

2011 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB275)

Received: **02/14/2012**

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Glenn Grothman (608) 266-7513**

By/Representing: **himself**

May Contact:

Drafter: **mkunkel**

Subject: **Higher Education - tech. college**

Addl. Drafters:

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Grothman@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Appointment to and membership of Milwaukee technical college district 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> |
|--------------|-----------------------|------------------------|------------------------|----------------|-----------------------|-----------------------|-----------------|
| /? | mkunkel 02/14/2012 | csicilia 02/14/2012 | | _____ | | | |
| /1 | | | rschluet 02/14/2012 | _____ | mbarman 02/14/2012 | mbarman 02/14/2012 | |
| /2 | mkunkel 02/14/2012 | csicilia 02/14/2012 | jfrantze 02/14/2012 | _____ | lparisi 02/14/2012 | lparisi 02/14/2012 | |

FE Sent For:

<END>

2011 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB275)

Received: **02/14/2012**

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Glenn Grothman (608) 266-7513**

By/Representing: **himself**

May Contact:

Drafter: **mkunkel**

Subject: **Higher Education - tech. college**

Addl. Drafters:

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Grothman@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Appointment to and membership of Milwaukee technical college district 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> |
|--------------|-----------------------|------------------------|------------------------|----------------|-----------------------|-----------------------|-----------------|
| /? | mkunkel 02/14/2012 | csicilia 02/14/2012 | | _____ | | | |
| /1 | | | rschluet 02/14/2012 | _____ | mbarman 02/14/2012 | mbarman 02/14/2012 | |

FE Sent For:

<END>

2011 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB275)

Received: 02/14/2012

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Glenn Grothman (608) 266-7513**

By/Representing: **himself**

May Contact:

Drafter: **mkunkel**

Subject: **Higher Education - tech. college**

Addl. Drafters:

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Grothman@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Appointment to and membership of Milwaukee technical college district 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> |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|

| | | | | | | | |
|----|---------|--|--|--|--|--|--|
| 1? | mkunkel | | | | | | |
|----|---------|--|--|--|--|--|--|

1 gs 2/14
12 2/14/12
Jo 2/14

Rs
<END>
Jo 2/14

FE Sent For:

Kunkel, Mark

From: Mattke, Rachel
Sent: Tuesday, February 14, 2012 9:46 AM
To: Kunkel, Mark
Subject: RE: Sub Amendment for SB 275

Hi Mark,

Senator Grothman and I answered your questions. The answers are in red below. Feel free to contact me if you have any other questions.

Thanks for your help.

Rachel A. Mattke

Office of Sen. Glenn Grothman
Rachel.Mattke@legis.wi.gov
800-662-1227

From: Kunkel, Mark
Sent: Tuesday, February 14, 2012 8:27 AM
To: Sen.Grothman; Mattke, Rachel
Subject: RE: Sub Amendment for SB 275

I've looked at this request a bit more closely and have the following questions/comments:

1. The appointment committee for Milwaukee area technical college will consist of 4 members. Because you don't have an odd number of members, there could be tied votes. If you are concerned about that, you could add another member. **It is okay at 4, with the technical system board able to make the appointment if a majority cannot come to an agreement.**
2. What should the quorum be? The current law requirements don't apply, as quorum is based, in part, on the populations of the counties that make up the district, and you have 2 persons from the same county (Milwaukee county executive and chairperson of the Milwaukee board of supervisors). The default rule for a quorum under Robert's Rules of Order is 50% plus one, so based on 4 members, the quorum would be 3. Is that okay, or do you want to allow any 2 members to form a quorum? **Three would be okay.**
3. Who should be designated as the chairperson of the appointment committee? Under current law, the committee member from the county with the largest population would be the chairperson, but you have 2 members from Milwaukee county, so the current law rule doesn't work. **Milwaukee County Exec would be the chairperson.**
4. Should the appointment committee be required to formulate a representation plan for district board membership that takes into account distribution of population within the district, as well as distribution of women and minorities? Such a plan is required under current law. Do you want those requirements to apply for Milwaukee under your substitute amendment? If you do want to require such a plan, the appointments would have to comply with both your new requirements for district board membership, as well as with the plan. **No.**
5. Note that under current law, the technical college system board has the final say on whether an appointment committee complied with a representation plan. If the appointment committee can't agree on a plan, or makes appointments that are not consistent with plan, as determined by the technical college system board, then the technical college system board can formulate its own plan and make appointments that supersede the appointment committee.
6. Under current law, if a majority of a quorum of the appointment committee can't agree on appointments, the technical college system board gets to make the appointments. Is that okay? **Yes.**
7. A simple way to deal with transition to the new district board members is to allow the current members to remain on the board until their terms expire under current law. Of course, if you want to do something else on this issue, please let me know. **Below**

