

**2011 DRAFTING REQUEST**

**Assembly Amendment (AA-SB275)**

Received: 03/13/2012

Received By: jkuesel

Wanted: As time permits

Companion to LRB:

For: Cory Mason (608) 266-0634

By/Representing: Vicky Selkove

May Contact:

Drafter: chanaman

Subject: Elections - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Mason@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Popular election of Blackhawk technical college

---

**Instructions:**

Per attached #2.

---

**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>
/?	chanaman 03/13/2012	chanaman 03/13/2012		_____			
/1			phenry 03/13/2012	_____	sbasford 03/13/2012	sbasford 03/13/2012	

FE Sent For:

<END>

**2011 DRAFTING REQUEST**

**Assembly Amendment (AA-SB275)**

Received: 03/13/2012

Received By: jkuesel

Wanted: As time permits

Companion to LRB:

For: Cory Mason (608) 266-0634

By/Representing: Vicky Selkove

May Contact:

Drafter: chanaman

Subject: Elections - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Mason@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Popular election of Blackhawk technical college

---

**Instructions:**

Per attached #2.

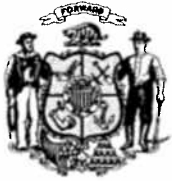
---

**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>
/?	chanaman						

FE Sent For:

<END>



-2896

Replace all

**ASSEMBLY AMENDMENT,  
TO 2011 SENATE BILL 275**

"Milwaukee Area"

Blackhawk

Check spacing etc.

change on p. 12

Blackhawk

1 At the locations indicated, amend the bill, as shown by senate substitute  
2 amendment 2, as follows:

3 **1.** Page 1, line 5: delete the material beginning with that line and ending with  
4 page 6, line 20, including the material inserted by senate amendment 1, and  
5 substitute "the Milwaukee area technical college district board, providing an  
6 exemption from and extending the time limit for emergency rule procedures, and  
7 granting rule-making authority.

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

8 **SECTION 1.** 5.02 (3), (5) and (23) of the statutes are amended to read:

9 5.02 (3) "Educational officer" means the state superintendent, a member of the  
10 Milwaukee area technical college district board, and a school board members  
11 member.

Blackhawk

1 (5) "General election" means the election held in even-numbered years on the  
 2 Tuesday after the first Monday in November to elect United States senators,  
 3 representatives in congress, presidential electors, state senators, representatives to  
 4 the assembly, district attorneys, state officers other than the state superintendent,  
 5 members of the Milwaukee area technical college district boards, and judicial  
 6 officers, and county officers other than supervisors and county executives.

7 (23) "State office" means the offices of governor, lieutenant governor, secretary  
 8 of state, state treasurer, attorney general, state superintendent, justice of the  
 9 supreme court, court of appeals judge, circuit court judge, state senator, state  
 10 representative to the assembly and, district attorney, and member of the Milwaukee  
 11 area technical college district board.

12 SECTION 2. 5.58 (2s) of the statutes is created to read:

13 5.58 (2s) ~~MILWAUKEE AREA TECHNICAL COLLEGE DISTRICT BOARD~~. In those years  
 14 when a primary is scheduled, there shall be a separate ballot for member of the  
 15 Milwaukee area technical college district board. Arrangement of the names on the  
 16 ballot shall be determined by the government accountability board under s. 5.60 (1)  
 17 (b). The ballot shall be titled "Official Primary Ballot for Milwaukee Area Technical  
 18 College District Board."

19 SECTION 3. 5.58 (3) of the statutes, as affected by 2011 Wisconsin Act 62, is  
 20 amended to read:

21 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,  
 22 for any judicial office, for any elected seat on a metropolitan sewerage commission  
 23 or town sanitary district commission, for member of the Milwaukee area technical  
 24 college district board from any election district, in counties having a population of  
 25 750,000 or more, only 2 candidates for the office of comptroller, in counties having

1 a population of 500,000 or more only 2 candidates for member of the board of  
2 supervisors within each district, in counties having a population of less than 500,000  
3 only 2 candidates for each member of the county board of supervisors from each  
4 district or numbered seat or only 4 candidates for each 2 members of the county board  
5 of supervisors from each district whenever 2 supervisors are elected to unnumbered  
6 seats from the same district, in 1st class cities only 2 candidates for any at-large seat  
7 and only 2 candidates from any election district to be elected to the board of school  
8 directors, in school districts electing school board members to numbered seats, or  
9 pursuant to an apportionment plan or district representation plan, only 2 school  
10 board candidates for each numbered seat or within each district, and twice as many  
11 candidates as are to be elected members of other school boards or other elective  
12 officers receiving the highest number of votes at the primary shall be nominees for  
13 the office at the spring election. Only their names shall appear on the official spring  
14 ballot.

