

# LEGISLATIVE HEARING CALENDAR

Positions to be taken by the City of Milwaukee on the following bills will be discussed by the

## COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, OCTOBER 15, 2007 AT 9:30 AM

Room 301-B City Hall

- AB-418 Restricting access to the consolidated court automated programs.
- AB-496 Limiting the searchability of a governmental Internet listing of property taxes assessed.
- SB-269 Terminating a tenancy for imminent threat of serious physical harm, making leases that  
AB-520 restrict access to certain services void and unenforceable, and prohibiting the imposition of fees for local government emergency services.
- AB-482 Prohibiting the Milwaukee Public Schools from imposing residency requirements on teachers.
- SB-258 Governance of metropolitan sewerage districts created by 1<sup>st</sup> class cities; popular election of metropolitan sewerage commissions in other sewerage districts, town sanitary district commissions, governing boards of local exposition, local professional baseball park, professional football stadium, and cultural arts districts, and technical college district boards; providing an exemption from and extending the time limit for emergency rule procedures; and granting rule-making authority.

State Budget Update:

## 2007 ASSEMBLY BILL 418

June 21, 2007 – Introduced by Representatives SCHNEIDER, KESSLER, GRIGSBY and A. WILLIAMS. Referred to Committee on Corrections and Courts.

- 1 AN ACT *to create* 758.20 of the statutes; **relating to:** restricting access to the  
2 consolidated court automated programs.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the director of state courts has established a consolidated electronic system that contains information about cases filed in the circuit courts in the state, including both civil cases and criminal cases. This system, known as the Consolidated Court Automation Programs (“CCAP”) contains a variety of information about the parties to circuit court cases, their attorneys, documents filed with the court, and deadlines, decisions, and outcomes of cases. The information contained on the CCAP system is available in an Internet Web site that presently has no limitations on who can access the information in the system, although information in certain types of cases is not available to the public. The CCAP system allows a person accessing it to search for all cases, civil and criminal, in which a person or entity who is the subject of the search has been a party.

Currently, the initial CCAP Web page displayed in each criminal case and in each traffic and other civil forfeiture case contains a statement that employers may not discriminate against persons because of arrest and conviction records except in certain circumstances. The initial CCAP Web page for each criminal case and in each traffic and other civil forfeiture case that did not result in a conviction also contains a statement that the charges were not proven, have no legal effect, and the defendant in that case is presumed innocent. The initial CCAP Web page for each case in which there was a conviction for a traffic or other civil forfeiture offense, but no criminal conviction, contains a statement that the charge or charges in the case are not criminal offenses.

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This bill restricts public access to the CCAP system from the Internet while permitting unlimited access to information in the CCAP system to Wisconsin judges or other court officials, law enforcement personnel, attorneys, and accredited journalists, as well as persons who regularly deal with court documents in the course of their job duties. The bill allows limited access to CCAP information for other persons, who must submit to either the clerk of courts or district attorney in the county where the request for CCAP information is filed a written request for information that includes their full name and address, the full name and address of the person or entity subject to the request, the relationship, if any, between the requester and the subject of the request, and the purpose for the request. If the requester shows, subject to the discretion of the clerk of courts or district attorney, a reasonable purpose for the request, the requester will be granted limited access to CCAP for viewing information on the person or entity that is the subject of the request.

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

1           **SECTION 1.** 758.20 of the statutes is created to read:

2           **758.20 Consolidated court automation programs.** (1) In this section,  
3 “consolidated court automation programs” means the statewide electronic circuit  
4 court case management system maintained by the director of state courts at the  
5 Wisconsin Circuit Court Access Internet Web site established pursuant to s. 758.19  
6 (4).

7           (2) (a) The following persons shall have unlimited access to the information  
8 contained in the consolidated court automation programs system:

9           1. Justices, judges, magistrates, court commissioners, and other employees of  
10 state, federal, and municipal courts in Wisconsin who require access to court  
11 documents and records in the course of their employment.