-- Mark

From: Kunkel, Mark
Sent: Tuesday, February 14, 2012 6:52 AM
To: Sen.Grothman; Mattke, Rachel
Subject: RE: Sub Amendment for SB 275

Sen. Grothman:

I'm sorry I missed your call yesterday, as I had to leave the office a little early. Please contact me this morning about your request. I'll be out for a short while later in the morning, but am generally available.

-- Mark

From: Kunkel, Mark
Sent: Monday, February 13, 2012 4:10 PM
To: Sen.Grothman; Mattke, Rachel
Subject: RE: Sub Amendment for SB 275

One more question: when should the subs. amendment go into effect? It will take some time for the new appointment board to organize itself, receive applications, make decisions, etc., so you may want to provide for some delay. **Sen. Grothman would like it to be go into effect immediately.**

-- Mark

From: Kunkel, Mark
Sent: Monday, February 13, 2012 4:05 PM
To: Sen.Grothman; Mattke, Rachel
Subject: RE: Sub Amendment for SB 275

I need a little more information about this request.

First, I assume that the appointment board that you describe below is different than the one under current law. I'm pointing that out because current law specifies different appointment boards that depend on how the district was created and I haven't been able to determine which appointment board applies under current law to the Milwaukee Area Technical College. However, I assume that what you want is different than the board specified under current law. Is that correct?
Yes.

Second, what do you want to do about the current members of the district board? The current 9 members have terms that expire as follows: 3 on 6-30-2012, 3 on 6-30-13, and 3 on 6-30-14. I haven't figured out yet whether any of the current members satisfy the requirements for membership that you want to create. However, even if a current member satisfies your requirements, that member will not have been appointed by the new board that you want. So, what should happen to the current members on the board? Should they be replaced all at once with new members or do you want to stagger the replacements over time based on some criteria? **Senator Grothman would like the entire board to be reappointed in 2012 and then have staggered terms. It would like the current model of 3 members up every year.**

-- Mark

From: Sen.Grothman
Sent: Monday, February 13, 2012 3:27 PM
To: Kunkel, Mark
Subject: Sub Amendment for SB 275

Mark,

Senator Grothman would like a sub amendment drafted for SB 275. We need a rush on this amendment and would like to see it by tomorrow afternoon.

He would like the bill drafted to only affect Milwaukee Area Technical College. Also, including the following changes:

Board members chosen from applicants submitted to an appointment board composed of:

- Milwaukee County Executive

- Milwaukee County Board Chair
- Ozaukee County Board Chair
- Washington County Board Chair

The nine member technical college board composition is changed to:

- Six employer members
 - All six members designated by a company with thirty or more employees.
 - All six members from for-profit entities, not-for-profit medical entities, credit unions or cooperatives.
 - Minimum of three members from companies with 100 or more employees.
 - Minimum of three members from manufacturers
- One School Superintendent
- Two At-Large Members

Thanks,

Rachel A. Mattke

Office of Sen. Glenn Grothman
Rachel.Mattke@legis.wi.gov
800-662-1227

WISCONSIN TECHNICAL COLLEGE DISTRICT BOARDS ASSOCIATION

22 North Carroll Street, Suite 103, Madison, WI 53703

phone: 608.266.9430 fax: 608.266.0122

[Home](#)

[Member Boards > Board of Directors](#)

[Calendar](#)

[Membership](#)

Member Access
User Id

Password

Login

Milwaukee Technical College

2 Employer Representatives

~~Michael G. Katz~~

Appointed: July 2010
Term Ends: June 2013

Business:
President
Molded Dimensions
701 Sunset Road
Port Washington, WI 53074-0364
Bus. (262) 284-9455 x115
Fax. (262) 284-0696

Residential:
(login to see res. info)

~~Ann Wilson~~

Appointed: July 2006
Term Ends: June 2012

Business:
Manager
Hillside Family Resource Center
1452 North Seventh Street
Milwaukee, WI 53205
Bus. (414) 224-8815
Fax. (414) 224-8913

Residential:
(login to see res. info)