15 **SECTION 4.** 5.60 (1) (title) of the statutes, as affected by 2011 Wisconsin Act 62,  
16 is amended to read:

17 5.60 (1) (title) ~~STATE SUPERINTENDENT~~ NONPARTISAN STATE OFFICERS; JUDICIARY;  
18 COUNTY EXECUTIVE; COUNTY COMPTROLLER; AND COUNTY SUPERVISORS SUPERVISOR.

19 **SECTION 5.** 5.60 (1) (am) of the statutes is created to read:

20 5.60 (1) (am) In those years when an election is scheduled, there shall be a  
21 separate ballot for each member of the ~~Milwaukee area~~ <sup>Blackhawk</sup> technical college district  
22 board. The government accountability board shall determine the official ballot  
23 arrangement for technical college district board candidates by using the same  
24 method as that used under par. (b).

25 **SECTION 6.** 5.60 (1) (b) of the statutes is amended to read:

*Blackhawk*

1           5.60 (1) (b) The board shall certify the candidates' names and designate the  
2 official ballot arrangement for candidates for state superintendent, justice, court of  
3 appeals judge, circuit judge, member of the Milwaukee area technical college district  
4 board, and, if commissioners are elected under s. 200.09 (11) (am), the metropolitan  
5 sewerage commission. The arrangement of names of all candidates on the ballot  
6 whose nomination papers are filed with the board shall be determined by the board  
7 by the drawing of lots not later than the 2nd Tuesday in January, or the next day if  
8 the first Tuesday is a holiday. Whenever a primary is held for an office, a 2nd drawing  
9 of all candidates for that office shall be held by or under the supervision of the board  
10 not later than the 3rd day following the completion of the primary canvass to  
11 determine the arrangement of candidates on the election ballot.

12           **SECTION 7.** 7.60 (4) (a) of the statutes is amended to read:

13           7.60 (4) (a) The board of canvassers shall make separate duplicate statements  
14 showing the numbers of votes cast for the offices of president and vice president; state  
15 officials; U.S. senators and representatives in congress; state legislators; justice;  
16 court of appeals judge; circuit judges; members of the Milwaukee area technical  
17 college district board; district attorneys; and metropolitan sewerage commissioners,  
18 if the commissioners are elected under s. 200.09 (11) (am). If a municipal judge  
19 elected under s. 755.01 (4) serves a municipality that is located partially within the  
20 county and candidates for that judgeship file nomination papers in another county,  
21 the board of canvassers shall prepare a duplicate statement showing the numbers  
22 of votes cast for that judgeship in that county for transmittal to the other county. For  
23 partisan candidates, the statements shall include the political party or principle  
24 designation, if any, next to the name of each candidate. The board of canvassers shall  
25 also prepare a statement showing the results of any county, technical college district,

1 or statewide referendum. Each statement shall state the total number of votes cast  
2 in the county for each office; the names of all persons for whom the votes were cast,  
3 as returned; the number of votes cast for each person; and the number of votes cast  
4 for and against any question submitted at a referendum. The board of canvassers  
5 shall use one copy of each duplicate statement to report to the government  
6 accountability board, technical college district board, or board of canvassers of any  
7 other county and shall file the other statement in the office of the county clerk or  
8 board of election commissioners.

