

2001 DRAFTING REQUEST

Bill

Received: **01/18/2002**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **himself**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Composition and staffing of the elections board and ethics board

Instructions:

See attached.

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>
/?	rmarchan 01/24/2002 kuesejt 02/01/2002 rmarchan 02/01/2002	gilfokm 02/25/2002					
/1	rmarchan 03/08/2002	gilfokm 03/08/2002	pgreensl 02/26/2002		lrb_docadmin 02/26/2002		
/2			pgreensl 03/10/2002		lrb_docadmin 03/10/2002	lrb_docadmin 03/10/2002	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For: *None*

<END>

2001 DRAFTING REQUEST

Bill

Received: **01/18/2002**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **himself**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Composition and staffing of the elections board and ethics board

Instructions:

See attached.

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>
/?	rmarchan 01/24/2002	gilfokm 02/25/2002					
	kuesejt 02/01/2002	12-3/8					
	rmarchan 02/01/2002			3/10 Self			
/1			pgreensl 02/26/2002		lrb_docadmin 02/26/2002		

Please Jacket "12" immediately for Boyle for Assembly

↑

FE Sent For:

3/10 pg

2001 DRAFTING REQUEST

Bill

Received: **01/18/2002**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **himself**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Composition and staffing of the elections board

and ethics board

Instructions:

See attached.

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>
/?	rmarchan	1/25 <i>King</i>	2/26 <i>pg</i>	2/26 <i>pg/RS</i>			

FE Sent For:

<END>

Boyle (Can talk to
Raynolds
Schneider)

for mtg w/ Rep. Boyle

1/17 3:30pm 221N

Current Statutory Language

15.61 Elections board; creation. There is created an elections board consisting of persons who shall be appointed by the governor for 2-year terms as follows: one member selected by the governor; one member each designated by the chief justice of the supreme court, the speaker of the assembly, the senate majority leader, the minority leader in each house of the legislature, and the chief officer of each political party qualifying for a separate ballot under s. 5.62(1)(b) or (2) whose candidate for governor received at least 10% of the vote in the most recent gubernatorial election.

Proposed Legislation - Option 1

- Each of the 7 justices on the state Supreme Court shall appoint a member to the board
- Conditions of appointment:
 - 1) Not a member of a political party
 - 2) Not a candidate for partisan office in the last 5 years
 - 3) Has not made a campaign contribution to a partisan candidate in the last 5 years

~~I require it to attempt to prevent persons of questionable for the position~~ → 1st Am problem?

Proposed Legislation - Option 2

- Each of the 7 justices on the state Supreme Court shall appoint a member to the board
- Conditions of Supreme Court appointments:
 - 1) Not a member of a political party
 - 2) Not a candidate for partisan office in the last 5 years
 - 3) Has not made a campaign contribution to a partisan candidate in the last 5 years
- In addition to the 7 Supreme Court appointees, each political party with ballot status would be given an appointment. "Ballot status" would be defined as "each political party that qualified for a separate ballot under section 5.62 (1)(b) or (2) of the statutes at the September primary of the even-numbered year preceding the date of the appointment".

Also do same for ethics board in same bill

Additional Elections Board Positions

- 1.0 GPR campaign finance investigator position and 1.0 GPR auditor position (under s. 20.510 (1)(a) pertaining to elections board appropriations)

(e) A member of the Chiefs of Police Association, designated by the president thereof.

(f) A member of the State Bar of Wisconsin, designated by the president thereof.

(g) A member of the Wisconsin council of safety, designated by the president thereof.

(h) A member of the Wisconsin district Attorneys Association, designated by the president thereof.

(i) A member of the judicial conference, designated by the chairperson of the conference.

(j) A member designated by the director of state courts.

History: 1977 c. 325; 1979 c. 34 s. 16; 1979 c. 361 s. 112; 1985 a. 145 ss. 1, 4; 1987 a. 27; 1991 a. 316; 1997 a. 27.

15.49 Department of veterans affairs; creation. There is created a department of veterans affairs under the direction and supervision of the board of veterans affairs. The board shall consist of 7 members who shall be veterans, including at least 2 who shall be Vietnam war veterans, appointed for staggered 6-year terms.

History: 1975 c. 77; 1981 c. 199; 1991 a. 165.

15.495 Same; attached board. (1) EDUCATIONAL APPROVAL BOARD. There is created an educational approval board which is attached to the department of veterans affairs under s. 15.03. The board shall consist of not more than 7 members, who shall be representatives of state agencies and other persons with a demonstrated interest in educational programs, appointed to serve at the pleasure of the governor.

History: 1997 a. 27; 1999 a. 9 s. 40g; Stats. 1999 s. 15.495.

15.497 Same; councils. (2) COUNCIL ON VETERANS PROGRAMS. There is created in the department of veterans affairs a council on veterans programs consisting of one representative each of the state departments of the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the Marine Corps League, the Navy Club of the U.S.A., the Veterans of World War II (AMVETS), the Veterans of World War I of the U.S.A., Inc., the American Ex-prisoners of War, the Vietnam Veterans Against the War, Inc., the Vietnam Veterans of America, Inc., the Catholic War Veterans of the U.S.A., the Jewish War Veterans of the U.S.A., the Polish Legion of American Veterans, the National Association for Black Veterans, Inc., the Army and Navy Union of the United States of America, the Wisconsin Association of Concerned Veteran Organizations, the United Women Veterans, Inc., the U.S. Submarine Veterans of World War II, the Federation of Minority Veterans, Inc., the Wisconsin Vietnam Veterans, Inc., and the Military Order of the Purple Heart, one representative of the American Red Cross and one representative of the Wisconsin county veterans' service officers, appointed for one-year terms by the organization that each represents.