12           2. Law enforcement officers as defined in s. 941.299 (1) (c) and other employees  
13 of state, federal, and municipal law enforcement agencies in Wisconsin who require  
14 access to court documents and records in the course of their employment.

## 2007 ASSEMBLY BILL 496

September 6, 2007 – Introduced by Representatives PARISI, KAUFERT, A. WILLIAMS, HRAYCHUCK, BERCEAU, FIELDS, SHILLING, TURNER, POPE-ROBERTS and SINICKI, cosponsored by Senators ROESSLER and DARLING. Referred to Committee on Urban and Local Affairs.

1 AN ACT *to create* 66.0145 of the statutes; **relating to:** limiting the searchability  
2 of a governmental Internet listing of property taxes assessed.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, if a taxation district (district) maintains an Internet listing of property taxes assessed by the district and if the listing contains the name of a property owner whose property is assessed, the listing may not be searchable, by name, by members of the general public. Such an Internet listing may contain the property taxes assessed by the district for each parcel number or street address within the jurisdiction.

The bill also specifically authorizes a district to maintain records in its offices that contain the property taxes assessed by the district for each parcel number or street address within the jurisdiction, and these office records may also contain the name of the property owner.

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

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

3 SECTION 1. 66.0145 of the statutes is created to read:

4 **66.0145 Listing of property tax assessments.** (1) If a taxation district  
5 maintains an Internet listing of property taxes assessed within its jurisdiction and

## 2007 SENATE BILL 269

September 21, 2007 – Introduced by Senators COGGS, SULLIVAN, CARPENTER, LASSA, DARLING, PLALE, OLSEN, RISSER, HANSEN, KREITLOW, SCHULTZ, ROESSLER and HARSDORF, cosponsored by Representatives SUDER, GRIGSBY, RICHARDS, KESSLER, SINICKI, PARISI, MUSSER, ZEPNICK, BERCEAU, A. WILLIAMS, TURNER, TOWNSEND, A. OTT, STRACHOTA, NERISON, TAUCHEN, SMITH, SEIDEL, POCAN, KAUFERT, HONADEL, DAVIS, LEMAHIEU, KLEEFISCH, MOULTON, NYGREN and PETROWSKI. Referred to Committee on Labor, Elections and Urban Affairs.

1     **AN ACT** *to renumber and amend* 704.19 (2) (b); and *to create* 66.0627 (7),  
2           704.16 and 704.44 of the statutes; **relating to:** terminating a tenancy for  
3           imminent threat of serious physical harm, making leases that restrict access  
4           to certain services void and unenforceable, and prohibiting the imposition of  
5           fees for local government emergency services.

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### *Analysis by the Legislative Reference Bureau*

#### ***Landlord-tenant relations***

Under current law, if leased premises become untenable because of damage by fire, water, or other casualty, because of a condition that is hazardous to the tenant's health, or because the tenant's health or safety is materially affected by lack of repairs to the premises, the tenant may remove from the premises and is not responsible for rent for the period after the premises became untenable. This bill provides that a tenant may terminate his or her tenancy and remove from the premises if the tenant or a child of the tenant faces an imminent threat of serious physical harm from another person if the tenant remains on the premises. The tenant must provide notice to the landlord and a certified copy of: 1) an injunction order protecting the tenant or the child from the person; 2) a condition of release ordering the person not to contact the tenant; 3) a criminal complaint alleging that the person sexually assaulted or stalked the tenant or the child; or 4) a criminal complaint filed against the person as a result of an arrest for committing a domestic

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abuse offense against the tenant. If the tenant provides the required certified copy and proper notice of the termination of the tenancy to the landlord and removes from the premises, the tenant is not responsible for any rent after the end of the month in which he or she provides the notice or removes from the premises, whichever is later.