9 **SECTION 8.** 7.60 (5) (a) of the statutes, as affected by 2011 Wisconsin Acts 75  
10 and 115 is amended to read:

11 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver  
12 or transmit to the government accountability board a certified copy of each statement  
13 of the county board of canvassers for president and vice president, state officials,  
14 senators and representatives in congress, state legislators, justice, court of appeals  
15 judge, circuit judge, <sup>Uakbush</sup> ~~members of the Milwaukee area~~ technical college district board,  
16 district attorney, and metropolitan sewerage commissioners, if the commissioners  
17 are elected under s. 200.09 (11) (am). The statement shall record the returns for each  
18 office or referendum by ward, unless combined returns are authorized under s. 5.15  
19 (6) (b) in which case the statement shall record the returns for each group of  
20 combined wards. Following primaries the county clerk shall enclose on forms  
21 prescribed by the government accountability board the names, party or principle  
22 designation, if any, and number of votes received by each candidate recorded in the  
23 same manner. The county clerk shall deliver or transmit the certified statement to  
24 the government accountability board no later than 9 days after each primary except  
25 the partisan primary, no later than 10 days after the partisan primary and any other

1 election except the general election, and no later than 14 days after the general  
2 election. The board of canvassers shall deliver or transmit a certified copy of each  
3 statement for any technical college district referendum to the secretary of the  
4 technical college district board.

5 **SECTION 9.** 7.70 (3) (d) of the statutes is amended to read:

6 7.70 (3) (d) When the certified statements and returns are received, the  
7 chairperson of the board or the chairperson's designee shall proceed to examine and  
8 make a statement of the total number of votes cast at any election for the offices  
9 involved in the election for president and vice president; a statement for each of the  
10 offices of governor, lieutenant governor, if a primary, and a joint statement for the  
11 offices of governor and lieutenant governor, if a general election; a statement for each  
12 of the offices of secretary of state, state treasurer, attorney general, and state  
13 superintendent; for U.S. senator; representative in congress for each congressional  
14 district; the state legislature; justice; court of appeals judge; circuit judge;  
15 ~~Milwaukee area technical college district board member~~ <sup>Blackhawk</sup>; district attorney;  
16 metropolitan sewerage commission, if the commissioners are elected under s. 200.09  
17 (11) (am); and for any referenda questions submitted by the legislature.

18 **SECTION 10.** 7.70 (6) of the statutes is created to read:

19 7.70 (6) ~~MILWAUKEE AREA~~ <sup>Blackhawk</sup> TECHNICAL COLLEGE DISTRICT BOARD MEMBERS;  
20 DETERMINATIONS. The government accountability board shall transmit to the  
21 secretary of the technical college district board a copy of the certified determination  
22 of the chairperson of the government accountability board or his or her designee for  
23 the election of each member of the ~~Milwaukee area~~ <sup>Blackhawk</sup> technical college district board.

24 **SECTION 11.** 8.10 (3) (ae) of the statutes is created to read:



1           8.10 (3) (ae) For the office of member of the ~~Milwaukee~~<sup>Blackhawk</sup> area technical college  
2 district board from any election district, not less than 200 nor more than 400 electors.

3           **SECTION 12.** 8.11 (6) of the statutes is created to read:

4           8.11 (6) ~~MILWAUKEE~~<sup>Blackhawk</sup> AREA TECHNICAL COLLEGE DISTRICT BOARD MEMBERS. A  
5 primary shall be held in an election for any seat on the ~~Milwaukee~~<sup>Blackhawk</sup> area technical  
6 college district board whenever there are more than 2 candidates in any election  
7 district.

8           **SECTION 13.** 9.10 (1) (a) of the statutes is amended to read:

9           9.10 (1) (a) The qualified electors of the state, of any county, city, village, or  
10 town, of any congressional, legislative, judicial, town sanitary, or school district, of  
11 the ~~Milwaukee~~<sup>Blackhawk</sup> area technical college district, or of any prosecutorial unit may  
12 petition for the recall of any incumbent elective official by filing a petition with the  
13 same official or agency with whom nomination papers or declarations of candidacy  
14 for the office are filed demanding the recall of the officeholder.

15           **SECTION 14.** 9.10 (2) (b) of the statutes is amended to read:

16           9.10 (2) (b) A recall petition for a city, village, town, ~~Milwaukee~~<sup>Blackhawk</sup> area technical  
17 college district, town sanitary district, or school district office shall contain a  
18 statement of a reason for the recall which is related to the official responsibilities of  
19 the official for whom removal is sought.

