

2009 DRAFTING REQUEST

Bill

Received: **11/13/2008**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Frederick Kessler (608) 266-5813**

By/Representing: **him**

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

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous
Redistricting**

Extra Copies: **SRM - 1
Larry Barish - 1
Mike Keane - 1**

Submit via email: **YES**

Requester's email: **Rep.Kessler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Legislative review of ward boundaries

Instructions:

Shorten windows for local government ward division and redistricting from 60 to 45 days (45-45-45). After enactment of ward division plan (or promulgation of temporary ward plan by a court), require submission of ward boundaries to appropriate standing committees. If legislature does not enact legislation altering or disapproving boundaries shown by a plan within 45 days of submittal, plan takes effect.

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>
/?	jkuesel 12/19/2008	bkraft 12/29/2008		_____			
/1			mduchek 12/29/2008	_____	cduerst 12/29/2008		

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/2	jkuesel 01/02/2009	bkraft 01/02/2009	mduchek 01/05/2009	_____	sbasford 01/05/2009		
/3	jkuesel 01/12/2009	bkraft 01/12/2009	rschluet 01/12/2009	_____	sbasford 01/12/2009	cduerst 01/28/2009	

FE Sent For: **NONE**

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Handwritten signature and date 12/29/08

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FE Sent For:

13 bjk'12

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/1 /2	jkuesel 1/2/09	1/2 bj k 1/2	mduchek 12/29/2008	_____	cduerst 12/29/2008		
			MD 1/15	MD BK 1/5			

FE Sent For:

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D NOTES

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12/1	jkuesel 12/19/2008	bkraft /1bjk 12/29					

FE Sent For:

(M)
12/29

(M) BJK
12/29
<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0768/7

JTK:.....

DNOR
wanted by TUE 12/30

Lbjk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
K-rfv ✓

PWF

(generate)

1

AN ACT ...; relating to: legislative review of municipal ward plans?

Analysis by the Legislative Reference Bureau

- > Currently, with 60 days after the decennial population count, by block, becomes available from the U.S. bureau of the census, but no later than July 1 of each year following the year of the census, each county board of supervisors must submit to each municipality having territory in the county a tentative supervisory district plan or a description of boundary requirements for such a plan. Within 60 days after the receipt of this information from the county board of each county in which a municipality is located, each municipality having a population of 1,000 or more must adopt or readjust wards in accordance with statutory population parameters. In enacting or adopting its plan, a municipality must make a good faith effort to reflect the county's requirements in enacting a supervisory district plan. Within 60 days after every municipality having territory within a county enacts or adopts a ward division plan, the county must enact a final supervisory district plan combining contiguous whole wards to form supervisory districts.

- > This bill shortens the maximum time period specified for action at each of the above stages of the redistricting process to 45 days. The bill also provides that upon enactment or adoption of a municipal ward plan, the clerk of a municipality must submit a certified copy of the plan to the appropriate standing committees of the legislature. If, within 45 days of the receipt of the plan, the legislature enacts a law making changes to the wards within a municipality, the municipality must incorporate the changes into its ~~division ordinance or resolution~~, which then takes effect. If, within 45 days of the receipt of the plan, the legislature does not enact a law making changes to the wards within a municipality, the municipal division

ward division plan ward

~~ordinance or resolution~~ ^g takes effect as submitted. ^{plan} The change does not preclude the legislature from making other changes in municipal ward boundaries as a part of a congressional or legislative redistricting plan.

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

1 SECTION 1. 5.15 (1) (b) of the statutes is amended to read:

2 5.15 (1) (b) Except as authorized in sub. (2) (a), within 60 45 days after the
3 receipt of a tentative supervisory district plan and written statement, if any, from the
4 county board of each county in which a municipality is located, the governing body
5 of the municipality shall adjust its wards according to the schedule shown in sub. (2).

6 All territory contained within the municipality, and only the territory so contained,
7 on August 1 following the year of the federal decennial census shall be contained
8 within a ward. Except as authorized in sub. (2), each ward shall consist of whole
9 blocks. To suit the convenience of the voters residing therein each ward shall, as far

10 as practicable, be kept compact and observe the community of interest of existing
11 neighborhoods and other settlements. All territory within a ward shall be
12 contiguous, except for island territory as defined in sub. (2) (f) 3. Enactment or
13 adoption of a division ordinance or resolution requires the affirmative vote of a

14 majority of the members of the governing body. Immediately upon enactment of a

15 division ~~plan~~ ^{g ordinance} or resolution, the clerk of the municipality shall submit a certified copy
16 of the ordinance or resolution to the appropriate standing committees of each house

17 of the legislature under s. 13.172 (3). ^Δ If the legislature does not enact a law making

18 changes in the wards of the municipality submitting a plan within 45 days of the date

19 of receipt of the certified copy of the ordinance or resolution of a municipality under

20 this paragraph, the ordinance or resolution takes effect upon expiration of the

1 45-day period. If, within 45 days of the date of receipt of the certified copy of an
 2 ordinance or resolution of a municipality under this paragraph, the legislature
 3 enacts a law making changes in the wards of a municipality submitting a plan, the
 4 municipality shall revise and reenact or readopt its ~~division~~ ordinance or resolution
 5 to reflect the changes specified by law. The ordinance or resolution shall then take
 6 effect. This paragraph does not preclude the legislature from adjusting the ward
 7 boundaries of any municipality, as a matter of statewide concern, in the enactment
 8 of congressional districts or in the enactment of legislative districts under article IV,
 9 section 3 of the constitution, on the basis of the most recent decennial census of
 10 population. *An ordinance or resolution enacted under s. 66.189(1) or 66.0211(17) or 66.0215(2) or 66.0216(2)(d) is not required to be submitted*

History: 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182; 2005 a. 149, 312.