~~Fred Royal, Jr.~~

Appointed: July 2007
Term Ends: June 2013

2 Employee Representatives ~~Keep~~

Business:
Office Coordinator
Milwaukee HIRE Center
816 West National Avenue
Milwaukee, WI 53204
Bus. (414) 385-6920
Fax. (414) 385-6930

Residential:
(login to see res. info)

~~Bobbie R. Webber~~

Appointed: July 2003
Term Ends: June 2012

Business:
5464 North Port Washington Road, #140
Milwaukee, WI 53217

Residential:
(login to see res. info)

~~Thomas A. Michalski~~

Appointed: July 2008
Term Ends: June 2014

Business:
Elected Officials ~~Keep~~
6th District Alderperson
City of Oak Creek

Residential:
(login to see res. info)

~~Lauren Baker~~

Appointed: July 1995
Term Ends: June 2014

Business:
3 Additional Members → ~~change to 1~~
Program Coordinator, Career & Technical Education
Milwaukee Public Schools
5225 West Vilet Street, Room 29
Milwaukee, WI 53208
Bus. (414) 475-8060
Fax. (414) 475-8250

Residential:
(login to see res. info)

~~Peter G. Earle~~

Appointed: July 1998
Term Ends: June 2013

Business:
Law Offices of Peter Earle
839 North Jefferson Street, Suite 300
Milwaukee, WI 53202
Bus. (414) 276-1076 x23
Fax. (414) 276-0460

Residential:
(login to see res. info)

~~Melanie C. Holmes~~

Appointed: July 2008
Term Ends: June 2014

Business:
Vice President
ManpowerGroup
100 Manpower Place
Milwaukee, WI 53212
Bus. (414) 906-6383
Fax. (414) 906-7876

Residential:
(login to see res. info)

~~Dr. Richard F. Monroe~~

Appointed: November 2008
Term Ends: June 2012

Business:
1 School District Administrator ~~Keep~~
School District Administrator
Nicolet High School District
6701 North Jean Nicolet Road
Milwaukee, WI 53217
Bus. (414) 351-7525

Residential:
(login to see res. info)

~~Dr. Michael L. Burke~~

Business:
President

Residential:

Kunkel, Mark

From: Kunkel, Mark
Sent: Tuesday, February 14, 2012 9:33 AM
To: Kunkel, Mark
Subject: Current members of Milwaukee technical college district board

Like other district boards under current law, board consists of 9 members: 2 employers (ERs), 2 employees (EEs), 1 school district administrator (SDA), 1 elected state or local official (SOL), and 3 additional members (AMs). Members have 3 year terms that begin on July 1.

Current member expirations:

June 2012: 1 SDA (Dr. Richard Monroe), 1 ER (Ann Wilson), and 1 EE (Bobbie Webber)

June 2013: 1 ER (Michael Katz), 1 EE (Fred Royal), and 1 AM (Peter Earle)

June 2014: 1 SOL (Thomas Michalski) and 2 AMs (Lauren Baker and Melanie Holmes)



Now
State of Wisconsin
2011 - 2012 LEGISLATURE



LRBs027441
MDK:mak:jf

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2011 ASSEMBLY BILL 353

SSA to
SB 275

50328/1

RM
NOT
RM

SA
SA

Gen cat
Gen cat

1 AN ACT ~~to renumber and amend~~ 38.08 (1) (a) 1.; ~~to amend~~ 38.08 (1) (b), 38.08
2 (2m) and 38.10 (1) (intro.); and ~~to create~~ 38.08 (1) (a) 1g., 38.10 (2) (h) and 38.10
3 (3) of the statutes; **relating to:** the membership of Milwaukee area technical
4 college district board.

Analysis by the Legislative Reference Bureau

Under current law, the Wisconsin technical college system consists of 16 technical college districts, which are administered by district boards. Each district board has the following nine members: two employers, two employees, one school district administrator, one elected state or local official, and three additional members. The employer and employee members must represent the various businesses and industries in the district. Members are appointed for three-year terms by appointment committees consisting of either county board chairs or school board presidents.

