

**2011 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-SB275)**

Received: 03/13/2012

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Cory Mason (608) 266-0634**

By/Representing:

May Contact:

Drafter: **pgrant**

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

Addl. Drafters:

Extra Copies: **MDK**

Submit via email: **YES**

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

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Composition of appointment committee for MATC

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**Instructions:**

See attached

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**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>
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FE Sent For:

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FE Sent For:

<END>

## Grant, Peter

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**From:** Kunkel, Mark  
**Sent:** Tuesday, March 13, 2012 12:53 PM  
**To:** Grant, Peter  
**Subject:** FW: Additional amendments to SB 275

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**From:** Selkove, Vicky  
**Sent:** Tuesday, March 13, 2012 12:44 PM  
**To:** Selkove, Vicky; Kunkel, Mark  
**Subject:** RE: Additional amendments to SB 275

Apologies. Just got asked to draft two additional amendments.

4. A substitute amendment to SSA 2 to SB 275 that makes the make-up of the MATC Board consist of 3 reps from the City of Milwaukee, 4 reps from the County of Milwaukee, 1 from Ozaukee County, and 1 from Washington County.

5. A substitute amendment to SSA 2 to SB 275 that instead creates an appointment process for MATC's Board that mirrors the appointment process used by the 13 other tech college districts in the state that have a consistent process.

**Vicky Selkove**  
**Office of State Representative Cory Mason**  
**62nd Assembly District**  
State Capitol, Room 6 North  
PO Box 8953, Madison, WI 53708  
Phone: (608) 266-0634  
Toll-free: (888) 534-0062

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**From:** Selkove, Vicky  
**Sent:** Tuesday, March 13, 2012 12:34 PM  
**To:** Kunkel, Mark  
**Subject:** Additional amendments to SB 275

Hi Mark –

Here are the additional needed amendments for the Assembly Dem caucus to SSA 2 to SB 275. My apologies. Call or email with questions – I'll be running around the building but have my phone with me so can respond easily via email.

Thanks,  
Vicky

1. A substitute amendment to SSA 2 to SB 275 that specifies that, statewide, all boards of all technical colleges will be elected by (eligible voters) people in that district.
2. A substitute amendment to SSA 2 to SB 275 that specifies that, just for MATC, the board shall be elected by the (eligible voters) people in that district.

3. Here's where it gets ugly. For each of the below, we need separate simple amendments to SSA 2 to SB 275 that replaces the governing body of each of the below (City Council, County Board, School District) with a Board appointed by another body. I've tried to specify it as clearly as possible in the first example so you can see what we mean.

City: South Milwaukee – Prepare a simple amendment to SSA 2 to SB 275 that replaces South Milwaukee's governing body (City Council) with a body appointed by Milwaukee County's Executive and County Board



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0377/1  
MDK:ajs&kjf:jm

DN

Assembly

LRB 5 0414/1  
PK.ajs

**SENATE SUBSTITUTE AMENDMENT (2)**

**TO 2011 SENATE BILL 275**

March 7, 2012 - Offered by Senator GROTHMAN.

regen

appoint new  
committee for the  
members

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

~~b. Two employees, 3.~~

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

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

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

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

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

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

a. Five persons representing employers. Three of the members shall represent employers with 15 or more employees, 2 of the members shall represent employers with 100 or more employees, and at least 2 of the members shall represent employers who are manufacturing businesses.

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

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

d. Two additional members.

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

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

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

**SECTION 5.** 38.10 (1) (d) of the statutes is created to read:

counties having territory within the district

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

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

15 SECTION 7. 38.10 (2) (b) of the statutes is amended to read:  
16 38.10 (2) (b) The appointment committee member from the appropriate  
17 governmental unit specified under sub. (1) (a), (b) ~~or~~ <sup>or (c)</sup> <sup>↑ or (d)</sup> having the largest population  
18 in the district shall act as chairperson of the appointment committee. The county  
19 executive of Milwaukee County shall act as the chairperson of the appointment  
20 committee for the district board governing the Milwaukee area technical college.