History: 1973 c. 90, 333; 1975 c. 316; 1981 c. 237; 1983 a. 437; 1987 a. 243; 1987 a. 403 s. 255; 1989 a. 31, 36, 359; 1995 a. 120.

SUBCHAPTER III

INDEPENDENT AGENCIES

15.57 Educational communications board; creation. There is created an educational communications board consisting of:

(1) The secretary of administration, the state superintendent of public instruction, the president of the University of Wisconsin System and the director of the technical college system board, or their designees.

(2) Two public members appointed for 4-year terms.

(3) One representative of public schools and one representative of private schools, appointed for 4-year terms.

(4) One majority and one minority party senator and one majority and one minority party representative to the assembly,

appointed as are the members of standing committees in their respective houses

(5) One member appointed by the board of regents of the University of Wisconsin System for a 4-year term.

(6g) The president of the Wisconsin Public Radio Association.

(6m) One member with a demonstrated interest in public television who resides within the coverage area of an education television channel subject to s. 39.11 (3).

(7) One member appointed by the technical college system board for a 4-year term.

History: 1971 c. 100 s. 4; Stats. 1971 s. 15.57; 1977 c. 325; 1983 a. 27; 1985 a. 29; 1991 a. 39; 1993 a. 399; 1995 a. 27; 1997 a. 27.

15.58 Employment relations commission; creation. There is created an employment relations commission.

15.61 Elections board; creation. There is created an elections board consisting of persons who shall be appointed by the governor for 2-year terms as follows: one member selected by the governor; one member each designated by the chief justice of the supreme court, the speaker of the assembly, the senate majority leader, the minority leader in each house of the legislature, and the chief officer of each political party qualifying for a separate ballot under s. 5.62 (1) (b) or (2) whose candidate for governor received at least 10% of the vote in the most recent gubernatorial election.

History: 1973 c. 334; 1975 c. 41; 1977 c. 325; 1977 c. 427 s. 132; 1985 a. 303.

15.62 Ethics board; creation. There is created an ethics board consisting of 6 residents of this state appointed for staggered 6-year terms subject to the following conditions:

(1) No member may hold any other office or employment in the government of this state or any political subdivision thereof or in any department.

(2) No member, when appointed, for one year immediately prior to the date of appointment or while serving on the board, may have been a member of a political party, an officer or member of a committee in any partisan political club or organization or a candidate for any partisan elective public office. No member may become a candidate for or hold any such office while serving on the board.

(3) Each member of the board shall be a U.S. citizen and a resident of this state.

History: 1973 c. 90.

15.67 Higher educational aids board; creation.

(1) There is created a higher educational aids board consisting of the state superintendent of public instruction and the following members appointed for 3-year terms, except that the members specified under pars. (a) 5. and 6. and (b) 3. shall be appointed for 2-year terms:

(a) To represent public institutions of higher education, all of the following:

1. One member of the board of regents of the University of Wisconsin System.

2. One member of the technical college system board.

3. One financial aids administrator within the University of Wisconsin System.

4. One financial aids administrator within the technical college system.

5. One undergraduate student enrolled at least half-time and in good academic standing at an institution within the University of Wisconsin System who is at least 18 years old and a resident of this state.

6. One student enrolled at least half-time and in good academic standing at a technical college who is at least 18 years old and a resident of this state.

(b) To represent private, nonprofit institutions of higher education, all of the following:

(c) The arrangement of candidates for school board seats shall be determined by the school district clerk or the executive director of the city board of election commissioners by the drawing of lots not later than the 2nd Tuesday in January, or the next day if the first Tuesday is a holiday, if there is no primary, or not later than the 3rd day following the completion of the primary canvass if a primary is held. The method of determining arrangement shall be the same as provided in sub. (1) (b). Sufficient space shall be provided on the ballot for write-in candidates.

(4m) METROPOLITAN SEWERAGE COMMISSION. A separate ballot shall list the names of all candidates for metropolitan sewerage commission seats, if commissioners are elected under s. 200.09 (11) (am), except as authorized in s. 5.655. The names for the different seats shall be placed in separate columns or rows if more than one seat is contested at any election.

(5) VILLAGE. There shall be a separate ballot giving the names of all candidates for village offices, except as authorized in s. 5.655.

(a) The offices to be filled shall be arranged on the official ballot in the order they are named in the statutes creating them. The names of the candidates shall be arranged by using the same method as that used by the board under sub. (1) (b). Sufficient space shall be left under each office for write-in candidates.

(b) Only persons nominated under s. 8.05 shall be placed on the official ballots. If no nominations are made, the spaces for this office shall be left blank.

(6) TOWN. (a) Except as authorized in s. 5.655, there shall be a separate ballot giving the names of all candidates for elective town offices in the form prescribed by the board under s. 7.08 (1) (a). There shall be 2 ballot forms. One ballot form shall be used for the election of supervisors to numbered seats and one ballot form shall be used for the election of supervisors to unnumbered seats. On the ballot used for the election of supervisors to unnumbered seats, all supervisor candidates shall be listed together and the voting instructions shall state "Vote for not more than... [insert number of supervisors to be elected] candidates". All towns shall elect their supervisors to unnumbered seats unless the annual town meeting adopts a plan to elect supervisors to numbered seats. The names of candidates for town office shall be arranged by using the same method as that used by the board under sub. (1) (b). A space shall be provided under each office on the ballot for a write-in candidate.