This substitute amendment changes the membership of the district board for the Milwaukee Area Technical College (MATC district board). Under the substitute amendment, as a under current law, the MATC district board has 9 members. The following members are the same as under current law: two employees, one school district administrator, one elected state or local official, and one additional member. However, the substitute amendment replaces the two employer members under

current law with the chairpersons of the Metropolitan Milwaukee Association of Commerce (MMAC) and the Greater Milwaukee Committee (GMC), whose terms on the MATC district board do not expire. In addition, the substitute amendment replaces one of the additional members under current law with a person representing a manufacturing business who is appointed by the board of directors of MMAC, and replaces another of the additional members under current law with a person representing a manufacturing business who is appointed by the board of directors of GMC. ~~As under current law, the members appointed by the boards of directors of MMAC and GMC have 3-year terms.~~

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

1 SECTION 1. 38.08 (1) (a) 1. of the statutes is renumbered 38.08 (1) (a) 1. (intro.)
2 and amended to read:

3 38.08 (1) (a) 1. (intro.) A district board shall administer the district and, except
4 as provided in subd. 1g., shall be composed of 9 members who are residents of the
5 district, including 2 consisting of the following:

- 6 a. Two employers, ~~2.~~
- 7 b. Two employees, ~~3.~~
- 8 c. Three additional members, ~~a.~~
- 9 d. One school district administrator, as defined under s. 115.001 (8), ~~and one.~~
- 10 e. One elected official who holds a state or local office, as defined in s. 5.02.

11 1r. The board shall by rule define "employer" and "employee" for the purpose
12 of this subdivision subd. 1. a. and b.

INSEAT 2-12

13 SECTION 2. 38.08 (1) (a) 1g. of the statutes is created to read:

14 38.08 (1) (a) 1g. The district board governing the Milwaukee area technical
15 college shall be composed of 9 members who are residents of the district, consisting
16 of the ~~members specified in subd. 1. b., d., and e., one additional member, and all of~~
17 ~~the~~ following:

~~members specified in subd. 1. b., d., and e., one additional member, and all of~~

INSEAT 2-17

1 a. The chairperson of the Metropolitan Milwaukee Association of Commerce or
2 his or her designee.

3 b. One person representing a manufacturing business who is appointed by the
4 board of directors of the Metropolitan Milwaukee Association of Commerce.

5 c. The chairperson of the Greater Milwaukee Committee or his or her designee.

6 d. One person representing a manufacturing business who is appointed by the
7 board of directors of the Greater Milwaukee Committee.

8 **SECTION 3.** 38.08 (1) (b) of the statutes is amended to read:

9 38.08 (1) (b) ~~District~~ Except for the district board members specified in sub. (1)
10 (a) 1g, a. and c., district board members shall take office on July 1 and shall serve
11 staggered 3-year terms.

12 **SECTION 4.** 38.08 (2m) of the statutes is amended to read:

13 38.08 (2m) Any member of a district board serving as an elected official under
14 sub. (1) (a) 1. e. shall cease to be a member upon vacating his or her office as an elected
15 official.

16 **SECTION 5.** 38.10 (1) (intro.) of the statutes is amended to read:

17 38.10 (1) (intro.) ~~District~~ Except for the district board members specified in s.
18 38.08 (1) (a) 1g, a. to d., district board members shall be appointed by an appointment
19 committee constituted as follows:

20 **SECTION 6.** ~~38.10 (2) (h) of the statutes is created to read:~~

21 38.10 (2) (h) This subsection does not apply to the appointment of district board
22 members specified in s. 38.08 (1) (a) 1g, a. to d.

23 **SECTION 7.** 38.10 (3) of the statutes is created to read:

24 38.10 (3) (a) 1. On or before the first Monday in March, or within 30 days of the
25 date on which a vacancy in the membership of the district board described in s. 38.08

INSERT 3-19

1 (1) (a) 1g. b. occurs, the district board secretary shall notify the chairperson of the
 2 Metropolitan Milwaukee Association of Commerce and the board of the vacancy or
 3 of the term of office of the member described in s. 38.08 (1) (a) 1g. b. that will expire
 4 during the year.

5 2. Within 5 days of appointing the district board member described in s. 38.08
 6 (1) (a) 1g. b., the board of directors of the Metropolitan Milwaukee Association of
 7 Commerce shall provide written notice of the appointment and length of term to the
 8 board, to the members of the district board and the newly appointed member, and to
 9 the district board secretary.

10 (b) 1. On or before the first Monday in March, or within 30 days of the date on
 11 which a vacancy in the membership of the district board described in s. 38.08 (1) (a)
 12 1g. d. occurs, the district board secretary shall notify the chairperson of the Greater
 13 Milwaukee Committee and the board of the vacancy or of the term of office of the
 14 member described in s. 38.08 (1) (a) 1g. d. that will expire during the year.