SECTION 2. 5.15 (1) (c) of the statutes is amended to read:

12 5.15 (1) (c) The wards established by municipal governing bodies under this
 13 section on the basis of the published results of each federal decennial census of
 14 population, as adjusted under par. (b), shall govern the adjustment of supervisory
 15 districts under s. 59.10 (2) (a) and (3) (b) and of aldermanic districts under s. 62.08
 16 (1) for the purpose of local elections beginning on January 1 of the 2nd year
 17 commencing after the year of the census until revised under this section on the basis
 18 of the results of the next decennial census of population unless adjusted under sub.
 19 (2) (f) 4., (6) (a) or (7), or unless adjusted, as a matter of statewide concern, in the
 20 enactment of legislative districts under article IV, section 3, of the constitution on the
 21 basis of the most recent decennial census of population.

History: 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182; 2005 a. 149, 312.

SECTION 3. 5.15 (2) (d) of the statutes is amended to read:

22

1 5.15 (2) (d) Every municipality shall make a good faith effort to accommodate
 2 the tentative plan submitted by the county or counties in which it is located under
 3 s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards, consistently with any
 4 adjustments made by law under sub. (1) (b), in such a manner that will permit the
 5 creation of county supervisory districts in accordance with the population
 6 requirements for the plan specified in s. 59.10 (2) (a) or (3) (b) 1.

EWS
4-6
 7 **History:** 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182; 2005 a. 149, 312.

SECTION 4. 59.10 (2) (a) of the statutes is amended to read:

8 59.10 (2) (a) *Composition; supervisory districts.* Within ~~60~~ 45 days after the
 9 population count by block, established in the decennial federal census of population,
 10 and maps showing the location and numbering of census blocks become available in
 11 printed form from the federal government or are published for distribution by an
 12 agency of this state, but no later than July 1 following the year of each decennial
 13 census, the board shall adopt and transmit to the governing body of each city and
 14 village wholly or partially contained within the county a tentative county
 15 supervisory district plan to be considered by the cities and villages when dividing
 16 into wards. The plan shall specify the number of supervisors to be elected and shall
 17 divide the county into a number of districts equal to the number of supervisors, with
 18 each district substantially equal in population and consisting of contiguous whole
 19 wards. Except as otherwise provided in this paragraph, the board shall develop and
 20 adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a
 21 final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

History: 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1), (2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995 a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248; 2007 a. 72, 97.

22 **SECTION 5.** 59.10 (3) (b) 1. of the statutes is amended to read:

1 59.10 (3) (b) 1. Within 60 45 days after the population count by block,
 2 established in the decennial federal census of population, and maps showing the
 3 location and numbering of census blocks become available in printed form from the
 4 federal government or are published for distribution by an agency of this state, but
 5 no later than July 1 following the year of each decennial census, each board shall
 6 propose a tentative county supervisory district plan setting forth the number of
 7 supervisory districts and tentative boundaries or a description of boundary
 8 requirements, hold a public hearing on the proposed plan and adopt a tentative plan.
 9 The proposed plan may be amended after the public hearing. The board shall solicit
 10 suggestions from municipalities concerning the development of an appropriate plan.
 11 The board shall transmit to each municipal governing body in the county the
 12 tentative plan that is adopted. Each district shall consist of whole wards or
 13 municipalities. Each district shall be designated to be represented by one supervisor,
 14 and all districts shall be substantially equal in population. In the tentative plan, the
 15 board shall, whenever possible, place whole contiguous municipalities or contiguous
 16 parts of the same municipality within the same district. If the division of a
 17 municipality is sought by the board, the board shall provide with the plan a written
 18 statement to the municipality affected by each proposed division specifying the
 19 approximate location of the territory from which a ward is sought to be created for
 20 contiguity purposes and the approximate population of the ward proposed to
 21 effectuate the division.

History: 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1)(2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995 a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248; 2007 a. 72, 97.

22 **SECTION 6.** 59.10 (3) (b) 2. of the statutes is amended to read:

23 59.10 (3) (b) 2. Within 60 45 ^{or resolution} days after a ward division ordinance becomes
 24 effective under s. 5.15 (1) and (2) in every municipality in the county adjusts its wards

1 under s. 5.15, the board shall hold a public hearing and shall then adopt a final
 2 supervisory district plan, numbering each district. Wards within each supervisory
 3 district created by the plan shall be contiguous, except that one or more wards located
 4 within a city or village which is wholly surrounded by another city or water, or both,
 5 may be combined with one or more noncontiguous wards, or one or more wards or
 6 portions of wards consisting of island territory as defined in s. 5.15 (2) (f) 3. may be
 7 combined with one or more noncontiguous wards or portions of wards within the
 8 same municipality, to form a supervisory district.

for 6-8
 History: 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1), (2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995 a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248; 2007 a. 72, 97.

9 **SECTION 7.** 62.08 (1) of the statutes is amended to read:

10 62.08 (1) Within ~~60~~ 45 days after the wards have been readjusted ^{plain space} a ward
 11 division ordinance or resolution under s. 5.15 (1) and (2) becomes effective in a city,
 12 ~~including a city of the first class,~~ the common council of every the city, ^{comma should be removed} including any
 13 ~~city of the first class,~~ shall redistrict the boundaries of its aldermanic districts, by an
 14 ordinance introduced at a regular meeting of the council, published as a class 2
 15 notice, under ch. 985, and thereafter adopted by a majority vote of all the members
 16 of the council, so that all aldermanic districts are as compact in area as possible and
 17 contain, as nearly as practicable by combining contiguous whole wards, an equal
 18 number of inhabitants according to the most recent decennial federal census of
 19 population.

for 6-9
 History: 1971 c. 304, 336; 1973 c. 12; 1979 c. 260; 1981 c. 4; 1985 a. 304; 1991 a. 316; 2005 a. 100.