(b) Only the names of individuals nominated under s. 8.05 may be placed on the official ballot. If no nominations for an office are made, the space for that office shall be left blank.

(6m) TOWN SANITARY DISTRICT COMMISSION. Except as authorized in s. 5.655, a separate ballot shall list the names of all candidates for town sanitary district commission seats, if commissioners are elected under s. 60.74 and the boundaries of the district are not coterminous with the boundaries of one or more towns. The names for different seats shall be placed in separate columns or rows if more than one seat is contested at any election.

(7) REFERENDUM BALLOTS. Except as authorized in s. 5.655, there shall be a separate ballot setting forth all propositions requiring a vote in the form and manner provided by s. 5.64.

(8) BALLOTS FOR PRESIDENTIAL VOTE. Except as authorized in s. 5.655, there shall be a separate ballot for each recognized political party filing a certification under s. 8.12 (1), listing the names of all potential candidates of that party determined under s. 8.12 and affording, in addition, an opportunity to the voter to nominate another potential candidate by write-in vote or to vote for an unstructured delegation to the party convention. The order of such presidential candidates shall be determined by lot by or under the supervision of the board. Each voter shall be given the ballots of all the parties participating in the presidential preference vote, but may vote on one ballot only.

(a) Except as authorized in s. 5.655, a separate ballot shall be provided for use in each voting district.

(c) The official ballots for the presidential preference vote shall be securely fastened together at the bottom. The party receiving the greatest number of votes for governor at the preceding election shall have its ticket placed on top and the remaining party ballots shall follow in the same manner. A facsimile ballot notice shall be published as provided in s. 10.02.

History: 1971 c. 304 ss. 9 to 11, 29 (2); 1971 c. 336; 1973 c. 134, 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 187, 427, 445, 449; 1979 c. 221, 260, 355; 1981 c. 377; 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29 s. 3202 (56); 1985 a. 89, 225; 1985 a. 304 ss. 28, 155; 1987 a. 391; 1989 a. 192, 290; 1993 a. 266; 1995 a. 16 s. 2; 1995 a. 201; 1999 a. 150 s. 672; 1999 a. 182.

The national democratic party has a protected right of political association and may not be compelled to seat delegates chosen in an open primary in violation of the party's rules. *Democratic Party of U.S. v. Wisconsin*, 450 U.S. 107 (1981).

5.62 September primary ballots. (1) (a) At September primaries, the following ballot shall be provided for the nomination of candidates of recognized political parties for national, state and county offices and independent candidates for state office in each ward, in the same form as prescribed by the board under s. 7.08 (1) (a), except as authorized in s. 5.655. The ballots shall be made up of the several party tickets with each party entitled to participate in the primary under par. (b) or sub. (2) having its own ballot, except as authorized in s. 5.655. The independent candidates for state office other than district attorney shall have a separate ballot for all such candidates as under s. 5.64 (1) (e), except as authorized in s. 5.655. The ballots shall be secured together at the bottom. The party ballot of the party receiving the most votes for president or governor at the last general election shall be on top with the other parties arranged in descending order based on their vote for president or governor at the last general election. The ballots of parties qualifying under sub. (2) shall be placed after the parties qualifying under par. (b), in the same order in which the parties filed petitions with the board. Any ballot required under par. (h) 2. shall be placed next in order. The ballot listing the independent candidates shall be placed at the bottom. At polling places where voting machines are used, each party and the independent candidates shall be represented in one or more separate columns or rows on the ballot. At polling places where an electronic voting system is used other than an electronic voting machine, each party and the independent candidates may be represented in separate columns or rows on the ballot.

(b) 1. Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every recognized political party listed on the official ballot at the last gubernatorial election whose candidate for any statewide office received at least 1% of the total votes cast for that office and, if the last general election was also a presidential election, every recognized political party listed on the ballot at that election whose candidate for president received at least 1% of the total vote cast for that office shall have a separate primary ballot or one or more separate columns or rows on the primary ballot as prescribed in par. (a) and a separate column on the general election ballot in every ward and election district. An organization which was listed as "independent" at the last general election and whose candidate meets the same qualification shall receive the same ballot status upon petition of the chairperson and secretary of the organization to the board requesting such status and specifying their party name, which may not duplicate the name of an existing party. A petition under this subdivision may be filed no later than 5 p.m. on June 1 in the year of each general election.

2. Subdivision 1. applies to a party within any assembly district or county at any September primary election only if at least one candidate of the party for any national, state or county office qualifies to have his or her name appear on the ballot under the name of that party within that assembly district or county. The county clerk or county board of election commissioners shall provide a combined separate ballot or one or more separate columns or rows on the ballot that will permit an elector to cast a vote for a write-in candidate for the nomination of any such party for each national, state and county office whenever that party qualifies to be represented on a separate primary ballot or in one or more separate

rate columns or rows under subd. 1. but does not qualify under this subdivision. The ballot shall include the name of each party qualifying for a separate ballot or one or more separate columns or rows on the ballot under each office, with the names of the candidates for each such party appearing in the same order in which the ballots of the parties would appear under par. (a).

(2) (a) Except as provided in par. (b) and s. 5.64 (1) (c) 2., any political organization may be represented on a separate primary ballot or in one or more separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and in a separate column on the general election ballot in every ward and election district. To qualify for a separate ballot under this paragraph, the political organization shall, not later than 5 p.m. on June 1 in the year of the September primary, file with the board a petition requesting separate ballot status. The petition shall be signed by at least 10,000 electors, including at least 1,000 electors residing in each of at least 3 separate congressional districts. The petition shall conform to the requirements of s. 8.40. No signature obtained before January 1 in the year of filing is valid. When the candidates of a political organization filing a valid petition fulfill the requirements prescribed by law, they shall appear on a separate ballot or one or more separate columns or rows on the ballot for the period ending with the following general election.