15 2. Within 5 days of appointing the district board member described in s. 38.08
 16 (1) (a) 1g. d., the board of directors of the Greater Milwaukee Committee shall
 17 provide written notice of the appointment and length of term to the board, to the
 18 members of the district board and the newly appointed member, and to the district
 19 board secretary.

20 → **SECTION 8. Nonstatutory provisions.** ←

stays

- 21 (1) In this section:
- 22 (a) "Additional member" means an additional member of the Milwaukee
 23 district board who is specified in section 38.08 (1) (a) 1., 2009 stats.
- 24 (b) "Employer member" means an employer member of the Milwaukee district
 25 board who is specified in section 38.08 (1) (a) 1., 2009 stats.

1 (c) "Milwaukee district board" means the district board, as defined in section
2 38.01 (6) of the statutes, that governs the Milwaukee area technical college.

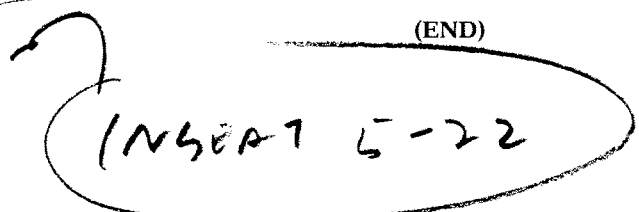
3 (2) Notwithstanding section 38.08 (1) (a) 1g. of the statutes, as created by this
4 act, and section 38.08 (1) (b) of the statutes, as affected by this act, the terms of the
5 employer members of the Milwaukee district board shall terminate on June 30, 2012,
6 and the members specified in section 38.08 (1) (a) 1g. a. and c. of the statutes, as
7 created by this act, shall take office on the Milwaukee district board on July 1, 2012.

8 (3) Notwithstanding section 38.08 (1) (a) 1g. of the statutes, as created by this
9 act, the additional member of the Milwaukee district board who, at the time of
10 appointment, had a term expiring on June 30, 2013, may continue to serve as a
11 member of the Milwaukee district board until June 30, 2013, and the Metropolitan
12 Milwaukee Association of Commerce shall initially appoint the member specified in
13 section 38.08 (1) (a) 1g. b. of the statutes, as created by this act, to the Milwaukee
14 district board for a term expiring on June 30, 2016.

15 (4) Notwithstanding section 38.08 (1) (a) 1g. of the statutes, as created by this
16 act, the additional members of the Milwaukee district board who, at the time of
17 appointment, had terms expiring on June 30, 2014, may continue to serve as
18 members of the Milwaukee district board until June 30, 2014, and the Greater
19 Milwaukee Committee shall initially appoint the member specified in section 38.08
20 (1) (a) 1g. d. of the statutes, as created by this act, to the Milwaukee district board
21 for a term expiring on June 30, 2017.

22

(END)



INSER 5-22

1 appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms were scheduled to
2 expire on June 30, 2014.

SAV

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

INSERT 2-12:

For purposes of subd. 1g. a., "employer" means a business entity, as defined in s. 13.62 (5), nonprofit organization that provides health care services, credit union, or cooperative association

INSERT 2-17:

- a. Six persons representing employers. Three of the members shall represent employers with 30 or more employees, 3 of the members shall represent employers with 100 or more employees, and at least 3 of the members shall represent employers who are manufacturing businesses.
- b. One school district administrator, as defined in s. 115.001 (8).
- c. Two additional members.

INSERT 3-19:

SECTION 1. 38.10 (1) (d) of the statutes is created to read:

38.10 (1) (d) Notwithstanding pars. (a) to (c), the county executive of Milwaukee County and the chairpersons of the Milwaukee, Ozaukee, and Washington County boards of supervisors shall constitute the appointment committee for the district board governing the Milwaukee area technical college.

SECTION 2. 38.10 (2) (a) 2. of the statutes is amended to read:

38.10 (2) (a) 2. The chairperson of the appointment committee shall fix a date, to be no later than 60 days after receipt of notification of the vacancy or term expiration, or 60 days after a spring election if a vacancy occurs within 120 days preceding a spring election, and a time and place for a public hearing and meeting of the appointment committee to approve a representation plan required under par.

1 (c) 1. and to appoint district board members, and shall send written notice of the
2 public hearing and meeting to each district board member, each governing body
3 having a member on the appointment committee, each member of the appointment
4 committee and the board.

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 192; 1987 a. 94; 1989 a. 31.

