherwise provided in this subdivision, any redistricting plan  
4 enacted under subd. 1. that becomes effective before November 15 preceding the  
5 expiration of the term of office of supervisors in the county first applies to the spring  
6 election following the plan's effective date; otherwise, the plan first applies to the 2nd  
7 succeeding spring election following the plan's effective date at which supervisors  
8 are regularly elected in the county. Any redistricting plan enacted under subd. 1.  
9 shall remain in effect until a subsequent redistricting plan enacted under subd. 1.  
10 takes effect, except that any redistricting plan enacted under subd. 1. is void  
11 beginning on the effective date of a redistricting plan subsequently enacted under  
12 par. (a). Supervisors elected from the districts created under subd. 1. shall be elected  
13 for 4-year terms and shall take office on the 3rd Monday in April following their  
14 election.

15 3. If an ordinance or resolution described under par. (d) is approved in a  
16 referendum under par. (e), a supervisor's salary decrease, and the requirement that  
17 the office of supervisor be a part-time position, shall first apply on the first day of  
18 the pay period that begins not sooner than 90 days after the ~~referendum~~ <sup>issuance of the determination</sup> is approved. <sup>that</sup>  
19

(END)

*1 - note*

*the ordinance or resolution*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0367/fdn  
MES&RJM&JTK.../i...

f1  
KMG

Representative Carpenter:

This substitute amendment is drafted according to your instructions, but I'm not sure what the legal effect is of requiring ~~the~~ the office of county supervisor be a "part-time" position. What legal effect did you intend this provision to have?

to

Marc E. Shovers  
Senior Legislative Attorney  
Phone: (608) 266-0129  
E-mail: marc.shovers@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0367/1dn  
MES:kmg:kjf

March 5, 2002

Representative Carpenter:

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