(b) Paragraph (a) applies to a party within any assembly district or county at any September primary election only if at least one candidate of the party for any national, state or county office qualifies to have his or her name appear on the ballot under the name of that party within that assembly district or county. The county clerk or county board of election commissioners shall provide a combined separate ballot or one or more separate columns or rows on the ballot that will permit an elector to cast a vote for a write-in candidate for the nomination of any such party for each national, state and county office whenever that party qualifies to be represented on a separate primary ballot or in one or more separate columns or rows under par. (a) but does not qualify under this paragraph. The ballot shall include the name of each party qualifying for a separate ballot or one or more separate columns or rows on the ballot under each office, with the names of the candidates for each such party appearing in the same order in which the ballots of the parties would appear under sub. (1) (a).

(3) The board shall designate the official primary ballot arrangement for statewide offices and district attorney within each prosecutorial district by using the same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate column or row on the ballot, the candidates for office shall be listed together with the offices which they seek in the following order whenever these offices appear on the September primary ballot: governor, lieutenant governor, attorney general, secretary of state, state treasurer, U.S. senator, U.S. representative in congress, state senator, representative to the assembly, district attorney and the county offices. Below the names of the independent candidates shall appear the party or principle of the candidates, if any, in 5 words or less, as shown on their nomination papers.

(4) The county clerk or county board of election commissioners shall designate the official primary ballot arrangement for all candidates filing nomination papers in that office.

(a) Within a county the county clerk shall arrange the names of all candidates filing nomination papers with the clerk's office using the same method as that used by the board under s. 5.60 (1) (b).

(b) The county board of election commissioners in counties having a population of more than 500,000 shall prepare the official primary ballot. The commissioners shall arrange the names of all candidates for each office whose nomination papers are filed at the county level, using the same method as that used by the elections board under s. 5.60 (1) (b).

(5) At the September primary, an elector may vote for the candidates of only one party, or the elector may vote for any of the independent candidates for state office listed; but the elector may

not vote for more than one candidate for a single office. A space shall be provided on the ballot for an elector to write in the name of his or her choice as a party candidate for any office, including a party candidate of a party whose name appears on the ballot, column or row designated for independent candidates, as provided in sub. (1) (b) or (2) (b), but no space shall be provided to write in the names of independent candidates.

History: 1971 c. 304 ss. 12, 29 (2); 1971 c. 336; 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 107, 427; 1979 c. 260, 311, 328; 1981 c. 377; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1991 a. 316; 1993 a. 184; 1999 a. 182.

Cross Reference: See also s. EIBd 6.04, Wis. adm. code.

The filing of a proper petition by the requisite number of electors in a senate, assembly, or congressional district will qualify the political organization referred to in the petition as a party entitled to a separate ballot within the specific district only for all the state, congressional, legislative, and county offices for which an elector of that district may vote. The petition may be circulated commencing after any November general election and ending on the June 1 immediately prior to the next succeeding September primary. 61 A.Bty. Gen. 41.

5.64 General election ballots. At general elections the following ballots, when necessary, shall be provided for each ward.

(1) **OFFICIAL BALLOT.** Except as authorized in s. 5.655, there shall be a separate ballot giving the names of all candidates for president and vice president and for statewide, congressional, legislative and county offices in the same form as prescribed by the board under s. 7.08 (1) (a).

(a) The ballot shall permit an elector to vote a straight party ticket for president and vice president, whenever those offices are contested, and for all statewide, congressional, legislative and county offices, to vote for individual candidates for each office or to vote for a person whose name does not appear on the ballot for any office. When voting for governor and lieutenant governor, the ballot shall permit an elector to vote only for the candidates on one ticket jointly or write in the names of persons in both spaces.

(b) The names of the candidates on the regular party tickets nominated at the primary or replacements appointed under s. 8.35 (2) shall appear in a separate column under the party designation. The columns shall be arranged from left to right according to rank, based on the number of votes received by each party's candidate for president or governor at the last general election beginning with the party that received the most votes. To the right of the columns for parties qualifying under s. 5.62 (1) (b) shall be placed the columns for parties qualifying under s. 5.62 (2) in the same order in which the parties filed petitions with the board. Any column required under par. (e) 2. shall be placed next in order. To the right of the party columns shall be a column for the names of independent candidates for each office, or more than one column if the first column does not provide sufficient space for the names of all such candidates.

(d) The offices shall be arranged beginning with president and vice president or governor and lieutenant governor, whenever these offices are filled, and then the remaining offices in the order designated under s. 5.62 (3).

(e) 1. Except as provided in subd. 2., each candidate's name shall be placed in the column of the party by which nominated or if independent, in a column designated independent and all candidates for the same office shall appear within the same rows on the ballot. If a separate column is provided to write in the names of any party candidates under subd. 2., the column shall appear before the column designated independent with the spaces provided to write in the names of the candidates for each such party appearing in the same order in which the columns of their parties would appear under par. (b). Along with the names of the independent candidates shall appear the party or principle of the candidates, if any, in 5 words or less, as shown on their nomination papers. Independent candidates for the same county office shall be listed in the same manner in an order drawn by lot by or under supervision of the county clerk or board of election commissioners. The board shall conduct a redrawing for purposes of determining the arrangement of independent candidates for state office who appeared on the primary ballot in the manner provided in s. 5.60 (1) (b).