5 **SECTION 3.** 38.10 (2) (b) of the statutes is amended to read:

6 38.10 (2) (b) The appointment committee member from the appropriate
7 governmental unit specified under sub. (1) (a), (b) or (c) having the largest population
8 in the district shall act as chairperson of the appointment committee. The county
9 executive of Milwaukee County shall act as the chairperson of the appointment
10 committee for the district board governing the Milwaukee area technical college.

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 192; 1987 a. 94; 1989 a. 31.

11 **SECTION 4.** 38.10 (2) (c) of the statutes is renumbered 38.10 (2) (c) 1. and
12 amended to read:

13 38.10 (2) (c) 1. At the meeting and prior to the appointment of district board
14 members, the appointment committee shall formulate a plan of representation for
15 the membership of the district board. The plan shall give equal consideration to the
16 general population distribution within the district and the distribution of women
17 and minorities within the district. ~~The plan of representation for the membership~~
18 ~~of the district board that governs a district encompassing a 1st class city shall also~~
19 ~~give equal consideration to the distribution of minorities within the 1st class city.~~
20 The plan shall form the basis upon which membership of the district board is
21 determined. This subdivision does not apply to the appointment committee for the
22 district board governing the Milwaukee area technical college.

X

1 2. The board shall review district board appointments to determine whether
2 they comply with the provisions of the plan of representation required under subd.
3 1. and the requirements of s. 38.08 (1) (a).

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 192; 1987 a. 94; 1989 a. 31.

4 **SECTION 5.** 38.10 (2) (f) of the statutes is amended to read:

5 38.10 (2) (f) Selection of district board members and approval of a
6 representation plan required under par. (c) 1. by the appointment committee shall
7 be by majority vote of a quorum under par. (g). If the appointment committee cannot
8 reach agreement on the representation plan and district board membership within
9 30 days after their first meeting, the board shall formulate the plan of representation
10 and appoint the district board members in accordance with the plan.

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 192; 1987 a. 94; 1989 a. 31.

11 **SECTION 6.** 38.10 (2) (fm) of the statutes is amended to read:

12 38.10 (2) (fm) If the board determines under par. (c) 2. that district board
13 appointments do not comply with the plan of representation required under par. (c)
14 1. or do not comply with s. 38.08 (1) (a), the board shall notify the appointment
15 committee that the district board appointments are in noncompliance. Within 45
16 days after receipt of the board's determination that the district board appointments
17 are in noncompliance, the appointment committee shall make district board
18 appointments that comply with the provisions of the plan of representation required
19 under par. (c) 1. and with s. 38.08 (1) (a). The board shall review any appointments
20 made under this paragraph. If the board determines that the appointments made
21 under this paragraph do not comply with a plan of representation required under
22 par. (c) 1. or do not comply with s. 38.08 (1) (a), the board shall formulate a plan of
23 representation that conforms with par. (c) 1. and the board shall appoint the district

section 38.08 (1)(a) 1g. ↑
as created by

1 board members in accordance with the plan of representation and with s. 38.08 (1)
2 (a).

History: 1971 c. 154; 1977 c. 29; 1981 c. 269; 1983 a. 192; 1987 a. 94; 1989 a. 31.

3 **SECTION 7.** 38.10 (2) (g) of the statutes is renumbered 38.10 (2) (g) 1.

4 **SECTION 8.** 38.10 (2) (g) 2. of the statutes is created to read:

5 38.10 (2) (g) 2. Three members shall constitute a quorum for the appointment
6 committee for the district board governing the Milwaukee area technical college.

7 **INSERT 5-22:**

← replace
hard number
with auto
number

8 (1) Notwithstanding section 38.08 (1) (b) of the statutes, the initial members
9 of the district board governing the Milwaukee area technical college who are
10 appointed under this act shall be appointed as follows:

11 (a) Three of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,
12 as created by this act, shall have terms expiring on June 30, 2014. The members
13 appointed under this paragraph shall replace the members of the district board
14 appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms were scheduled to
15 expire on June 30, 2012.

16 (b) Three of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,
17 as created by this act, shall have terms expiring on June 30, 2015. The members
18 appointed under this paragraph shall replace the members of the district board
19 appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms were scheduled to
20 expire on June 30, 2013.

