

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3489/P1dn
RPN:jld:rs

December 16, 2003

Please review this draft carefully to ensure that it is consistent with your intent.

I did not add a definition of "elector" because ch. 6, stats., includes numerous criteria to determine if a person is eligible to vote in an election, so trying to create a definition is impossible. In addition, that term is used almost 400 times in the statutes without being defined and without being misunderstood.

I did not add language saying that the board meetings are subject to the open meetings law because current law, s. 19.81 (2), stats., clearly says that the all meetings of governmental bodies are subject to the open meetings law. Adding this requirement in this subchapter and not in all of the other hundreds of places where governmental bodies are created would call into question whether those other governmental bodies are not subject to the open meetings requirements.

I did not add language saying that no person may cast more than one vote on any item for the same reason as given above. If there is a specific problem that has occurred resulting in one person attempting to vote more than once on a item, please let me know and perhaps we can address that specific problem.

Some of the language in subch. III of ch. 33 about who can vote at meeting and how you count possible voters is confusing because of the use of "or" in some places and of "and" in other places when referring to electors and property owners. Use of "and" could mean that you have to be both an elector, i.e. be eligible to vote in that district, and a property owner in the district, but I think the intent is that you be either an elector, a property owner, or an elector who is a property owner.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us