20.505 APPROPRIATIONS AND BUDGET MANAGEMENT

- 10t. The amount transferred to s. 20.255 (2) (kj) shall be the amount in the schedule under s. 20.255 (2) (kj).
11. The amount transferred to s. 20.255 (2) (km) shall be the amount in the schedule under s. 20.255 (2) (km).
- 11a. The amount transferred to s. 20.285 (1) (kn) shall be the amount in the schedule under s. 20.285 (1) (kn).
- 13g. The amount transferred to s. 20.485 (2) (kg) shall be the amount in the schedule under s. 20.485 (2) (kg).
- 13t. The amount transferred to s. 20.485 (2) (km) shall be the amount in the schedule under s. 20.485 (2) (km).
- 13v. The amount transferred to s. 20.485 (2) (kt) shall be the amount in the schedule under s. 20.485 (2) (kt).
15. The amount transferred to sub. (6) (ks) shall be the amount in the schedule under sub. (6) (ks).
- 15d. The amount transferred to sub. (6) (kq) shall be the amount in the schedule under sub. (6) (kq).
- 15g. The amount transferred to s. 20.455 (2) (kt) shall be the amount in the schedule under s. 20.455 (2) (kt).
- 15h. The amount transferred to s. 20.455 (2) (ku) shall be the amount in the schedule under s. 20.455 (2) (ku).
- 17f. The amount transferred to s. 20.370 (6) (bk) shall be the amount in the schedule under s. 20.370 (6) (bk).
18. The amount transferred to s. 20.435 (4) (kb) shall be the amount in the schedule under s. 20.435 (4) (kb).
- 18b. The amount transferred to s. 20.435 (5) (ke) shall be the amount in the schedule under s. 20.435 (5) (ke).
- 18c. The amount transferred to s. 20.435 (7) (kL) shall be the amount in the schedule under s. 20.435 (7) (kL).
- 18d. The amount transferred to s. 20.435 (7) (km) shall be the amount in the schedule under s. 20.435 (7) (km).
- 18dm. The amount transferred to s. 20.435 (7) (kn) shall be the amount in the schedule under s. 20.435 (7) (kn).
- 18dr. The amount transferred to s. 20.445 (1) (kt) shall be the amount in the schedule under s. 20.445 (1) (kt).
- 18e. The amount transferred to s. 20.445 (5) (kg) shall be the amount in the schedule under s. 20.445 (5) (kg).
- 18h. The amount transferred to sub. (1) (ku) shall be the amount in the schedule under sub. (1) (ku).
- 18j. The amount transferred to s. 20.445 (7) (kd) shall be the amount in the schedule under s. 20.445 (7) (kd).
- 18r. The amount transferred to s. 20.505 (1) (km) shall be the amount in the schedule under s. 20.505 (1) (km).
- 18s. The amount transferred to s. 20.245 (1) (hr) shall be the amount in the schedule under s. 20.245 (1) (hr).
- 18v. The amount transferred to s. 20.245 (1) (hm) shall be the amount in the schedule under s. 20.245 (1) (hm).
19. The amount transferred to s. 20.835 (2) (ka) shall be the sum of the amounts calculated by the department of administration under s. 569.02 (5).
20. The amount transferred to the environmental fund shall be \$500,000 in fiscal year 2001-02 and \$1,000,000 in fiscal year 2002-03.
21. The amount transferred to s. 20.395 (3) (ck) shall be the amount in the schedule under s. 20.395 (3) (ck).

NOTE: Subd. 21. is repealed eff. 7-1-03 by 2001 Wis. Act 16.

(j) *General program operations; raffles and crane games.* The amounts in the schedule for general program operations relating to raffles under subchs. II and VIII of ch. 563 and relating to crane games under ch. 564. All moneys received by the department of administration under ss. 563.92 (2), 563.98 (1g) and 564.02 (2) shall be credited to this appropriation account.

(jm) *General program operations; bingo.* The amounts in the schedule for general program operations relating to bingo under subchs. II to VII of ch. 563. All moneys received by the department of administration under ss. 563.055, 563.13 (4), 563.135, 563.16, 563.22 (2) and 563.80 shall be credited to this appropri-

ation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation account at the end of each fiscal year shall be transferred to the lottery fund.

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400h to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23, 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1994 a. 77, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905.

20.507 Board of commissioners of public lands. There is appropriated to the board of commissioners of public lands for the following program:

(1) TRUST LANDS AND INVESTMENTS. (h) *Trust lands and investments — general program operations.* The amounts in the schedule for the general program operations of the board as provided under ss. 24.04, 24.09 (1) (bm), 24.53 and 24.62 (1). All amounts deducted from the gross receipts of the appropriate funds as provided under ss. 24.04, 24.09 (1) (bm), 24.53 and 24.62 (1) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same proportion to the total amount transferred to the trust funds that the gross receipts of that trust fund bears to the total gross receipts credited to this appropriation account during that fiscal year.

(j) *Payments to American Indian tribes or bands for raised sunken logs.* All moneys received under s. 170.12 (9m) for making payments to American Indian tribes or bands under s. 170.12 (9m).

(k) *Trust lands and investments — interagency and intra-agency assistance.* The amounts in the schedule to provide services to state agencies relating to trust lands and investments. All moneys received from the department of administration or any other state agency for services relating to trust lands and investments shall be credited to this appropriation account.

(mg) *Federal aid — flood control.* All moneys received from the federal government, on account of leasing land under the U.S. flood control act of 1954 and subsequent amendments thereto, to be paid out as provided under s. 24.39 (3).

History: 1997 a. 27 ss. 693, 693m, 708 to 711; 1999 a. 9.