20 **SECTION 8.** 119.08 (1) (b) of the statutes is amended to read:

21 119.08 (1) (b) Within ~~60~~ 45 days after the common council of the city enacts an
 22 ordinance determining or adopts a resolution adjusting the boundaries of ~~the~~
 23 ~~aldermanic districts~~ wards in the city following the federal decennial census under

1 s. ~~62-08 5.15~~ (1) and (2), the board shall, by vote of a majority of the membership of
2 the board, adopt an election district apportionment plan for the election of board
3 members which shall be effective until the city enacts a new ordinance under s. 62.08
4 (1) ~~redetermining the aldermanic district boundaries~~ adjusting the boundaries of its
5 wards under s. 5.15 (1) and (2).

6 **History:** 1977 c. 445; 1983 a. 105, 484; 1985 a. 312; 1987 a. 176; 1989 a. 290.

(END)

D-note

X

Section #. 5.18 of the statutes is amended to read:

5.18 Enforcement of division requirement. If any municipality fails to comply with s. 5.15, the county in which the municipality is located or any elector of the municipality may submit to the circuit court for any county in which the municipality is located within 14 days from the expiration of the ~~60~~^{45-day} day period under s. 5.15 (1) (b) a proposed plan for the division of the municipality into wards in compliance with this section. If the circuit court finds that the existing division of the municipality into wards fails to comply with s. 5.15, it shall review the plan submitted by the petitioner and after reasonable notice to the municipality may promulgate the plan, or any other plan in compliance with s. 5.15, as a temporary ward plan for the municipality ~~to remain in effect~~ until superseded by a ward plan adopted by the governing body in compliance with s. 5.15. Upon promulgation of a

~~History: 1985 a. 304 ss. 9, 11, 12.~~

temporary ward plan or enactment of any subsequent plan under s. 5.15, the clerk of the municipality shall submit a certified copy of the plan to the appropriate standing committees of the legislature under s. 5.15(1)(b).

JWS 6-8

X

Section #. 59.10 (6) of the statutes is amended to read:

59.10 (6) ENFORCEMENT OF DIVISION REQUIREMENT. If a county fails to comply with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the county or any elector of the county may submit to the circuit court for the county within 14 days from the expiration of either ~~60-day~~^{45-day} period under sub. (2) (a) or (3) (b) a proposed tentative or final plan for creation of supervisory districts in compliance with this section. If the court finds that the existing division of the county into supervisory districts fails to comply with this section, it shall review the plan submitted by the petitioner and after reasonable notice to the county may promulgate the plan, or any other plan in compliance with this section, as a temporary supervisory district plan until superseded by a districting plan adopted by the board in compliance with this section.

History: 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1), (2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995 a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248; 2007 a. 72, 97.

trns 6-19

x
Section #. 62.08 (5) of the statutes is amended to read:

62.08 (5) If a city fails to comply with sub. (1), any elector of the city may submit to the circuit court for any county in which the city is located within 14 days from the expiration of the ~~60-day~~^{45-day} period under sub. (1) a proposed plan for creation of aldermanic districts in compliance with this section. If the court finds that the existing division of the city into aldermanic districts fails to comply with this section, it shall review the plan submitted by the petitioner and after reasonable notice to the city may promulgate the plan, or any other plan in compliance with this section, as a temporary aldermanic district plan until superseded by a districting plan adopted by the council in compliance with this section.

~~History: 1971 c. 304, 336; 1973 c. 12; 1979 c. 260; 1981 c. 4; 1985 a. 304; 1991 a. 316; 2005 a. 100.~~

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0768/1dn

JTK:.....

JTK

Date

Representative Kessler:

- 5*
- > Currently, s. 119.08 (1) (b), stats. directs the Milwaukee Board of School Directors to redistrict its election districts within 60 days after the common council adopts its
 - > aldermanic district plan. *em dash* Because these election districts are no longer tied to aldermanic districts, as they were in the past, there is no reason why the election district boundaries cannot be drawn at the same time that aldermanic district
 - > boundaries are drawn. *em dash* Therefore, this draft, in addition to shortening the window for school district redistricting from 60 to 45 days, provides that the school district redistricting process begins when ward boundaries are fixed, which is the same time
 - > that the city begins its aldermanic redistricting process. *em dash* The change also precludes a scenario that threatens to occur currently *em dash* one in which the revised election district boundaries are not determined by November 15 of the year following the census year, which is the date on which they will first be needed to begin the process of electing new
 - > members of the Board of School Directors. *em dash* Please let me know if you would like to see this matter treated differently.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0768/1dn
JTK:bjk:md

December 29, 2008

Representative Kessler:

Currently, s. 119.08 (1) (b), stats., directs the Milwaukee Board of School Directors to redistrict its election districts within 60 days after the common council adopts its aldermanic district plan. Because these election districts are no longer tied to aldermanic districts, as they were in the past, there is no reason why the election district boundaries cannot be drawn at the same time that aldermanic district boundaries are drawn. Therefore, this draft, in addition to shortening the window for school district redistricting from 60 to 45 days, provides that the school district redistricting process begins when ward boundaries are fixed, which is the same time that the city begins its aldermanic redistricting process. The change also precludes a scenario that threatens to occur currently — one in which the revised election district boundaries are not determined by November 15 of the year following the census year, which is the date on which they will first be needed to begin the process of electing new members of the Board of School Directors. Please let me know if you would like to see this matter treated differently.

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



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0768/1

JTK:bjk:md

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2009 BILL

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1 AN ACT to amend 5.15 (1) (b), 5.15 (1) (c), 5.15 (2) (d), 5.18, 59.10 (2) (a), 59.10
2 (3) (b) 1., 59.10 (3) (b) 2., 59.10 (6), 62.08 (1), 62.08 (5) and 119.08 (1) (b) of the
3 statutes; relating to: legislative review of municipal ward plans.

Analysis by the Legislative Reference Bureau

Currently, within 60 days after the decennial population count, by block, becomes available from the U.S. Bureau of the Census, but no later than July 1 of each year following the year of the census, each county board of supervisors must submit to each municipality having territory in the county a tentative supervisory district plan or a description of boundary requirements for such a plan. Within 60 days after the receipt of this information from the county board of each county in which a municipality is located, each municipality having a population of 1,000 or more must adopt or readjust wards in accordance with statutory population parameters. In enacting or adopting its plan, a municipality must make a good faith effort to reflect the county's requirements in enacting a supervisory district plan. Within 60 days after every municipality having territory within a county enacts or adopts a ward division plan, the county must enact a final supervisory district plan combining contiguous whole wards to form supervisory districts.