Under current law, a landlord may not increase rent, decrease services, bring an action for possession of the premises, refuse to renew a lease, or threaten to do any of those things, if there is a preponderance of evidence that the landlord's action or inaction is in retaliation against the tenant for making a good faith complaint about a defect in the premises to a public official or housing code enforcement agency, for complaining about a violation of a local housing code, or for exercising a legal right related to residential tenancies. This bill provides that a lease is void and unenforceable if it allows a landlord to increase rent, decrease services, bring an action for possession of the premises, refuse to renew a lease, or threaten to do any of those things, because the tenant has contacted an entity for law enforcement services, health services, or safety services.

***Local government emergency services***

Under current law, a municipality (a city, village, or town) may impose a special charge against real property for current services rendered, including services such as snow and ice removal, weed elimination, and sidewalk repair. This bill prohibits a municipality or a county from imposing a fee on the owner or occupant of property for a call for assistance that is made by the owner or occupant requesting law enforcement, fire protection, or other emergency services from the municipality or county.

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

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

- 1           **SECTION 1.** 66.0627 (7) of the statutes is created to read:
- 2           66.0627 (7) Notwithstanding sub. (2), no city, village, town, or county may
- 3 enact an ordinance, or enforce an existing ordinance, that imposes a fee on the owner
- 4 or occupant of property for a call for assistance that is made by the owner or occupant
- 5 requesting law enforcement, fire protection, or other emergency services that are
- 6 provided by the city, village, town, or county.
- 7           **SECTION 2.** 704.16 of the statutes is created to read:

## 2007 ASSEMBLY BILL 520

October 4, 2007 – Introduced by Representatives SUDER, BERCEAU, DAVIS, GRIGSBY, HONADEL, KAUFERT, KESSLER, KLEEFISCH, LEMAHIEU, MOULTON, MUSSER, NERISON, NYGREN, A. OTT, PARISI, PETROWSKI, POCAN, RICHARDS, SEIDEL, SINICKI, SMITH, STRACHOTA, TAUCHEN, TOWNSEND, TURNER, A. WILLIAMS and ZEPNICK, cosponsored by Senators COGGS, CARPENTER, DARLING, HANSEN, HARSDORF, KREITLOW, LASSA, OLSEN, PLALE, RISSER, ROESSLER, SCHULTZ and SULLIVAN. Referred to Committee on Housing.

1     **AN ACT** *to renumber and amend* 704.19 (2) (b); and *to create* 66.0627 (7),  
2           704.16 and 704.44 of the statutes; **relating to:** terminating a tenancy for  
3           imminent threat of serious physical harm, making leases that restrict access  
4           to certain services void and unenforceable, and prohibiting the imposition of  
5           fees for local government emergency services.

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### *Analysis by the Legislative Reference Bureau*

#### ***Landlord-tenant relations***

Under current law, if leased premises become untenable because of damage by fire, water, or other casualty, because of a condition that is hazardous to the tenant's health, or because the tenant's health or safety is materially affected by lack of repairs to the premises, the tenant may remove from the premises and is not responsible for rent for the period after the premises became untenable. This bill provides that a tenant may terminate his or her tenancy and remove from the premises if the tenant or a child of the tenant faces an imminent threat of serious physical harm from another person if the tenant remains on the premises. The tenant must provide notice to the landlord and a certified copy of: 1) an injunction order protecting the tenant or the child from the person; 2) a condition of release ordering the person not to contact the tenant; 3) a criminal complaint alleging that the person sexually assaulted or stalked the tenant or the child; or 4) a criminal complaint filed against the person as a result of an arrest for committing a domestic

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abuse offense against the tenant. If the tenant provides the required certified copy and proper notice of the termination of the tenancy to the landlord and removes from the premises, the tenant is not responsible for any rent after the end of the month in which he or she provides the notice or removes from the premises, whichever is later.

Under current law, a landlord may not increase rent, decrease services, bring an action for possession of the premises, refuse to renew a lease, or threaten to do any of those things, if there is a preponderance of evidence that the landlord's action or inaction is in retaliation against the tenant for making a good faith complaint about a defect in the premises to a public official or housing code enforcement agency, for complaining about a violation of a local housing code, or for exercising a legal right related to residential tenancies. This bill provides that a lease is void and unenforceable if it allows a landlord to increase rent, decrease services, bring an action for possession of the premises, refuse to renew a lease, or threaten to do any of those things, because the tenant has contacted an entity for law enforcement services, health services, or safety services.

