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May 18, 2021

Assembly Committee on Local Government

RE: Representative Rozar Testimony on AB 224 – Relating to terms of office for local government officers.

Good morning, Chairman Novak and members of the Assembly Committee on Local Government, I appreciate the opportunity to testify in support of AB 224 on behalf of Representative Rozar.

This is a simple piece of legislation that will provide a safety-net, should anything happen that causes a county board election to be postponed.

During the COVID-19 pandemic, many issues were brought to light impacting county government. One substantial issue was, if the spring election in 2020 had been postponed, county board supervisor's terms would have expired, leaving counties with no legislative body.

In some cases, the county board Chair serves as the County Administrator, which constitutes the executive branch of county government.

Currently, county board supervisors are elected to 2-year terms beginning the 3rd Monday in April for Milwaukee County, the 3rd Tuesday in April for all other counties. If a county board election were postponed, terms would expire and counties would be left without a governing body. For counties, this means they would be unable to carry out the functions of county government, as there would be no elected and seated county board supervisors.

This legislation will amend current Wisconsin State Statute to allow the terms of county board supervisors to extend until a successor is elected and certified, ensuring counties maintain their legislative body, and in some cases, the executive branch of county government.

Attached to my testimony you will find an amendment that is being offered by Representative Rozar. This amendment makes a small change. With the amendment this bill will apply to town board supervisors and town officials, but only in the event that an election is postponed.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBa0533/1
EVM:amn

ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 224

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 6: before "county" insert "or".

3 2. Page 1, line 7: delete lines 7 and 8 and substitute "supervisor or a town
4 officer to whom s. 60.30 (4) (a) 2. applies.".

5 3. Page 2, line 22: delete lines 22 and 23 and substitute:

6 "60.30 (4) (a) 2. If a spring election is postponed, the term of an elected town
7 officer shall continue until 2 weeks after the date of the postponed election or until
8 a successor is elected and qualified, whichever occurs first."

9 4. Page 2, line 24: delete the material beginning with that line and ending with
10 page 3, line 5.

11

(END)

STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT



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From: Senator Kathy Bernier
To: The Assembly Committee on Local Government
Re: Testimony on Assembly Bill 224
Relating to: terms of office for local government officers.
Date: May 18, 2021

Thank you Chairman Novak and committee members for allowing me to provide testimony on Assembly Bill 224. I am grateful for the opportunity to work with Rep. Donna Rozar on this simple but important legislation.

During the COVID-19 pandemic, many issues were brought to light impacting county government. One substantial issue was, if the spring election had been postponed, county supervisor's terms would expire, leaving counties with no legislative body.

Currently, county supervisors are elected to 2-year terms beginning on the 3rd Monday in April for Milwaukee County, and 3rd Tuesday in April for all other counties. If a spring election in an even-numbered year were postponed, terms would expire and counties would be left without board members. For counties, this means they would be unable to carry out the functions of county government as there would be no elected and seated county supervisors.

There are two amendments to the bill. The first corrects an issue from when the bill was circulated and removes municipal elected officials at the request of the League of Municipalities. The latest amendment will clarify that the bill's provisions will only apply in cases where an election has been delayed.

Finally, to reiterate, this legislation amends current Wisconsin State Statute to allow the terms of county supervisors and town board members to extend until a successor is elected and qualified. I ask you to please support the passage of Assembly Bill 224. Thank you again for allowing me to provide testimony today.



MEMORANDUM

TO: Honorable Members of the Assembly Committee on Local Government

FROM: Marcie Rainbolt, Government Affairs Associate

DATE: May 18, 2021

SUBJECT: Support Assembly Bill 224: Terms of Office for Local Government Officers

During the COVID-19 global pandemic, there were many issues brought to light impacting county government. One substantial issue involved whether the spring election would be delayed or continue as scheduled. While the election was ultimately held on April 7, 2020, a delay in the election would have resulted in the absence of elected county board supervisors.

According to Wis. Stat. § 59.10(3)(d): Supervisors are county officers, shall be elected for 2-year terms at the election to be held on the first Tuesday in April in even-numbered years and shall take office on the 3rd Tuesday in April of that year. Given the “fixed” length of county supervisory terms, if the spring election were postponed, county board members would no longer serve in office on the third Tuesday in April. A delayed election would result in no county supervisors elected in the state and therefore, no legislative body of county government.

Assembly Bill (AB) 224 simply would amend statutes and allow county board supervisors the ability to continue to serve if a future election were to be postponed. The county board supervisors’ term would be extended only until the election could properly take place and a successor was elected and appropriately seated.

The Wisconsin Counties Association, on behalf of its county members, respectfully requests your support of AB 224.