This bill shortens the maximum time period specified for action at each of the above stages of the redistricting process to 45 days. The bill also provides that upon enactment or adoption of a municipal ward division plan, the clerk of a municipality must submit a certified copy of the plan to the appropriate standing committees of the legislature. If, within 45 days of the receipt of the plan, the legislature enacts

BILL

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Because the legislature has inherent authority to establish municipal wards or to change ward boundaries as a part of a congressional or legislative redistricting plan, the bill

a law making changes to the wards within a municipality, the municipality must incorporate the changes into its ward division plan, which then takes effect. If, within 45 days of the receipt of the plan, the legislature does not enact a law making changes to the wards within a municipality, the municipal ward division plan takes effect as submitted. ~~The change~~ does not preclude the legislature from making other changes in municipal ward boundaries as a part of ~~a congressional or legislative redistricting plan.~~ *such a*

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

SECTION 1. 5.15 (1) (b) of the statutes is amended to read:

1 5.15 (1) (b) Except as authorized in sub. (2) (a), within ~~60~~ 45 days after the
2 receipt of a tentative supervisory district plan and written statement, if any, from the
3 county board of each county in which a municipality is located, the governing body
4 of the municipality shall adjust its wards according to the schedule shown in sub. (2).
5 All territory contained within the municipality, and only the territory so contained,
6 on August 1 following the year of the federal decennial census shall be contained
7 within a ward. Except as authorized in sub. (2), each ward shall consist of whole
8 blocks. To suit the convenience of the voters residing therein each ward shall, as far
9 as practicable, be kept compact and observe the community of interest of existing
10 neighborhoods and other settlements. All territory within a ward shall be
11 contiguous, except for island territory as defined in sub. (2) (f) 3. Enactment or
12 adoption of a division ordinance or resolution requires the affirmative vote of a
13 majority of the members of the governing body. Immediately upon enactment of a
14 division ordinance or resolution, the clerk of the municipality shall submit a certified
15 copy of the ordinance or resolution to the appropriate standing committees of each
16 house of the legislature under s. 13.172 (3). If the legislature does not enact a law
17 making changes in the wards of the municipality submitting a plan within 45 days
18

BILL

1 of the date of receipt of the certified copy of the ordinance or resolution of a
2 municipality under this paragraph, the ordinance or resolution takes effect upon
3 expiration of the 45-day period. If, within 45 days of the date of receipt of the
4 certified copy of an ordinance or resolution of a municipality under this paragraph,
5 the legislature enacts a law making changes in the wards of a municipality
6 submitting a division ordinance or resolution, the municipality shall revise and
7 reenact or readopt its ordinance or resolution to reflect the changes specified by law.
8 The ordinance or resolution shall then take effect. This paragraph does not preclude
9 the legislature from adjusting the ward boundaries of any municipality, as a matter
10 of statewide concern, in the enactment of congressional districts or in the enactment
11 of legislative districts under article IV, section 3 of the constitution, on the basis of
12 the most recent decennial census of population. An ordinance or resolution enacted
13 under s. 61.189 (1), 66.0211 (1), 66.0215 (2), or 66.0216 (2) (d) is not required to be
14 submitted under this paragraph.

15 **SECTION 2.** 5.15 (1) (c) of the statutes is amended to read:

16 5.15 (1) (c) The wards established by municipal governing bodies under this
17 section on the basis of the published results of each federal decennial census of
18 population, as adjusted under par. (b), shall govern the adjustment of supervisory
19 districts under s. 59.10 (2) (a) and (3) (b) and of aldermanic districts under s. 62.08
20 (1) for the purpose of local elections beginning on January 1 of the 2nd year
21 commencing after the year of the census until revised under this section on the basis
22 of the results of the next decennial census of population unless adjusted under sub.
23 (2) (f) 4., (6) (a) or (7), or unless adjusted, as a matter of statewide concern, in the
24 enactment of legislative districts under article IV, section 3, of the constitution on the
25 basis of the most recent decennial census of population.

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1 **SECTION 3.** 5.15 (2) (d) of the statutes is amended to read:

2 5.15 (2) (d) Every municipality shall make a good faith effort to accommodate
3 the tentative plan submitted by the county or counties in which it is located under
4 s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards, consistently with any
5 adjustments made by law under sub. (1) (b), in such a manner that will permit the
6 creation of county supervisory districts in accordance with the population
7 requirements for the plan specified in s. 59.10 (2) (a) or (3) (b) 1.

8 **SECTION 4.** 5.18 of the statutes is amended to read:

9 **5.18 Enforcement of division requirement.** If any municipality fails to
10 comply with s. 5.15, the county in which the municipality is located or any elector of
11 the municipality may submit to the circuit court for any county in which the
12 municipality is located within 14 days from the expiration of the ~~60-day~~ 45-day
13 period under s. 5.15 (1) (b) a proposed plan for the division of the municipality into
14 wards in compliance with this section. If the circuit court finds that the existing
15 division of the municipality into wards fails to comply with s. 5.15, it shall review the
16 plan submitted by the petitioner and after reasonable notice to the municipality may
17 promulgate the plan, or any other plan in compliance with s. 5.15, as a temporary
18 ward plan for the municipality ~~to remain in effect~~ until superseded by a ward plan
19 adopted by the governing body in compliance with s. 5.15. Upon promulgation of a
20 temporary ward plan or enactment of any subsequent plan under s. 5.15, the clerk
21 of the municipality shall submit a certified copy of the plan to the appropriate
22 standing committees of the legislature under s. 5.15 (1) (b).

