AN ACT to amend 59.10 (2) (d) 1., 59.10 (2) (d) 2. and 59.60 (7e) (b); and to create 59.60 (7e) (f) of the statutes; relating to: decreases in the number of Milwaukee County board supervisory districts.

Analysis by the Legislative Reference Bureau

This bill allows the Milwaukee County board to decrease the number of supervisors and change the boundaries of the supervisory districts not more than once prior to November 15, 2017. Under the bill, at least 30 percent of the number of new districts must be within the city of Milwaukee.

Under current law, with certain exceptions, the Milwaukee County board’s expenditures, as budgeted in the annual budget adopted by the board, for expenses related to the county board, such as salaries and fringe benefits of county board members, costs for staff, and certain items related to the functioning of the board, are limited to no more than 0.4 percent of the county portion of the property tax levy. Among the items specifically excluded from this 0.4 percent limit are costs related to pension and health care payments for retired county employees, officers, and their families; salaries for supervisors and the county board chairperson for a term that begins before April 2016; and certain costs related to duties performed by the Milwaukee County clerk.

Under this bill, depending upon the number of supervisory districts eliminated, an amount equal to either the decrease in the number of supervisory districts multiplied by the current salary of a county board supervisor or the total of the current salaries of all current county board supervisors is also excluded from the 0.4 percent limit.
This bill also excludes from the limit costs for the salary, health benefits, and pension benefits of county board supervisors and the county board chairperson for any term that begins before November 15, 2017, or the date that the board decreases the number of supervisory districts, whichever is sooner.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 59.10 (2) (d) 1. of the statutes is amended to read:

59.10 (2) (d) 1. ‘Number of supervisors; redistricting.’ The board may, not more than once prior to November 15, 2010 2017, decrease the number of supervisors after the enactment of a supervisory district plan under par. (a). In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous municipalities or contiguous whole wards in existence at the time at which the amended redistricting plan is adopted, except as authorized in sub. (3) (b) 2., and at least 30 percent of the number of districts are wholly contained within the city of Milwaukee. If a municipality’s population is less than the target population of a district, the municipality shall be wholly contained within the district, except that the municipality’s population may be split between 2 districts to assure that all districts are within 5 percent of the target population for a district or in order to comply with section 2 of the federal Voting Rights Act, 42 USC 1973 (a) and (b). The total number of such municipalities split between 2 districts may be no more than necessary to achieve a total population deviation of 10 percent or less from the least populated district to the most populated district. In the amended plan, the board
shall adhere to the requirements under sub. (3) (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In the amended plan, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. The amended plan shall not take effect unless approved by the executive council, as defined in s. 59.794 (1) (d). The chairperson of the board shall file a certified copy of any amended plan adopted under this subdivision with the secretary of state.

Section 2. 59.10 (2) (d) 2. of the statutes is amended to read:

59.10 (2) (d) 2. ‘Election; term.’ Any amended plan enacted under subd. 1. becomes effective on the first November 15 following its enactment, and first applies to the spring election following the plan’s effective date. Any amended plan enacted under subd. 1. shall remain in effect until the effective date of a redistricting plan subsequently enacted under par. (a). Supervisors elected from the districts created under subd. 1. at an election held before 2016 shall serve for 4−year terms and shall take office on the 3rd Monday in April following their election. Supervisors elected from the districts created under subd. 1. at an election held in 2016 or in any year thereafter shall serve for 2−year terms and shall take office on the 3rd Monday in April following their election.

Section 3. 59.60 (7e) (b) of the statutes is amended to read:

59.60 (7e) (b) The costs for the salary, health benefits, and pension benefits of county board supervisors and the county board chairperson for any term that begins before April 2016 November 15, 2017, or the date that the board decreases the number of supervisory districts under s. 59.10 (2) (d) 1., whichever is sooner.

Section 4. 59.60 (7e) (f) of the statutes is created to read:
59.60 (7e) (f) If the board decreases the number of supervisory districts under s. 59.10 (2) (d) 1., one of the following:

1. If the decrease in the number of supervisory districts, calculated by subtracting the number of districts following the decrease from the number of supervisory districts before the decrease, is less than 20 percent of the total number of supervisory districts before the decrease, an amount equal to the decrease in the number of supervisory districts multiplied by the current salary of a county board supervisor.

2. If the decrease in the number of supervisory districts, calculated by subtracting the number of districts following the decrease from the number of supervisory districts before the decrease, is equal to 20 percent or more of the total number of supervisory districts before the decrease, an amount equal to the total of the current salaries of all current county board supervisors.

(END)