20.510 Elections board. There is appropriated from the general fund, except where otherwise indicated, to the elections board for the following programs:

(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS. (a) *General program operations; general purpose revenue.* Biennially, the amounts in the schedule for general program operations, including the printing of forms, materials, manuals and election laws under ss. 7.08 (1) (b), (3) and (4) and 11.21 (3) and (14), and including the training of election officials under s. 5.05 (7).

(bm) *Training of chief inspectors.* Biennially, the amounts in the schedule for training of chief inspectors under s. 7.31.

(c) *Voting system transitional assistance.* Biennially, the amounts in the schedule to provide assistance to counties and municipalities in eliminating punch card voting systems under s. 7.08 (7).

NOTE: Par. (c) is repealed eff. 7-1-08 by 2001 Wis. Act 16.

(g) *Recount fees.* All moneys received on account of recount petitions filed with it, to be apportioned to the county clerks or county board of election commissioners as prescribed in s. 9.01 (1) (ag).

(h) *Materials and services.* The amounts in the schedule for the cost of publishing documents, locating and copying records

4728/1

NOTE

VERY SOON

FWOR

2001 BILL

In 2/1/2002

The bill requires

LPS: check auto refs.

each justice of the supreme court must designate a person for membership on each of the boards. NO designee may be a member of a political party nor, during the previous five years, may have run for partisan office or made a campaign contribution to a candidate for partisan office. In addition, the chief officer of each political party qualifying for a separate ballot at the September primary in the even-numbered year preceding the appointment to designate one person for membership on each board.

1 AN ACT to amend 15.61 of the statutes; relating to: composition of the elections and ethics boards board.

Analysis by the Legislative Reference Bureau

Under current law, the governor appoints all members of the elections board as follows: one member is selected by the governor and one member each is designated by the chief justice of the supreme court, the speaker of the assembly, the senate majority leader, the minority leader in each house of the legislature, and the chief officer of each political party qualifying for a separate ballot at the September primary whose candidate for governor at the most recent gubernatorial election received at least 10% of the vote (currently, the Republican and the Democratic parties). Members serve for 2-year terms beginning on May 1 of each odd-numbered year.

Under this bill, the elections board consists of eight members, each of whom must be designated on a nonpartisan basis by the supreme court, with the concurrence of at least five justices. The members are appointed by the governor

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

SECTION 1. 15.61 of the statutes is amended to read:

15.61 Elections board; creation. There is created an elections board consisting of 8 persons, each of whom shall be designated on a nonpartisan basis by

without senate confirmation, to serve for 2-year terms two

This bill establishes different memberships for the elections and ethics boards

FWIS 1-33

BILL

applicade
meeting the qualifications established under this section

as defined in s. 5.02(13)

1 the supreme court, with the concurrence of at least 5 justices, who shall be appointed
2 by the governor for 2-year terms *(as follows:)* one member selected by the governor;
3 one member each designated by the chief justice of the supreme court, the speaker
4 of the assembly, the senate majority leader, the minority leader in each house of the
5 legislature, and the chief officer of each political party qualifying for a separate ballot
6 under s. 5.62 (1) (b) or (2) whose candidate for governor received at least 10% of the
7 vote in the most recent gubernatorial election.

plain text

plain text

at the September primary of the even-numbered year preceding the date of the appointment. A justice of the Supreme court may not designate any person who is a member of a political party, has been a candidate for partisan office during the 5 years preceding the date of the designation, or has made a contribution, as defined in s. 11.01 (6), to a candidate for partisan office during the 5 years preceding the date of the designation.

SECTION 2. Nonstatutory provisions.

(2) ELECTIONS BOARD TERMS OF OFFICE
(1) TRANSITIONAL PROVISION

10 (a) *New appointees.* No later than the first day of the 2nd month beginning after
11 the effective date of this paragraph, *the justices* of the supreme court shall designate
12 *8 persons* for membership on the elections board under section 15.61 of the statutes,
13 as affected by this act. No later than the first day of the 3rd month beginning after
14 the effective date of this paragraph, the governor shall appoint *8* persons to
15 membership on the elections board under section 15.61 of the statutes, as affected
16 by this act.

17 (b) *Terms of office; current members.* Notwithstanding section 15.61, 1999
18 stats., *section 15.61* of the statutes, as affected by this act, and section 15.07 (1) (c)
19 of the statutes, all members of the elections board holding office at the time at which
20 all members of the elections board, *who are* appointed as provided in paragraph (a) *are*
21 qualified to take office shall cease to hold office at that time. *This paragraph does*
22 *not apply to members of the elections board who take office as provided in paragraph*

23
24 (c) *Terms of office; new appointees.* All members of the elections board
25 appointed as provided in paragraph (a) *and* qualified to take office shall take office

INS
2-7

section *and the chief officer of each political party qualifying for a separate ballot under s. 5.62 (1) (b) or (2) at the 2000 September primary of the statutes*

(a)

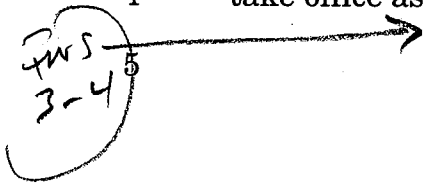
a.r.

BILL

1 immediately upon the expiration of the terms of office under paragraph (b).
2 Notwithstanding section 15.61[✓] of the statutes, as affected by this act, and section
3 15.07 (1) (c) of the statutes, the terms of office of members of the elections board who
4 take office as provided in this paragraph shall expire on May 1, 2003.

a.r.