23 **SECTION 5.** 59.10 (2) (a) of the statutes is amended to read:

24 59.10 (2) (a) *Composition; supervisory districts.* Within ~~60~~ 45 days after the
25 population count by block, established in the decennial federal census of population,

BILL

1 and maps showing the location and numbering of census blocks become available in
2 printed form from the federal government or are published for distribution by an
3 agency of this state, but no later than July 1 following the year of each decennial
4 census, the board shall adopt and transmit to the governing body of each city and
5 village wholly or partially contained within the county a tentative county
6 supervisory district plan to be considered by the cities and villages when dividing
7 into wards. The plan shall specify the number of supervisors to be elected and shall
8 divide the county into a number of districts equal to the number of supervisors, with
9 each district substantially equal in population and consisting of contiguous whole
10 wards. Except as otherwise provided in this paragraph, the board shall develop and
11 adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a
12 final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

13 **SECTION 6.** 59.10 (3) (b) 1. of the statutes is amended to read:

14 59.10 (3) (b) 1. Within ~~60~~ 45 days after the population count by block,
15 established in the decennial federal census of population, and maps showing the
16 location and numbering of census blocks become available in printed form from the
17 federal government or are published for distribution by an agency of this state, but
18 no later than July 1 following the year of each decennial census, each board shall
19 propose a tentative county supervisory district plan setting forth the number of
20 supervisory districts and tentative boundaries or a description of boundary
21 requirements, hold a public hearing on the proposed plan and adopt a tentative plan.
22 The proposed plan may be amended after the public hearing. The board shall solicit
23 suggestions from municipalities concerning the development of an appropriate plan.
24 The board shall transmit to each municipal governing body in the county the
25 tentative plan that is adopted. Each district shall consist of whole wards or

BILL**SECTION 6**

1 municipalities. Each district shall be designated to be represented by one supervisor,
2 and all districts shall be substantially equal in population. In the tentative plan, the
3 board shall, whenever possible, place whole contiguous municipalities or contiguous
4 parts of the same municipality within the same district. If the division of a
5 municipality is sought by the board, the board shall provide with the plan a written
6 statement to the municipality affected by each proposed division specifying the
7 approximate location of the territory from which a ward is sought to be created for
8 contiguity purposes and the approximate population of the ward proposed to
9 effectuate the division.

10 **SECTION 7.** 59.10 (3) (b) 2. of the statutes is amended to read:

11 59.10 (3) (b) 2. Within ~~60~~ 45 days after a ward division ordinance or resolution
12 becomes effective under s. 5.15 (1) and (2) in every municipality in the county adjusts
13 ~~its wards under s. 5.15~~, the board shall hold a public hearing and shall then adopt
14 a final supervisory district plan, numbering each district. Wards within each
15 supervisory district created by the plan shall be contiguous, except that one or more
16 wards located within a city or village which is wholly surrounded by another city or
17 water, or both, may be combined with one or more noncontiguous wards, or one or
18 more wards or portions of wards consisting of island territory as defined in s. 5.15
19 (2) (f) 3. may be combined with one or more noncontiguous wards or portions of wards
20 within the same municipality, to form a supervisory district.

21 **SECTION 8.** 59.10 (6) of the statutes is amended to read:

22 59.10 (6) ENFORCEMENT OF DIVISION REQUIREMENT. If a county fails to comply
23 with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the
24 county or any elector of the county may submit to the circuit court for the county
25 within 14 days from the expiration of either ~~60-day~~ 45-day period under sub. (2) (a)

BILL

1 or (3) (b) a proposed tentative or final plan for creation of supervisory districts in
2 compliance with this section. If the court finds that the existing division of the county
3 into supervisory districts fails to comply with this section, it shall review the plan
4 submitted by the petitioner and after reasonable notice to the county may
5 promulgate the plan, or any other plan in compliance with this section, as a
6 temporary supervisory district plan until superseded by a districting plan adopted
7 by the board in compliance with this section.

8 **SECTION 9.** 62.08 (1) of the statutes is amended to read:

9 62.08 (1) Within ~~60~~ 45 days after the wards have been readjusted a ward
10 division ordinance or resolution under s. 5.15 (1) and (2) becomes effective in a city,
11 including a city of the first class, the common council of ~~every~~ the city, ~~including any~~
12 ~~city of the first class,~~ shall redistrict the boundaries of its aldermanic districts, by an
13 ordinance introduced at a regular meeting of the council, published as a class 2
14 notice, under ch. 985, and thereafter adopted by a majority vote of all the members
15 of the council, so that all aldermanic districts are as compact in area as possible and
16 contain, as nearly as practicable by combining contiguous whole wards, an equal
17 number of inhabitants according to the most recent decennial federal census of
18 population.

19 **SECTION 10.** 62.08 (5) of the statutes is amended to read:

20 62.08 (5) If a city fails to comply with sub. (1), any elector of the city may submit
21 to the circuit court for any county in which the city is located within 14 days from the
22 expiration of the ~~60-day~~ 45-day period under sub. (1) a proposed plan for creation
23 of aldermanic districts in compliance with this section. If the court finds that the
24 existing division of the city into aldermanic districts fails to comply with this section,
25 it shall review the plan submitted by the petitioner and after reasonable notice to the

BILL**SECTION 10**

1 city may promulgate the plan, or any other plan in compliance with this section, as
2 a temporary aldermanic district plan until superseded by a districting plan adopted
3 by the council in compliance with this section.

4 **SECTION 11.** 119.08 (1) (b) of the statutes is amended to read:

5 119.08 (1) (b) Within ~~60~~ 45 days after the common council of the city enacts an
6 ordinance ~~determining or adopts a resolution adjusting~~ the boundaries of the
7 ~~aldermanic districts wards~~ in the city following the federal decennial census under
8 s. ~~62.08~~ 5.15 (1) and (2), the board shall, by vote of a majority of the membership of
9 the board, adopt an election district apportionment plan for the election of board
10 members which shall be effective until the city enacts a new ordinance under s. 62.08
11 (1) ~~redetermining the aldermanic district boundaries~~ adjusting the boundaries of its
12 wards under s. 5.15 (1) and (2).