2016

21 (c) The members specified in section 38.08 (1) (a) 1g. b. and 1g. c. of the statutes,
22 as created by this act, shall have terms expiring on June 30, 2106. The members
23 appointed under this paragraph shall replace the members of the district board



shms
RM has
been
RNR

Now

SENATE SUBSTITUTE AMENDMENT,
TO 2011 SENATE BILL 275

Gen Cat

1 AN ACT *to renumber* 38.10 (2) (g); *to renumber and amend* 38.08 (1) (a) 1. and
2 38.10 (2) (c); *to amend* 38.08 (2m), 38.10 (2) (a) 2., 38.10 (2) (b), 38.10 (2) (f) and
3 38.10 (2) (fm); and *to create* 38.08 (1) (a) 1g., 38.10 (1) (d) and 38.10 (2) (g) 2.
4 of the statutes; **relating to:** the membership of Milwaukee area technical
5 college district board.

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

6 SECTION 1. 38.08 (1) (a) 1. of the statutes is renumbered 38.08 (1) (a) 1. (intro.)
7 and amended to read:

8 38.08 (1) (a) 1. (intro.) A district board shall administer the district and, except
9 as provided in subd. 1g., shall be composed of 9 members who are residents of the
10 district, including 2 consisting of the following:

11 a. Two employers, 2.

1 b. Two employees,~~3.~~

2 c. Three additional members,~~a.~~

3 d. One school district administrator, as defined under s. 115.001 (8),~~and one.~~

4 e. One elected official who holds a state or local office, as defined in s. 5.02.

5 1r. The board shall by rule define “employer” and “employee” for the purpose
6 of this subdivision subd. 1. a. and b. For purposes of subd. 1g. a., “employer” means
7 a business entity, as defined in s. 13.62 (5), nonprofit organization that provides
8 health care services, credit union, or cooperative association.

9 **SECTION 2.** 38.08 (1) (a) 1g. of the statutes is created to read:

10 38.08 (1) (a) 1g. The district board governing the Milwaukee area technical
11 college shall be composed of 9 members who are residents of the district, consisting
12 of the following:

13 a. Six persons representing employers. Three of the members shall represent
14 employers with 30 or more employees, 3 of the members shall represent employers
15 with 100 or more employees, and at least 3 of the members shall represent employers
16 who are manufacturing businesses.

17 b. One school district administrator, as defined in s. 115.001 (8).

18 c. Two additional members.

19 **SECTION 3.** 38.08 (2m) of the statutes is amended to read:

20 38.08 (2m) Any member of a district board serving as an elected official under
21 sub. (1) (a) 1. e. shall cease to be a member upon vacating his or her office as an elected
22 official.

23 **SECTION 4.** 38.10 (1) (d) of the statutes is created to read:

24 38.10 (1) (d) Notwithstanding pars. (a) to (c), the county executive of
25 Milwaukee County and the chairpersons of the Milwaukee, Ozaukee, and

1 Washington County boards of supervisors shall constitute the appointment
2 committee for the district board governing the Milwaukee area technical college.

3 **SECTION 5.** 38.10 (2) (a) 2. of the statutes is amended to read:

4 38.10 (2) (a) 2. The chairperson of the appointment committee shall fix a date,
5 to be no later than 60 days after receipt of notification of the vacancy or term
6 expiration, or 60 days after a spring election if a vacancy occurs within 120 days
7 preceding a spring election, and a time and place for a public hearing and meeting
8 of the appointment committee to approve a representation plan required under par.
9 (c) 1. and to appoint district board members, and shall send written notice of the
10 public hearing and meeting to each district board member, each governing body
11 having a member on the appointment committee, each member of the appointment
12 committee and the board.

13 **SECTION 6.** 38.10 (2) (b) of the statutes is amended to read:

14 38.10 (2) (b) The appointment committee member from the appropriate
15 governmental unit specified under sub. (1) (a), (b) or (c) having the largest population
16 in the district shall act as chairperson of the appointment committee. The county
17 executive of Milwaukee County shall act as the chairperson of the appointment
18 committee for the district board governing the Milwaukee area technical college.

19 **SECTION 7.** 38.10 (2) (c) of the statutes is renumbered 38.10 (2) (c) 1. and
20 amended to read:

21 38.10 (2) (c) 1. At the meeting and prior to the appointment of district board
22 members, the appointment committee shall formulate a plan of representation for
23 the membership of the district board. The plan shall give equal consideration to the
24 general population distribution within the district and the distribution of women
25 and minorities within the district. ~~The plan of representation for the membership~~

1 ~~of the district board that governs a district encompassing a 1st class city shall also~~
2 ~~give equal consideration to the distribution of minorities within the 1st class city.~~
3 The plan shall form the basis upon which membership of the district board is
4 determined. This subdivision does not apply to the appointment committee for the
5 district board governing the Milwaukee area technical college.

