

1973 Senate Bill 27

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CHAPTER 118 , Laws of 1973

AN ACT to repeal 59.15 (2) (b); to renumber 59.03 (1) to (4); to amend 59.03 (intro.) and 59.15 (2) (a); and to create 59.025 and 59.03 (1) of the statutes, relating to county reorganization.

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

SECTION 1. 59.025 of the statutes is created to read:

59.025 County organization. (1) **PURPOSE.** The purpose of this section is to improve the ability of county government to organize its administrative structure, within constitutional limits. The state constitution now authorizes the legislature to establish one or more systems of county government. Consistent with this constitutional authority, it is the intent of the legislature to increase the organizational discretion which county government may exercise in the administration of powers conferred upon county boards of supervisors by the legislature.

(2) **INTENT AND CONSTRUCTION.** For the purpose of giving counties the largest measure of organizational autonomy compatible with the constitution and general law, it is hereby declared that this section shall be construed in favor of the rights, powers and privileges of counties to organize and administer county functions. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language but shall be subject to the constitution and such enactments of the legislature of state-wide concern as shall with uniformity affect every county. In the event of conflict between this section and any other statute, this section to the extent of such conflict shall prevail.

(3) **CREATION OF OFFICES.** Except for the offices of supervisor, judge, county executive and county assessor and those officers elected under section 4 of article VI of the constitution, the county board may:

(a) Create any county office, department, committee, board, commission, position or employment it deems necessary to administer functions authorized by the legislature.

(b) Consolidate, abolish or reestablish any county office, department, committee, board, commission, position or employment.

(c) Transfer some or all functions, duties, responsibilities and privileges of any county office, department, committee, board, commission, position or employment to any other agency including a committee of the board.

(4) **SELECTION PROCESS FOR OFFICES.** The county board may determine the method of selection of any county offices except for the offices of supervisors, judges, county clerk, county treasurer, clerk of courts, county executive and county assessor

and those officers elected under section 4 of article VI of the constitution. The method may be by election or by appointment and, if by appointment, the county board shall determine the appointing authority, subject to ss. 59.031 and 59.032.

(5) **PART-TIME OFFICES.** The county board may designate any county office a part-time position.

SECTION 2. 59.03 (intro.) of the statutes is amended to read:

59.03 (title) Boards: Composition; election; terms; compensation; compatibility. (intro.) The boards of the several counties ~~shall be classified and~~ shall be composed of representatives from within the county elected and compensated as follows: provided in this section. Each county board shall act under sub. (2), (3) or (5), unless the county board adopts an ordinance, by a majority vote of the entire membership, to act under sub. (1). If a county board adopts such ordinance, a certified copy shall be filed with the secretary of state.

SECTION 3. 59.03 (1) to (4) of the statutes are renumbered 59.03 (2) to (5).

SECTION 4. 59.03 (1) of the statutes is created to read:

59.03 (1) SELF-ORGANIZED COUNTIES. (a) *Number of supervisors and apportionment of supervisory districts.* In each county having a population of at least 500,000, sub. (2) (a) shall apply. In counties having a population of less than 500,000 and more than one town, sub. (3) (a) to (c) shall apply. In counties having one town only, sub. (5) shall apply.

(b) *Terms.* The term of office of supervisors shall be 2 years. A county board may determine whether the terms shall be concurrent or staggered. Supervisors shall be elected at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms and shall take office on the 3rd Tuesday in April following their election. If the board determines that supervisors shall serve staggered terms, the board shall, by ordinance, provide for a division of supervisors into 2 classes, one class to be elected for one-half of a full term and the other class for a full term and thereafter the supervisors shall be elected for a full term. The board shall publish the ordinance as a class 1 notice, under ch. 985, prior to publication of the notice of the election at which supervisors are to be elected.

(c) *Compensation.* The method of compensation for supervisors shall be determined by the county board.

(d) *Vacancies.* A county board may determine the procedure for filling a vacancy.

SECTION 5. 59.15 (2) (a) of the statutes is amended to read:

59.15 (2) (a) The board has the powers set forth in this subsection ~~and~~, sub. (3) ~~and s. 59.025~~ as to any office, department, board, commission, committee, position or employe in county service (other than elective offices included under sub. (1), supervisors and circuit judges) created under any statute, the salary or compensation for which is paid in whole or in part by the county, and the jurisdiction and duties of which lie within the county or any portion thereof and the powers conferred by this section shall be in addition to all other grants of power and shall be limited only by express language.

SECTION 6. 59.15 (2) (b) of the statutes is repealed.

SECTION 7. In the statutes shown under Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

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A	B	C
<u>Statute Sections</u>	<u>Old Cross Rference</u>	<u>New Cross Reference</u>
8.11 (5)	59.03 (2) (b)	59.03 (3) (b)
14.361 (intro.)	59.03 (2) (c)	59.03 (3) (c)
59.03 (5), as renumbered	59.03 (2) (f) and (g)	59.03 (3) (f) and (g)
66.192 (1) (a)	59.03 (2)	59.03 (3)
(b)	59.03 (2)	59.03 (3)
84.09 (4)	59.03 (2) (i)	59.03 (3) (i)