JWS
3-4



(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4728/lins2
JTK.....

INS 1A: ✓

Currently, members of the ethics board are nominated by the governor, and with the advice and consent of the senate, appointed to serve for ~~6~~ ^{staggered} year terms. All members must be U.S. citizens and residents of this state, and no member may hold any other office or employment in the government of this state or any political subdivision thereof or in any state department. In addition, no member, for one year immediately prior to the date of appointment, may have been, and no member, while serving on the board, may become, a member of a political party, an officer or member of a committee in any partisan political club or organization, or a candidate for any partisan office. six

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4728/1
JTK.....

INS 1-3: ✓

SECTION 1. 15.07 (1) (a) 2m. of the statutes is created to read:

15.07 (1) (a) 2m. Members of the ethics board shall be appointed as provided in s. 15.62. ✓

INS 2-7: ✓

SECTION 2. 15.62 (intro.) and (2) of the statutes are consolidated, renumbered 15.62 and amended to read:

15.62 Ethics board; creation. There is created an ethics board consisting of ~~6 residents of this state~~ members who shall be appointed by the governor for staggered 6-year 2-year terms subject to the following conditions: One member shall be designated by each justice of the supreme court and by the chief officer of each political party qualifying for a separate ballot under s. 5.62 (1) (b) or (2) at the September primary of the even-numbered year preceding the date of appointment.

No 4 (2) No member, when appointed, for one year designated by a justice may have been a candidate for partisan office during the 5-year period immediately prior to the date of appointment or while serving on the board, may have made a contribution, as defined in s. 11.01 (6), during the 5-year period immediately prior to the date of appointment, or may have been be a member of a political party an officer or member of a committee in any partisan political club or organization or a candidate for any partisan elective public office. No member may become a candidate for or hold any such office while serving on the board, as defined in s. 5.02 (13).

SECTION 3. 15.62 (1) and (3) of the statutes are repealed.

INS-3-4:

(2) ETHICS BOARD TERMS OF OFFICE.

(a) *New appointees.* No later than the first day of the 2nd month beginning after the effective date of this paragraph, each justice of the supreme court and the chief officer of each political party qualifying for a separate ballot under section 5.62 (1) (b) or (2) of the statutes at the 2000 September primary shall designate one person for membership on the ethics board under section 15.62 of the statutes, as affected by this act. No later than the first day of the 3rd month beginning after the effective date of this paragraph, the governor shall appoint persons to membership on the ethics board under section 15.62 of the statutes, as affected by this act.

(b) *Terms of office; current members.* Notwithstanding section 15.62, 1999 stats. and section 15.07 (1) (c) of the statutes, all members of the ethics board holding office at the time at which all members of the ethics board who are appointed as provided in paragraph (a) and qualified to take office shall cease to hold office at that time.

(c) *Terms of office; new appointees.* All members of the ethics board who are appointed as provided in paragraph (a) and qualified to take office shall take office immediately upon the expiration of the terms of office under paragraph (b). Notwithstanding section 15.62 of the statutes, as affected by this act, and section 15.07 (1) (c) of the statutes, the terms of office of the members of the ethics board who take office as provided in this paragraph shall expire on May 1, 2003.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4728/1dn
JTK & RJM...f:....

kmg

Representative Boyle:

You may wish to examine the current qualifications of members of the ethics board, which are described in the analysis. Some of these qualifications extend beyond those established by this draft. If you do not specifically intend to delete these qualifications, please let me know. Also, if you retain any of these qualifications, you may wish to consider whether you want to apply them, in addition, to members of the elections board.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4728/1dn
JTK&RJM:kmg:pg

February 26, 2002

Representative Boyle:

You may wish to examine the current qualifications of members of the ethics board, which are described in the analysis. Some of these qualifications extend beyond those established by this draft. If you do not specifically intend to delete these qualifications, please let me know. Also, if you retain any of these qualifications, you may wish to consider whether you want to apply them, in addition, to members of the elections board.

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

Monday 3-11

smr

2001 BILL

Gen. Cert.

1 AN ACT *to repeal* 15.62 (1) and (3); *to consolidate, renumber and amend*
 2 15.62 (intro.) and (2); *to amend* 15.61; and *to create* 15.07 (1) (a) 2m. of the
 3 statutes; **relating to:** composition of the elections and ethics boards.

Analysis by the Legislative Reference Bureau

Under current law, the governor appoints all members of the elections board without confirmation by the senate to serve for two-year terms as follows: one member is selected by the governor and one member each is designated by the chief justice of the supreme court, the speaker of the assembly, the senate majority leader, the minority leader in each house of the legislature, and the chief officer of each political party qualifying for a separate ballot at the September primary whose candidate for governor at the most recent gubernatorial election received at least 10% of the vote (currently, the Republican and the Democratic parties).

Currently, members of the ethics board are nominated by the governor, and with the advice and consent of the senate, appointed to serve for staggered six-year terms. All members must be U.S. citizens and residents of this state, and no member may hold any other office or employment in the government of this state or any political subdivision thereof or in any state department. In addition, no member, for one year immediately prior to the date of appointment, may have been, and no member, while serving on the board, may become, a member of a political party, an officer or member of a committee in any partisan political club or organization, or a candidate for any partisan office.

This bill establishes different memberships for the elections and ethics boards. Under this bill, each justice of the supreme court must designate a person for

BILL

membership on each of the boards. No designee may be a member of a political party nor, during the previous five years, may have run for partisan office or made a campaign contribution to a candidate for partisan office. In addition, the bill requires the chief officer of each political party qualifying for a separate ballot at the September primary in the even-numbered year preceding the appointment to designate one person for membership on each board. The members of both boards are appointed by the governor, without senate confirmation, to serve for two-year terms.