21 SECTION 8. 38.10 (2) (c) of the statutes is renumbered 38.10 (2) (c) 1. and  
22 amended to read:  
23 38.10 (2) (c) 1. At the meeting and prior to the appointment of district board  
24 members, the appointment committee shall formulate a plan of representation for  
25 the membership of the district board. The plan shall give equal consideration to the

1 general population distribution within the district and the distribution of women  
2 and minorities within the district. The plan of representation for the membership  
3 of the district board that governs a district encompassing a 1st class city shall also  
4 give equal consideration to the distribution of minorities within the 1st class city.  
5 The plan shall form the basis upon which membership of the district board is  
6 determined.

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

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

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

17 **SECTION 10.** 38.10 (2) (fm) of the statutes is amended to read:

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

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

7 SECTION 11. 38.10 (2) (g) of the statutes is renumbered 38.10 (2) (g) 1.

8 SECTION 12. 38.10 (2) (g) 2. of the statutes is created to read:

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

11 **SECTION 13. Nonstatutory provisions.**

12 (1) In this section, "employer" means a business entity, as defined in section  
13 13.62 (5) of the statutes, nonprofit organization that provides health care services,  
14 credit union, or cooperative association.

15 (2) Notwithstanding section 38.08 (1) (b) of the statutes, the initial members  
16 of the district board governing the Milwaukee area technical college who are  
17 specified in section 38.08 (1) (a) 1g., as created by this act, shall be appointed as  
18 follows:

19 (a) Two of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,  
20 as created by this act, and the member specified in section 38.08 (1) (a) 1g. b. of the  
21 statutes, as created by this act, shall have terms expiring on June 30, 2014. Of the  
22 members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by this act,  
23 who are appointed under this paragraph, one member shall represent employers  
24 with 15 or more employees and one member shall represent employers with 100 or  
25 more employees and one of those members shall represent employers who are



1 manufacturing businesses. The members appointed under this paragraph shall  
2 replace the members of the district board appointed under section 38.08 (1) (a) 1.,  
3 2009 stats., whose terms were scheduled to expire on June 30, 2012.

4 (b) Two of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,  
5 as created by this act, and one of the members specified in section 38.08 (1) (a) 1g.  
6 d. of the statutes, as created by this act, shall have terms expiring on June 30, 2015.  
7 Of the members specified in section 38.08 (1) (a) 1g. a. of the statutes, as created by  
8 this act, who are appointed under this paragraph, one member shall represent  
9 employers with 15 or more employees and one member shall represent employers  
10 with 100 or more employees and one of those members shall represent employers  
11 who are manufacturing businesses. The members appointed under this paragraph  
12 shall replace the members of the district board appointed under section 38.08 (1) (a)  
13 1., 2009 stats., whose terms were scheduled to expire on June 30, 2013.

14 (c) One of the members specified in section 38.08 (1) (a) 1g. a. of the statutes,  
15 as created by this act, the member specified in section 38.08 (1) (a) 1g. c. of the  
16 statutes, as created by this act, and one of the members specified in section 38.08 (1)  
17 (a) 1g. d. of the statutes, as created by this act, shall have terms expiring on June 30,  
18 2016. The members appointed under this paragraph shall replace the members of  
19 the district board appointed under section 38.08 (1) (a) 1., 2009 stats., whose terms  
20 were scheduled to expire on June 30, 2014.

21 (END)

DN

9 Vicky,

9 I assume that <sup>13</sup> ~~13~~ of the <sup>16</sup> ~~16~~ technical college districts, district board members are appointed by an appointment committee consisting of the county board chairpersons ~~be~~ of counties ~~be~~ located in the district. If this is incorrect, let me know and I'll redraft.

PL

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0414/1dn  
PG:cjs:ph

March 13, 2012

Vicky,

I assumed that in 13 of the 16 technical college districts, district board members are appointed by an appointment committee consisting of the county board chairpersons of counties located in the district. If this is incorrect, let me know and I'll redraft.

Peter R. Grant  
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