20           **SECTION 15.** 9.10 (2) (d) of the statutes is amended to read:

21           9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless  
22 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the  
23 filing officer with whom the petition is filed. The petitioner shall append to the  
24 registration a statement indicating his or her intent to circulate a recall petition, the  
25 name of the officer for whom recall is sought and, in the case of a petition for the recall

*Blackhawk*

1 of a city, village, town, ~~Milwaukee~~ area technical college district, town sanitary  
2 district, or school district officer, a statement of a reason for the recall which is related  
3 to the official responsibilities of the official for whom removal is sought. No petitioner  
4 may circulate a petition for the recall of an officer prior to completing registration.  
5 The last date that a petition for the recall of an officer may be offered for filing is 5  
6 p.m. on the 60th day commencing after registration. After the recall petition has  
7 been offered for filing, no name may be added or removed. No signature may be  
8 counted unless the date of the signature is within the period provided in this  
9 paragraph.

10 **SECTION 16.** 9.10 (3) (a) of the statutes is amended to read:

11 9.10 (3) (a) This subsection applies to the recall of all elective officials other  
12 than city, village, town, ~~Milwaukee~~ area technical college district, town sanitary  
13 district, and school district officials. City, village, town, ~~Milwaukee~~ area technical  
14 college district, town sanitary district, and school district officials are recalled under  
15 sub. (4).

16 **SECTION 17.** 9.10 (4) (title) of the statutes is amended to read:

17 9.10 (4) (title) CITY, VILLAGE, TOWN, TOWN SANITARY DISTRICT, ~~MILWAUKEE AREA~~  
18 TECHNICAL COLLEGE DISTRICT, AND SCHOOL DISTRICT OFFICES.

19 **SECTION 18.** 9.10 (4) (a) of the statutes is amended to read:

20 *Blackhawk* 9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town,  
21 ~~Milwaukee~~ area technical college district, town sanitary district, or school district  
22 official, is offered for filing, the officer against whom the petition is filed may file a  
23 written challenge with the ~~municipal clerk or board of election commissioners or~~  
24 ~~school district clerk~~ official or agency with whom it is filed, specifying any alleged  
25 insufficiency. If a challenge is filed, the petitioner may file a written rebuttal to the

*Blackhawk*

*Blackhawk*

1 challenge with the ~~clerk or board of election commissioners~~ official or agency within  
2 5 days after the challenge is filed. If a rebuttal is filed, the officer against whom the  
3 petition is filed may file a reply to any new matter raised in the rebuttal within 2 days  
4 after the rebuttal is filed. Within 14 days after the expiration of the time allowed for  
5 filing a reply to a rebuttal, the ~~clerk or board of election commissioners~~ official or  
6 agency shall file the certificate or an amended certificate. Within 31 days after the  
7 petition is offered for filing, the ~~clerk or board of election commissioners~~ official or  
8 agency shall determine by careful examination of the face of the petition whether the  
9 petition is sufficient and shall so state in a certificate attached to the petition. If the  
10 petition is found to be insufficient, the certificate shall state the particulars creating  
11 the insufficiency. The petition may be amended to correct any insufficiency within  
12 5 days following the affixing of the original certificate. Within 2 days after the  
13 offering of the amended petition for filing, the ~~clerk or board of election~~  
14 ~~commissioners~~ official or agency shall again carefully examine the face of the petition  
15 to determine sufficiency and shall attach to the petition a certificate stating the  
16 findings. Immediately upon finding an original or amended petition sufficient,  
17 except in cities over 500,000 population and in the ~~Milwaukee~~ <sup>Blackhawk</sup> area technical college  
18 district, the ~~municipal clerk or school district clerk~~ official shall transmit the petition  
19 to the governing body or to the school board. Immediately upon finding an original  
20 or amended petition sufficient, in cities over 500,000 population, the board of election  
21 commissioners shall file the petition in its office. Immediately upon finding an <sup>Blackhawk</sup>  
22 original or amended petition sufficient, in the Milwaukee area technical college  
23 district, the government accountability board shall file the petition in its office.