13 (END)



(DNOTE)
State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0768/2 ³

JTK:bjk:md

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2009 BILL

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1 AN ACT to amend ^(regenerate) ~~5.15 (1) (b), 5.15 (1) (e), 5.15 (2) (d), 5.18, 59.10 (2) (a), 59.10~~
2 ~~(3) (b) 1., 59.10 (3) (b) 2., 59.10 (6), 62.08 (1), 62.08 (5) and 119.08 (1) (b)~~ of the
3 statutes; **relating to:** legislative review of municipal ward ~~plans~~ ^{supervisory districts}

aldermanic districts and certain school district election district plans

Analysis by the Legislative Reference Bureau

Currently, within 60 days after the decennial population count, by block, becomes available from the U.S. Bureau of the Census, but no later than July 1 of each year following the year of the census, each county board of supervisors must submit to each municipality having territory in the county a tentative supervisory district plan or a description of boundary requirements for such a plan. Within 60 days after the receipt of this information from the county board of each county in which a municipality is located, each municipality having a population of 1,000 or more must adopt or readjust wards in accordance with statutory population parameters. In enacting or adopting its plan, a municipality must make a good faith effort to reflect the county's requirements in enacting a supervisory district plan. Within 60 days after every municipality having territory within a county enacts or adopts a ward division plan, the county must enact a final supervisory district plan combining contiguous whole wards to form supervisory districts.

This bill shortens the maximum time period specified for action at each of the above stages of the redistricting process to 45 days. The bill also provides that upon enactment or adoption of a municipal ward division plan, the clerk of a municipality must submit a certified copy of the plan to the appropriate standing committees of the legislature. If, within 45 days of the receipt of the plan, the legislature enacts

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a law making changes to the wards within a municipality, the municipality must incorporate the changes into its ward division plan, which then takes effect. If, within 45 days of the receipt of the plan, the legislature does not enact a law making changes to the wards within a municipality, the municipal ward division plan takes effect as submitted. Because the legislature has inherent authority to establish municipal wards or to change ward boundaries as a part of a congressional or legislative redistricting plan, the bill does not preclude the legislature from making other changes in municipal ward boundaries as a part of such a plan.

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

SECTION 1. 5.15 (1) (b) of the statutes is amended to read:

5.15 (1) (b) Except as authorized in sub. (2) (a), within ~~60~~ 45 days after the receipt of a tentative supervisory district plan and written statement, if any, from the county board of each county in which a municipality is located, the governing body of the municipality shall adjust its wards according to the schedule shown in sub. (2). All territory contained within the municipality, and only the territory so contained, on August 1 following the year of the federal decennial census shall be contained within a ward. Except as authorized in sub. (2), each ward shall consist of whole blocks. To suit the convenience of the voters residing therein each ward shall, as far as practicable, be kept compact and observe the community of interest of existing neighborhoods and other settlements. All territory within a ward shall be contiguous, except for island territory as defined in sub. (2) (f) 3. Enactment or adoption of a division ordinance or resolution requires the affirmative vote of a majority of the members of the governing body. Immediately upon enactment of a division ordinance or resolution, the clerk of the municipality shall submit a certified copy of the ordinance or resolution to the appropriate standing committees of each house of the legislature under s. 13.172 (3). If the legislature does not enact a law making changes in the wards of the municipality submitting a plan within 45 days

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1 of the date of receipt of the certified copy of the ordinance or resolution of a
2 municipality under this paragraph, the ordinance or resolution takes effect upon
3 expiration of the 45-day period. If, within 45 days of the date of receipt of the
4 certified copy of an ordinance or resolution of a municipality under this paragraph,
5 the legislature enacts a law making changes in the wards of a municipality
6 submitting a division ordinance or resolution, the municipality shall revise and
7 reenact or readopt its ordinance or resolution to reflect the changes specified by law.
8 The ordinance or resolution shall then take effect. This paragraph does not preclude
9 the legislature from adjusting the ward boundaries of any municipality, as a matter
10 of statewide concern, in the enactment of congressional districts or in the enactment
11 of legislative districts under article IV, section 3 of the constitution, on the basis of
12 the most recent decennial census of population. An ordinance or resolution enacted
13 under s. 61.189 (1), 66.0211 (1), 66.0215 (2), or 66.0216 (2) (d) is not required to be
14 submitted under this paragraph.

15 **SECTION 2.** 5.15 (1) (c) of the statutes is amended to read:

16 5.15 (1) (c) The wards established by municipal governing bodies under this
17 section on the basis of the published results of each federal decennial census of
18 population, as adjusted under par. (b), shall govern the adjustment of supervisory
19 districts under s. 59.10 (2) (a) and (3) (b) and of aldermanic districts under s. 62.08
20 (1) for the purpose of local elections beginning on January 1 of the 2nd year
21 commencing after the year of the census until revised under this section on the basis
22 of the results of the next decennial census of population unless adjusted under sub.
23 (2) (f) 4., (6) (a) or (7), or unless adjusted, as a matter of statewide concern, in the
24 enactment of legislative districts under article IV, section 3, of the constitution on the
25 basis of the most recent decennial census of population.

BILL

1 **SECTION 3.** [✓] 5.15 (2) (d) of the statutes is amended to read:

2 5.15 (2) (d) Every municipality shall make a good faith effort to accommodate
3 the tentative plan submitted by the county or counties in which it is located under
4 s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards, consistently with any
5 adjustments made by law under sub. (1) (b), in such a manner that will permit the
6 creation of county supervisory districts in accordance with the population
7 requirements for the plan specified in s. 59.10 (2) (a) or (3) (b) 1.