***Local government emergency services***

Under current law, a municipality (a city, village, or town) may impose a special charge against real property for current services rendered, including services such as snow and ice removal, weed elimination, and sidewalk repair. This bill prohibits a municipality or a county from imposing a fee on the owner or occupant of property for a call for assistance that is made by the owner or occupant requesting law enforcement, fire protection, or other emergency services from the municipality or county.

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

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

1           **SECTION 1.** 66.0627 (7) of the statutes is created to read:

2           66.0627 (7) Notwithstanding sub. (2), no city, village, town, or county may  
3 enact an ordinance, or enforce an existing ordinance, that imposes a fee on the owner  
4 or occupant of property for a call for assistance that is made by the owner or occupant  
5 requesting law enforcement, fire protection, or other emergency services that are  
6 provided by the city, village, town, or county.

7           **SECTION 2.** 704.16 of the statutes is created to read:



## 2007 ASSEMBLY BILL 482

August 7, 2007 – Introduced by Representatives GUNDERSON, VOS, PRIDEMORE, POPE-ROBERTS, MUSSER, KESTELL, ALBERS, BIES, MURSAU and TOWNSEND, cosponsored by Senators DARLING, LAZICH and SCHULTZ. Referred to Committee on Education.

1     **AN ACT** *to create* 119.16 (11) of the statutes; **relating to:** prohibiting the  
2     Milwaukee Public Schools from imposing residency requirements on teachers.

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### *Analysis by the Legislative Reference Bureau*

Beginning July 1, 2009, this bill prohibits the Milwaukee Public Schools from requiring, as a condition of employment, that a teacher reside within the school district.

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

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

3     **SECTION 1.** 119.16 (11) of the statutes is created to read:

4     119.16 **(11)** RESIDENCY REQUIREMENTS. (a) In this subsection, “teacher” means  
5     any person holding a license or permit issued by the state superintendent whose  
6     employment by a school district requires that he or she hold that license or permit.

7     (b) The board may not require, as a condition of employment, that a teacher  
8     reside within the district.

**2007 SENATE BILL 258**

September 6, 2007 – Introduced by Senator LAZICH, cosponsored by Representatives PRIDEMORE, OWENS, ROTH and J. OTT. Referred to Committee on Commerce, Utilities and Rail.

1     **AN ACT** *to repeal* 38.04 (15), 38.08 (1g), (2) and (2m), 38.10, 60.72 (8) (b), 60.74  
2         (1), 60.74 (2), 60.74 (3) (b), 60.74 (4), 60.74 (5), 60.74 (5m), 60.74 (6), 60.75 (1)  
3         (b), 60.75 (2) (c), 60.75 (3) (c), 60.76 (1) (b), 200.09 (9), 200.09 (11), 200.09 (11)  
4         (a), 200.09 (11) (am) 2. and 3., 200.09 (11) (b), 200.15 (4), 200.25 (1) to (4), 200.25  
5         (8), 229.42 (4) (a) to (f), 229.42 (7) (b) 2. and 3., 229.822 (2) (a) to (c), 229.842 (2)  
6         (a) to (d), 229.842 (3) (a) 1. to 4., 229.842 (3) (b) and 229.842 (4); **to renumber**  
7         **and amend** 60.74 (3) (a), 60.75 (1) (a), 60.76 (1) (a), 66.0217 (10) (b), 200.09 (11)  
8         (am) 1., 229.42 (4) (intro.), 229.42 (7) (b) 1., 229.822 (2) (intro.), 229.842 (2)  
9         (intro.) and 229.842 (3) (a) (intro.); **to amend** 5.01 (4) (a), 5.02 (3), (5) and (23),  
10         5.15 (1) (c), 5.58 (1r), 5.58 (2m), 5.58 (3), 5.60 (1) (title), 5.60 (1) (b), 5.60 (4m),  
11         5.60 (6m), 7.10 (1) (a), 7.51 (3) (b), 7.51 (3) (d), 7.51 (4) (b), 7.51 (5) (a) 2. and 3.  
12         and (b), 7.60 (4) (a), 7.60 (5) (a), 7.70 (3) (d), 8.10 (3) (cm), 8.10 (3) (d), 8.10 (6)  
13         (a), 8.11 (1) (a), (b) and (d), 9.10 (1) (a), 9.10 (2) (b), 9.10 (2) (d), 9.10 (3) (a), 9.10  
14         (4) (a), 9.10 (4) (d), 9.10 (7), 10.05, 11.02 (3), 11.26 (1) (c), 11.26 (1) (d) 2., 11.26

