2003 ASSEMBLY BILL 412

June 12, 2003 – Introduced by Representatives Colon, Sinicki, Gielow, Hahn, Jensen, Wasserman, Zepnick and Ziegelbauer. Referred to Committee on Urban and Local Affairs.

AN ACT to renumber and amend 62.50 (6); and to create 62.50 (6) (b) of the statutes; relating to: changing the method of selecting the chief of police and chief engineer of the fire department in a first class city.

Analysis by the Legislative Reference Bureau

Under current law, a first class city (presently only Milwaukee) must have a Board of Police and Fire Commissioners (board) that consists of five citizens, not more than two of whom shall at any time belong to the same political party. If a vacancy exists in the office of chief of police or chief engineer of the fire department, the board appoints someone to fill the office. The appointment is for a term set by city ordinance, which may not exceed ten years, or for the remainder of an unexpired term.

Under this bill, if a vacancy exists in the office of chief of police or chief engineer of the fire department, the vacancy is filled by appointment by the mayor from a list of three names recommended by the board. The mayor's appointment must be confirmed by the common council, and the appointee serves at the pleasure of the mayor.

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:

ASSEMBLY BILL 412

SECTION 1. 62.50 (6) of the statutes is renumbered 62.50 (6) (a) and amended to read:

62.50 (6) (a) If a vacancy exists in the office of chief of police or in the office of chief engineer of the fire department before the effective date of this paragraph [revisor inserts date], the board by a majority vote shall appoint proper persons to fill such offices respectively. When filling a vacancy in the office of chief of police or in the office of chief engineer of the fire department occurring after June 15, 1977, the board shall appoint the person to a term of office the number of years and commencement date of which shall be set by the city of the 1st class by ordinance and which may not exceed 10 years, or for the remainder of an unexpired term.

Section 2. 62.50 (6) (b) of the statutes is created to read:

62.50 (6) (b) If a vacancy exists in the office of chief of police or in the office of chief engineer of the fire department on or after the effective date of this paragraph [revisor inserts date], the board shall prepare a list of 3 individuals from which the vacancy may be filled. The mayor shall select the chief of police or the chief engineer of the fire department from the list prepared by the board, except that the mayor may return the list to the board for the preparation of a list of 3 new names if the mayor does not wish to make a selection from the list provided by the board. The individual selected by the mayor may assume his or her position upon confirmation by the common council. A chief of police or chief engineer selected under this paragraph shall serve at the pleasure of the mayor.

22 (END)