8 **SECTION 4.** [✓] 5.18 of the statutes is amended to read:

9 **5.18 Enforcement of division requirement.** If any municipality fails to
10 comply with s. 5.15, the county in which the municipality is located or any elector of
11 the municipality may submit to the circuit court for any county in which the
12 municipality is located within 14 days from the expiration of the ~~60-day~~ 45-day
13 period under s. 5.15 (1) (b) a proposed plan for the division of the municipality into
14 wards in compliance with this section. If the circuit court finds that the existing
15 division of the municipality into wards fails to comply with s. 5.15, it shall review the
16 plan submitted by the petitioner and after reasonable notice to the municipality may
17 promulgate the plan, or any other plan in compliance with s. 5.15, as a temporary
18 ward plan for the municipality ~~to remain in effect~~ until superseded by a ward plan
19 adopted by the governing body in compliance with s. 5.15. Upon promulgation of a
20 temporary ward plan or enactment of any subsequent plan under s. 5.15, the clerk
21 of the municipality shall submit a certified copy of the plan to the appropriate
22 standing committees of the legislature under s. 5.15 (1) (b).

23 **SECTION 5.** [✓] 59.10 (2) (a) of the statutes is amended to read:

24 59.10 (2) (a) *Composition; supervisory districts.* Within ~~60~~ 45 days after the
25 population count by block, established in the decennial federal census of population,

BILL

1 and maps showing the location and numbering of census blocks become available in
2 printed form from the federal government or are published for distribution by an
3 agency of this state, but no later than July 1 following the year of each decennial
4 census, the board shall adopt and transmit to the governing body of each city and
5 village wholly or partially contained within the county a tentative county
6 supervisory district plan to be considered by the cities and villages when dividing
7 into wards. The plan shall specify the number of supervisors to be elected and shall
8 divide the county into a number of districts equal to the number of supervisors, with
9 each district substantially equal in population and consisting of contiguous whole
10 wards. Except as otherwise provided in this paragraph, the board shall develop and
11 adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a
12 final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

13 **SECTION 6.** 59.10 (3) (b) 1. of the statutes is amended to read:

14 59.10 (3) (b) 1. Within ~~60~~ 45 days after the population count by block,
15 established in the decennial federal census of population, and maps showing the
16 location and numbering of census blocks become available in printed form from the
17 federal government or are published for distribution by an agency of this state, but
18 no later than July 1 following the year of each decennial census, each board shall
19 propose a tentative county supervisory district plan setting forth the number of
20 supervisory districts and tentative boundaries or a description of boundary
21 requirements, hold a public hearing on the proposed plan and adopt a tentative plan.
22 The proposed plan may be amended after the public hearing. The board shall solicit
23 suggestions from municipalities concerning the development of an appropriate plan.
24 The board shall transmit to each municipal governing body in the county the
25 tentative plan that is adopted. Each district shall consist of whole wards or

BILL

1 municipalities. Each district shall be designated to be represented by one supervisor,
2 and all districts shall be substantially equal in population. In the tentative plan, the
3 board shall, whenever possible, place whole contiguous municipalities or contiguous
4 parts of the same municipality within the same district. If the division of a
5 municipality is sought by the board, the board shall provide with the plan a written
6 statement to the municipality affected by each proposed division specifying the
7 approximate location of the territory from which a ward is sought to be created for
8 contiguity purposes and the approximate population of the ward proposed to
9 effectuate the division.

10 **SECTION 7.** [✓] 59.10 (3) (b) 2. of the statutes is amended to read:

11 59.10 (3) (b) 2. Within ~~60~~ 45 days after a ward division ordinance or resolution
12 becomes effective under s. 5.15 (1) and (2) in every municipality in the county adjusts
13 its wards under s. 5.15, the board shall hold a public hearing and shall then adopt
14 a final supervisory district plan, numbering each district. Wards within each
15 supervisory district created by the plan shall be contiguous, except that one or more
16 wards located within a city or village which is wholly surrounded by another city or
17 water, or both, may be combined with one or more noncontiguous wards, or one or
18 more wards or portions of wards consisting of island territory as defined in s. 5.15
19 (2) (f) 3. may be combined with one or more noncontiguous wards or portions of wards
20 within the same municipality, to form a supervisory district. INS 6-20

21 **SECTION 8.** [✓] 59.10 (6) of the statutes is amended to read:

22 59.10 (6) ENFORCEMENT OF DIVISION REQUIREMENT. If a county fails to comply
23 with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the
24 county or any elector of the county may submit to the circuit court for the county
25 within 14 days from the expiration of either ~~60-day~~ 45-day period under sub. (2) (a)

BILL

1 or (3) (b) a proposed tentative or final plan for creation of supervisory districts in
2 compliance with this section. If the court finds that the existing division of the county
3 into supervisory districts fails to comply with this section, it shall review the plan
4 submitted by the petitioner and after reasonable notice to the county may
5 promulgate the plan, or any other plan in compliance with this section, as a
6 temporary supervisory district plan until superseded by a districting plan adopted
7 by the board in compliance with this section.

8 **SECTION 9.** 62.08 (1) of the statutes is amended to read:

9 62.08 (1) Within 60 45 days after the ~~wards have been readjusted~~ a ward
10 division ordinance or resolution under s. 5.15 (1) and (2) becomes effective in a city,
11 including a city of the first class, the common council of ~~every~~ the city, ~~including any~~
12 ~~city of the first class,~~ shall redistrict the boundaries of its aldermanic districts, by an
13 ordinance introduced at a regular meeting of the council, published as a class 2
14 notice, under ch. 985, and thereafter adopted by a majority vote of all the members
15 of the council, so that all aldermanic districts are as compact in area as possible and
16 contain, as nearly as practicable by combining contiguous whole wards, an equal
17 number of inhabitants according to the most recent decennial federal census of
18 population. *INS 7-18*

19 **SECTION 10.** 62.08 (5) of the statutes is amended to read:

20 62.08 (5) If a city fails to comply with sub. (1), any elector of the city may submit
21 to the circuit court for any county in which the city is located within 14 days from the
22 expiration of the ~~60-day~~ 45-day period under sub. (1) a proposed plan for creation
23 of aldermanic districts in compliance with this section. If the court finds that the
24 existing division of the city into aldermanic districts fails to comply with this section,
25 it shall review the plan submitted by the petitioner and after reasonable notice to the

BILL

1 city may promulgate the plan, or any other plan in compliance with this section, as
2 a temporary aldermanic district plan until superseded by a districting plan adopted
3 by the council in compliance with this section.