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

1 **SECTION 1.** 15.07 (1) (a) 2m. of the statutes is created to read:

2 15.07 (1) (a) 2m. Members of the ethics board shall be appointed as provided
3 in s. 15.62.

4 **SECTION 2.** 15.61 of the statutes is amended to read:

5 **15.61 Elections board; creation.** There is created an elections board
6 consisting of persons meeting the applicable qualifications established under this
7 section, who shall be appointed by the governor for 2-year terms as follows: ~~one~~
8 ~~member selected by the governor; one member each designated by the chief each~~
9 ~~justice of the supreme court, the speaker of the assembly, the senate majority leader,~~
10 ~~the minority leader in each house of the legislature, and the chief officer of each~~
11 ~~political party qualifying for a separate ballot under s. 5.62 (1) (b) or (2) whose~~
12 ~~candidate for governor received at least 10% of the vote in the most recent~~
13 ~~gubernatorial election at the September primary of the even-numbered year~~
14 ~~preceding the date of the appointment. A justice of the supreme court may not~~
15 ~~designate any person who is a member of a political party, as defined in s. 5.02 (13),~~
16 ~~has been a candidate for partisan office during the 5 years preceding the date of the~~
17 ~~designation, or has made a contribution, as defined in s. 11.01 (6), to a candidate for~~
18 ~~partisan office during the 5 years preceding the date of the designation.~~

BILL

1 **SECTION 3.** 15.62 (intro.) and (2) of the statutes are consolidated, renumbered
2 15.62 and amended to read:

3 **15.62 Ethics board; creation.** There is created an ethics board consisting of
4 ~~6 residents of this state~~ members who shall be appointed by the governor for
5 ~~staggered 6-year~~ 2-year terms subject to the following conditions: One member
6 shall be designated by each justice of the supreme court and by the chief officer of
7 each political party qualifying for a separate ballot under s. 5.62 (1) (b) or (2) at the
8 September primary of the even-numbered year preceding the date of appointment.
9 ~~(2) No member, when appointed, for one year designated by a justice may have been~~
10 a candidate for partisan office during the 5-year period immediately prior to the date
11 of appointment or while serving on the board, may have made a contribution, as
12 defined in s. 11.01 (6), during the 5-year period immediately prior to the date of
13 appointment, or may have been be a member of a political party, an officer or member
14 of a committee in any partisan political club or organization or a candidate for any
15 partisan elective public office. No member may become a candidate for or hold any
16 such office while serving on the board as defined in s. 5.02 (13).

17 **SECTION 4.** 15.62 (1) and (3) of the statutes are repealed.

18 **SECTION 5. Nonstatutory provisions.**

19 (1) ELECTIONS BOARD TERMS OF OFFICE.

20 (a) *New appointees.* No later than the first day of the 2nd month beginning after
21 the effective date of this paragraph, each justice of the supreme court and the chief
22 officer of each political party qualifying for a separate ballot under section 5.62 (1)
23 (b) or (2) of the statutes at the 2000 September primary shall designate one person
24 for membership on the elections board under section 15.61 of the statutes, as affected
25 by this act. No later than the first day of the 3rd month beginning after the effective

BILL

1 date of this paragraph, the governor shall appoint persons to membership on the
2 elections board under section 15.61 of the statutes, as affected by this act.

3 (b) *Terms of office; current members.* Notwithstanding section 15.61, 1999
4 stats., and section 15.07 (1) (c) of the statutes, all members of the elections board
5 holding office at the time at which all members of the elections board who are
6 appointed as provided in paragraph (a) and qualified to take office shall cease to hold
7 office at that time.

8 (c) *Terms of office; new appointees.* All members of the elections board
9 appointed as provided in paragraph (a) and qualified to take office shall take office
10 immediately upon the expiration of the terms of office under paragraph (b).
11 Notwithstanding section 15.61 of the statutes, as affected by this act, and section
12 15.07 (1) (c) of the statutes, the terms of office of members of the elections board who
13 take office as provided in this paragraph shall expire on May 1, 2003.

14 (2) **ETHICS BOARD TERMS OF OFFICE.**

15 (a) *New appointees.* No later than the first day of the 2nd month beginning after
16 the effective date of this paragraph, each justice of the supreme court and the chief
17 officer of each political party qualifying for a separate ballot under section 5.62 (1)
18 (b) or (2) of the statutes at the 2000 September primary shall designate one person
19 for membership on the ethics board under section 15.62 of the statutes, as affected
20 by this act. No later than the first day of the 3rd month beginning after the effective
21 date of this paragraph, the governor shall appoint persons to membership on the
22 ethics board under section 15.62 of the statutes, as affected by this act.

23 (b) *Terms of office; current members.* Notwithstanding section 15.62, 1999
24 stats., and section 15.07 (1) (c) of the statutes, all members of the ethics board holding
25 office at the time at which all members of the ethics board who are appointed as

BILL

1 provided in paragraph (a) and qualified to take office shall cease to hold office at that
2 time.

3 (c) *Terms of office; new appointees.* All members of the ethics board who are
4 appointed as provided in paragraph (a) and qualified to take office shall take office
5 immediately upon the expiration of the terms of office under paragraph (b).
6 Notwithstanding section 15.62 of the statutes, as affected by this act, and section
7 15.07 (1) (c) of the statutes, the terms of office of the members of the ethics board who
8 take office as provided in this paragraph shall expire on May 1, 2003.

9 (END)