



## Fiscal Estimate Narratives

DOR 3/3/2014

LRB Number	13-4321/1	Introduction Number	SB-644	Estimate Type	Original
<b>Description</b> Modifying the duties of a county clerk; the counties in which a board of election commissioners is required; and staffing of a board of election commissioners in populous counties					

### Assumptions Used in Arriving at Fiscal Estimate

The bill makes several changes to current law affecting how counties are governed, with a focus on the duties of the county clerk.

Under current law, a board of election commissioners is required in every county with a population of 500,000 or more. Under the bill, a board of election commissioners is required in every county with a population of 750,000 or more, and the county clerk is designated as the executive director of the board of election commissioners. The only county currently affected by this part of the bill is Milwaukee County; however, Dane County is approaching the 500,000 level and would likely be subject to the current law provision after the next decennial census.

Under current law, a county clerk shall appoint one or more deputies who shall aid in the performance of the clerk's duties, and for whom the county board shall provide a salary. Under the bill, the salary of these deputies must be set at the county board's annual meeting or at any special meeting.

Under current law, in a county with a population of more than 150,000, the county clerk may appoint the number of assistants authorized by the county board at salaries determined by the county board, and must notify the person elected as commissioner of highways of his or her appointment within 10 days of such election. Under the bill, both of these authorizations are expanded to include all counties.

Under current law, if a county clerk is incapable of discharging his or her duties of office, the county board may appoint an acting clerk who serves until the clerk's disability is removed. Under the bill, if a county clerk is incapable of discharging his or her duties of office, the county board must, within 90 days, appoint an acting clerk who shall serve until the clerk's disability is removed.

Under current law, a county clerk is required to record "in a book" the following material: (a) every resolution adopted, order passed, and ordinance enacted by the county board; (b) every order for payment of money directed by the county board; (c) reports from the county treasurer on the county's receipts and expenditures; (d) an accounting of all money received in the county clerk's office; and (e) record true minutes of all county board meetings and proceedings of the board. Under the bill, the requirement that these records be made "in a book" is repealed. While the records still must be maintained, the statutes will not specify the manner in which these records are to be maintained.

The bill adds language to the statutes clarifying that the county clerk has the following duties: (a) apportioning the county tax levy to underlying municipalities, including the amount and rate for the county road and bridge fund (if used); (b) performing the duties related to licensing of dogs; (c) as permitted by the county board, exercising the authority to lease, sell or convey, or contract to sell or convey county property; (d) administer the issuance of marriage licenses and the program for forming or terminating domestic partnerships.

The bill also imposes upon the county clerk the duty to notify town chairpersons of proposed timber harvests to be performed in his or her town.

The bill repeals the requirements that the county clerk send to the Department of Public Instruction copies of county board resolutions pertaining to raising money for school purposes and send to the Secretary of State a certified copy of ordinances related to changes in the name of a town or village, the name of a newly organized town, or town boundary changes authorized by the county board.

It is expected that increases in costs for county clerks under the bill will be offset by decreases in costs under the bill, leading to no net change in county expenditures and no change in the county property tax levy.

## Long-Range Fiscal Implications