4 **SECTION 11.** 119.08 (1) (b) of the statutes is amended to read:

5 119.08 (1) (b) Within ~~60~~ 45 days after the common council of the city enacts an
6 ordinance ~~determining or adopts a resolution adjusting~~ the boundaries of the
7 ~~aldermanic districts~~ wards in the city following the federal decennial census under
8 s. ~~62.08~~ 5.15 (1) and (2), the board shall, by vote of a majority of the membership of
9 the board, adopt an election district apportionment plan for the election of board
10 members which shall be effective until the city enacts a new ordinance under s. 62.08
11 (1) ~~redetermining the aldermanic district boundaries~~ adjusting the boundaries of its
12 wards under s. 5.15 (1) and (2).

INS 8-12

(END)

D-note

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0768/lins
JTK.....

INS A:

NOA
In addition, the bill provides that upon enactment or adoption of a final county supervisory district plan, an aldermanic district plan or an election district plan in a school district serving a first class city (Milwaukee), the county, city, or school district clerk must submit a certified copy of the plan to the appropriate standing committees of the legislature. If, within 30 days of receipt of the plan, the legislature enacts a law making changes in the supervisory, aldermanic, or election districts, the county, city, or school district must incorporate the changes into its plan, which then takes effect. If, within 30 days of receipt of the plan, the legislature does not enact a law making changes to the supervisory, aldermanic, or election districts within the plan takes effect as submitted. *e*

>

the plan

INS 6-20:

NOA Immediately upon enactment of an ordinance containing the final supervisory district plan, the clerk shall submit a certified copy of the ordinance to the appropriate standing committees of each house of the legislature under s. 13.172 (3). Δ
If the legislature does not enact a law making changes in the supervisory districts of the county submitting the ordinance within 30 days of the date of receipt of the certified copy of the ordinance under this paragraph, the ordinance takes effect upon expiration of the 30-day period. If, within 30 days of receipt of the certified copy of the ordinance under this paragraph, the legislature enacts a law making changes in the supervisory districts of the county submitting the ordinance, the county shall revise and reenact its ordinance to reflect the changes specified by law. The ordinance shall then take effect. This paragraph does not preclude the legislature from adjusting the supervisory district boundaries of any county, as a matter of statewide concern, in the enactment of congressional districts or in the enactment

of legislative districts under article IV, section 3 of the constitution, on the basis of the most recent decennial census of population.

INS 7-18:

~~NO~~ Immediately upon enactment of an ordinance containing the final aldermanic district plan, the city clerk shall submit a certified copy of the plan to the appropriate
standing committees of the legislature under s. 13.172 (3). If the legislature does not
enact a law making changes in the aldermanic districts of the city submitting the
ordinance within 30 days of the date of receipt of the certified copy of the city
submitting the ordinance under this subsection, the ordinance takes effect upon
expiration of the 30-day period. If, within 30 days of receipt of the certified copy of
the ordinance under this subsection, the legislature enacts a law making changes in
the aldermanic districts of the city submitting the ordinance, the city shall revise and
reenact its ordinance to reflect the changes specified by law. The ordinance shall
then take effect. This subsection does not preclude the legislature from adjusting the
aldermanic district boundaries of any city, as a matter of statewide concern, in the
enactment of congressional districts or in the enactment of legislative districts under
article IV, section 3 of the constitution, on the basis of the most recent decennial
census of population. An ordinance enacted under s. 61.189 (1) or 66.0211 (1) is not
required to be submitted under this subsection.

INS 8-12:

Immediately upon adoption of a plan containing the election districts, the clerk shall submit a certified copy of the plan to the appropriate standing committees

> of the legislature under s. 13.172 (3). If the legislature does not enact a law making changes in the election districts of the school district submitting the plan within 30 days of the date of receipt of the certified copy of the plan under this paragraph, the plan takes effect upon expiration of the 30-day period. If, within 30 days of receipt of the certified copy of the plan under this paragraph, the legislature enacts a law making changes in the election districts of the school district submitting the plan, the school district shall revise and readopt its plan to reflect the changes specified by law. The plan shall then take effect. This paragraph does not preclude the legislature from adjusting the election district boundaries of any school district, as a matter of statewide concern, in the enactment of congressional districts or in the enactment of legislative districts under article IV, section 3 of the constitution, on the basis of the most recent decennial census of population

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0768/3dn

JTK:.....

g Lbjk

Date

Representative Kessler:

As we discussed, the addition of 45 days to the time period for municipal ward division and county, municipal, and school district subdistricting could pinch bring some counties, municipalities, or the Milwaukee school district very close to the November 15 "finish line" date by the time their redistricting plans take effect. Without subdistricts in place by that time, it will not be possible for clerks to notice the forthcoming spring election on time and it will be more difficult for candidates to decide whether and where to run and to begin launching their campaigns.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0768/3dn
JTK:bjk:rs

January 12, 2009

Representative Kessler:

As we discussed, the addition of 45 days to the time period for municipal ward division and county, municipal, and school district subdistricting could bring some counties, municipalities, or the Milwaukee school district very close to the November 15 "finish line" date by the time their redistricting plans take effect. Without subdistricts in place by that time, it will not be possible for clerks to notice the forthcoming spring election on time and it will be more difficult for candidates to decide whether and where to run and to begin launching their campaigns.

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

Duerst, Christina

From: Little, Sharon
Sent: Wednesday, January 28, 2009 10:21 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-0768/3 Topic: Legislative review of ward boundaries

Please Jacket LRB 09-0768/3 for the ASSEMBLY.