24 **SECTION 19.** 9.10 (4) (d) of the statutes is amended to read:

1           9.10 (4) (d) Promptly upon receipt of a certificate under par. (a), the governing  
2 body, school board, ~~or board of election commissioners, or government accountability~~  
3 board shall call a recall election. The recall election shall be held on the Tuesday of  
4 the 6th week commencing after the date on which the certificate is filed, except that  
5 if Tuesday is a legal holiday the recall election shall be held on the first day after  
6 Tuesday which is not a legal holiday.

7           **SECTION 20.** 9.10 (7) of the statutes is amended to read:

8           9.10 (7) PURPOSE. The purpose of this section is to facilitate the operation of  
9 article XIII, section 12, of the constitution and to extend the same rights to electors  
10 of cities, villages, towns, ~~the Milwaukee area technical college district,~~ <sup>Blackhawk</sup> town sanitary  
11 districts, and school districts.

12           **SECTION 21.** 11.26 (1) (c) of the statutes is amended to read:

13           11.26 (1) (c) Candidates for representative to the assembly or member of the  
14 ~~Milwaukee area technical college district board,~~ <sup>Blackhawk</sup> \$500.

15           **SECTION 22.** 11.26 (2) (c) of the statutes is amended to read:

16           11.26 (2) (c) Candidates for representative to the assembly or member of the  
17 ~~Milwaukee area technical college district board,~~ <sup>Blackhawk</sup> \$500.

18           **SECTION 23.** 11.31 (1) (f) of the statutes is amended to read:

19           11.31 (1) (f) Candidates for representative to the assembly or member of the  
20 ~~Milwaukee area technical college district board,~~ \$17,250 total in the primary and  
21 election, with disbursements not exceeding \$10,775 for either the primary or the  
22 election.

23           **SECTION 24.** 11.31 (1) (g) (intro.) of the statutes is amended to read:

24           11.31 (1) (g) (intro.) In any jurisdiction or district, other than ~~the Milwaukee~~  
25 ~~area technical college district~~ or a judicial district or circuit, with a population of

1 500,000 or more according to the most recent federal census covering the entire  
2 jurisdiction or district:

3 **SECTION 25.** 17.01 (10m) of the statutes is created to read:

4 17.01 (10m) By a member of the ~~Milwaukee area~~<sup>Blackhawk</sup> technical college district  
5 board, to the secretary of the district board.

6 **SECTION 26.** 17.02 (2) of the statutes is created to read:

7 17.02 (2) ~~MILWAUKEE AREA~~<sup>BLACKHAWK</sup> TECHNICAL COLLEGE DISTRICT BOARD. Of the  
8 resignation of a member of the ~~Milwaukee area~~<sup>Blackhawk</sup> technical college district board, by  
9 the secretary of the district board to the government accountability board.

10 **SECTION 27.** 17.17 (2) of the statutes is created to read:

11 17.17 (2) ~~MILWAUKEE AREA~~<sup>Blackhawk</sup> TECHNICAL COLLEGE DISTRICT BOARD. In the office of  
12 member of the ~~Milwaukee area~~<sup>Blackhawk</sup> technical college district board, by the secretary of  
13 the district board to the government accountability board.

14 **SECTION 28.** 17.27 (3) of the statutes is repealed and recreated to read:

15 17.27 (3) ~~MILWAUKEE AREA~~<sup>Blackhawk</sup> TECHNICAL COLLEGE DISTRICT BOARD. Except as  
16 provided in s. 9.10, a vacancy in the office of member of the ~~Milwaukee area~~<sup>Blackhawk</sup> technical  
17 college district board may be filled by temporary appointment of the remaining  
18 members of the district board. The temporary appointee shall serve until a successor  
19 is elected and qualifies. If the vacancy occurs in any year after the first Tuesday in  
20 April and on or before December 1, the vacancy shall be filled for the residue of the  
21 unexpired term, if any, at the succeeding spring election. If the vacancy occurs in any  
22 year after December 1 or on or before the first Tuesday in April, the vacancy shall be  
23 filled for the residue of the unexpired term, if any, at the 2nd succeeding spring  
24 election.