6 2. The board shall review district board appointments to determine whether
7 they comply with the provisions of the plan of representation required under subd.
8 1. and the requirements of s. 38.08 (1) (a).

9 **SECTION 8.** 38.10 (2) (f) of the statutes is amended to read:

10 38.10 (2) (f) Selection of district board members and approval of a
11 representation plan required under par. (c) 1. by the appointment committee shall
12 be by majority vote of a quorum under par. (g). If the appointment committee cannot
13 reach agreement on the representation plan and district board membership within
14 30 days after their first meeting, the board shall formulate the plan of representation
15 and appoint the district board members in accordance with the plan.

16 **SECTION 9.** 38.10 (2) (fm) of the statutes is amended to read:

17 38.10 (2) (fm) If the board determines under par. (c) 2. that district board
18 appointments do not comply with the plan of representation required under par. (c)
19 1. or do not comply with s. 38.08 (1) (a), the board shall notify the appointment
20 committee that the district board appointments are in noncompliance. Within 45
21 days after receipt of the board's determination that the district board appointments
22 are in noncompliance, the appointment committee shall make district board
23 appointments that comply with the provisions of the plan of representation required
24 under par. (c) 1. and with s. 38.08 (1) (a). The board shall review any appointments
25 made under this paragraph. If the board determines that the appointments made

INSEAT 5-10

1 under this paragraph ~~do not~~ comply with a plan of representation required under
2 par. (c) 1 or do not comply with s. 38.08 (1) (a), the board shall formulate a plan of
3 representation that conforms with par. (c) 1, and the board shall appoint the district
4 board members in accordance with the plan of representation and with s. 38.08 (1)
5 (a).

6 SECTION 10. 38.10 (2) (g) of the statutes is renumbered 38.10 (2) (g) 1.

7 SECTION 11. 38.10 (2) (g) 2. of the statutes is created to read:

8 38.10 (2) (g) 2. Three members shall constitute a quorum for the appointment
9 committee for the district board governing the Milwaukee area technical college.

10 SECTION 12. Nonstatutory provisions.

11 ~~(1)~~ Notwithstanding section 38.08 (1) (b) of the statutes, the initial members
12 of the district board governing the Milwaukee area technical college who are

13 appointed under section 38.08 (1) (a) 1g., as created by this act, shall be appointed
14 as follows:

specified in

TWO

INSEAT 5-16A

INSEAT 5-16B

15 (a) ~~Three~~ of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,
16 as created by this act, shall have terms expiring on June 30, 2014. The members
17 appointed under this paragraph shall replace the members of the district board
18 appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms were scheduled to
19 expire on June 30, 2012

TWO

INSEAT 5-21A

INSEAT 5-21B

20 (b) ~~Three~~ of the members specified in section 38.08 (1) (a) 1g. a. of the statutes
21 as created by this act, shall have terms expiring on June 30, 2015. The members
22 appointed under this paragraph shall replace the members of the district board
23 appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms were scheduled to
24 expire on June 30, 2013.

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0328/2ins
MDK:.....

LPS: please
make sure
this an auto number
not a hand number

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

INSERT 5-10:

(1) In this section, "employer" means a business entity, as defined in section 13.62 (5) of the statutes, nonprofit organization that provides health care services, credit union, or cooperative association.

INSERT 5-16A: ✓

and the member specified in section 38.08 (1) (a) 1g. b. of the statutes, as created by this act,

INSERT 5-16B: ✓

Of the members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by this act, who are appointed under this paragraph, one member shall represent employers with 30 or more employees and one member shall represent employers with 100 or more employees and one of those members shall represent employers who are manufacturing businesses.

INSERT 5-21A: ✓

and one of the members specified in section 38.08 (1) (a) 1g. c. of the statutes, as created by this act,

INSERT 5-21B:

Of the members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by this act, who are appointed under this paragraph, one member shall represent employers with 30 or more employees and one member shall represent employers with 100 or more employees and one of those members shall represent employers who are manufacturing businesses.

INSERT 6-2A:

1 Two of the members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created
2 by this act, and one of the members specified in section 38.08 (1) (a) 1g. c. of the
3 statutes, as created by this act,

4 **INSERT 6-2B:**

5 Of the members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by
6 this act, who are appointed under this paragraph, one member shall represent
7 employers with 30 or more employees and one member shall represent employers
8 with 100 or more employees and one of those members shall represent employers
9 who are manufacturing businesses.