25 **SECTION 29.** 38.06 (6) of the statutes is created to read:

*Blackhawk*

1 38.06 (6) Promptly upon issuance of a reorganization order for the Milwaukee  
2 ~~area~~ technical college district by the board, the director of the board shall transmit  
3 a copy of the order to the government accountability board.

4 SECTION 30. 38.08 (1) (a) 1. of the statutes is amended to read:

5 38.08 (1) (a) 1. ~~A~~ <sup>*Except as provided in subd. 1m. a*</sup> district board shall administer the district and shall be  
6 composed of 9 members who are residents of the district, including 2 employers, 2  
7 employees, 3 additional members, a school district administrator, as defined under  
8 s. 115.001 (8), and one elected official who holds a state or local office, as defined in  
9 s. 5.02. The board shall by rule define "employer" and "employee" for the purpose of  
10 this subdivision.

11 SECTION 31. 38.08 (1) (a) 1m. of the statutes is created to read:

12 38.08 (1) (a) 1m. The members of the Milwaukee ~~area~~ <sup>*dist*</sup> district board shall be  
13 elected to represent numbered election districts within the Milwaukee area  
14 technical college district by the electors of each election district at the spring election.  
15 Each member of the district board shall be an elector of the numbered election  
16 district within the technical college district for which he or she seeks office.

17 SECTION 32. 38.08 (1) (b) of the statutes is amended to read:

18 38.08 (1) (b) ~~District~~ Except as provided in par. (c), district board members shall  
19 take office on July 1 and shall serve staggered 3-year terms.

20 SECTION 33. 38.08 (1) (c) of the statutes is created to read:

21 38.08 (1) (c) District board members in the Milwaukee ~~area~~ technical college  
22 district shall serve 4-year terms. Promptly upon receipt of the determinations from  
23 the government accountability board under s. 7.70 (6) and upon appointment of any  
24 person to fill a temporary vacancy on the district board, the secretary of the  
25 Milwaukee ~~area~~ technical college district board shall send written notification of the

*Blackhawk*

1 name and address of each member and expiration date of each member's term to the  
2 director of the technical college system board.

3 **SECTION 34.** 38.08 (1g) of the statutes is repealed.

4 **SECTION 35.** 38.08 ((2) and (2m) of the statutes are amended to read:

5 38.08 (2) Members of a district board other than the Milwaukee area technical  
6 college district board shall serve until their successors are appointed and qualified.

7 A vacancy shall be filled for any unexpired term of more than 90 days in the manner  
8 provided for the making of original appointments in s. 38.10, except that if a vacancy  
9 occurs within 120 days preceding a spring election, the vacancy need not be filled  
10 until 60 days after the spring election, in the manner provided in s. 38.10.

11 (2m) Any member of a district board other than the Milwaukee area technical  
12 college district board serving as an elected official under sub. (1) (a) 1. shall cease to  
13 be a member upon vacating his or her office as an elected official.

14 **SECTION 36.** 38.08 (6) of the statutes is created to read:

15 38.08 (6) (a) Within 90 days after the population count by block, established  
16 in the decennial federal census of population, and maps showing the location and  
17 numbering of census blocks become available in printed form from the federal  
18 government or are published for distribution by an agency of this state or within 90  
19 days after alteration of the boundaries of an existing district, the district board of the  
20 Milwaukee area technical college shall apportion and prescribe the  
21 boundaries of 9 numbered election districts within the district, to be as nearly equal  
22 in population as possible. Alterations in election districts resulting from boundary  
23 changes to the existing district may be made only to the extent required to facilitate  
24 the change. Insofar as possible, each election district shall be compact and observe  
25 the community of interest of existing neighborhoods. A detailed map and description

1 of each election district prescribed by the district board shall be prepared and  
2 transmitted by the district board to the director of the technical college system board.

3 (b) All proposed district boundaries prescribed by the ~~Milwaukee~~ <sup>Blackhawk</sup> area  
4 technical college district board under par. (a) shall become effective only upon their  
5 approval by the technical college system board. If the technical college system board  
6 disapproves the proposed boundaries, the district board shall submit a revised  
7 districting plan for approval of the technical college system board. Upon approval  
8 of the election district boundaries within any district, the technical college system  
9 board shall promulgate the boundaries established under par. (a) as a rule under ch.  
10 227. The boundaries shall become effective on the effective date of the rule.

11 **SECTION 37.** 38.10 (1) (intro.) of the statutes is amended to read:

12 38.10 (1) (intro.) District board members in districts other than the Milwaukee  
13 area technical college district shall be appointed by an appointment committee  
14 constituted as follows:

15 **SECTION 38. Nonstatutory provisions.** <sup>Blackhawk</sup>

16 (1) INITIAL ELECTION OF ~~MILWAUKEE AREA~~ TECHNICAL COLLEGE DISTRICT BOARDS.  
17 Notwithstanding section 38.08 (6) of the statutes, as created by this act, within 60  
18 days after the effective date of this subsection, the appointment committee of the  
19 ~~Milwaukee area~~ <sup>Blackhawk</sup> technical college district shall adopt and transmit to the secretary  
20 of the district board and the director of the technical college system board an initial  
21 districting plan for election districts as required by section 38.08 (6) of the statutes,  
22 as created by this act. The technical college system board shall review and determine  
23 its approval or disapproval of the plan as promptly as possible. If the plan is rejected,  
24 the appointment committee shall submit a new plan for approval. Notwithstanding  
25 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the technical college system



1 board may promulgate the plan as an emergency rule under section 227.24 of the  
2 statutes without providing evidence that promulgating a rule under this subsection  
3 as an emergency rule is necessary for the preservation of the public peace, health,  
4 safety, or welfare, and is not required to provide a finding of emergency for a rule  
5 promulgated under this subsection. Notwithstanding section 227.24 (1) (c) of the  
6 statutes, an emergency rule promulgated under this subsection applies until a rule  
7 replacing that rule takes effect or until the actions specified in section 227.24 (1) (d)  
8 of the statutes occur, whichever is sooner. Notwithstanding section 227.19 (4) to (6)  
9 of the statutes, the rule replacing a valid emergency rule adopted under this  
10 subsection may not contain any substantive change from the emergency rule.  
11 Notwithstanding sections 227.135 (2) and (4) and 227.24 (1) (e) 1d. and 1g. of the  
12 statutes, a proposed emergency rule promulgated under this subsection and the  
13 statement of the scope of the proposed emergency rule are not subject to approval of  
14 the governor.

15 (2) TRANSITIONAL TERMS. Notwithstanding chapter 269, laws of 1981, section 22,  
16 and section 38.08 (1) (b) of the statutes, as affected by this act, the members of the  
17 ~~Milwaukee area~~ <sup>Glacbeau</sup> technical college district board who hold office on the effective date  
18 of this subsection shall cease to hold office on July 1, 2013. At the 2013 spring  
19 election, 9 members shall be elected to the technical college district board for terms  
20 commencing on July 1, 2013. Notwithstanding section 38.08 (1) (c) of the statutes,  
21 as created by this act, the persons elected to represent election districts numbered  
22 1 and 2 at that election shall serve for terms of one year, the persons elected to  
23 represent election districts numbered 3 and 4 at that election shall serve for terms  
24 of 2 years, the persons elected to represent election districts numbered 5 and 6 at that

1 election shall serve for terms of 3 years, and the persons elected to represent election  
2 districts numbered 7, 8, and 9 at that election shall serve for terms of 4 years.

3 (3) VACANCIES. Notwithstanding section 38.10 of the statutes, the appointment  
4 committee of the Milwaukee <sup>Blackhawk</sup> area technical college district shall not make any  
5 appointment to the technical college district board for the purpose of filling a vacancy  
6 resulting from expiration of a term of office after the effective date of this subsection.

7 **SECTION 39. Effective dates.** This act takes effect on August 1, 2012, except  
8 as follows:

9 (1) The treatment of sections 17.01 (10m), 17.02 (2), 17.17 (2), 17.27 (3), 38.08  
10 (1) (a) 1. and 1m., (b), and (c), (1g), (2), and (2m), 38.08 (6), and 38.10 (1) (intro.) of  
11 the statutes takes effect on July 1, 2013.”.

12 (END)