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1 (2) (c), 11.26 (2) (e) 2., 11.31 (1) (f), 11.31 (1) (g) (intro.), 17.13 (intro.), 17.13 (3),  
2 17.27 (1m), 38.08 (1) (b), 60.72 (8) (a), 60.72 (8) (d), 60.75 (2) (a), 60.75 (2) (b),  
3 60.75 (2) (d), 60.75 (3) (a), 60.75 (3) (b), 60.75 (4), 60.785 (2) (b), 66.0219 (2) (a),  
4 66.0227 (3), 67.05 (5) (a), 67.05 (7) (b), 67.05 (7) (e), 200.09 (1), 200.11 (9), 200.27  
5 (1), 200.27 (3), 229.42 (3), 229.42 (5), 229.42 (6), 229.42 (7) (a), 229.435, 229.822  
6 (3), 229.822 (6), 229.842 (1) (b), 229.842 (3) (c) and 229.842 (7); **to repeal and**  
7 **recreate** 17.27 (3), 38.08 (1) (a), 200.23 (2) and 200.25 (7) (a); and **to create** 5.15  
8 (2) (f) 6., 5.58 (1t), 5.58 (2s), 5.60 (1) (aL), 5.60 (4n), 7.53 (3n), 7.70 (6), 8.10 (3)  
9 (ae), 8.10 (6) (f), 8.10 (6) (g), 8.11 (2g), 8.11 (6), 8.11 (7), 8.11 (8), 8.11 (10), 11.02  
10 (9) to (12), 11.02 (14) and (15), 11.31 (1) (g) 1. d., 17.01 (9m), 17.01 (10m), 17.01  
11 (11n), 17.02 (2), 17.02 (5), 17.17 (2) and (2m), 17.27 (1g), 38.06 (6), 38.08 (1) (c),  
12 38.08 (6), 66.0217 (10) (b) 1. to 3. and 229.42 (7) (c) of the statutes; **relating to:**  
13 governance of metropolitan sewerage districts created by 1st class cities;  
14 popular election of metropolitan sewerage commissions in other sewerage  
15 districts, town sanitary district commissions, governing boards of local  
16 exposition, local professional baseball park, professional football stadium, and  
17 cultural arts districts, and technical college district boards; providing an  
18 exemption from and extending the time limit for emergency rule procedures;  
19 and granting rule-making authority.

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***Analysis by the Legislative Reference Bureau***

Currently, the members of a metropolitan sewerage district commission in sewerage districts not created by first class cities and the members of town sanitary district commissions may be elected or appointed. Currently, the members of the metropolitan sewerage district commission in a sewerage district created by a first class city and the members of the governing boards of local exposition, professional baseball park, professional football stadium, and cultural arts districts are appointed. This bill provides for the popular election of all members of these

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commissions and boards, except the members of a professional baseball park district board, on a nonpartisan ballot at the spring election, beginning in 2009.

***Milwaukee Metropolitan Sewerage Commission***

Currently, the membership of the commission governing a metropolitan sewerage district created by a first class city — currently only the Milwaukee Metropolitan Sewerage District (MMSD) — is composed of not less than nine nor more than 13 members who are appointed by the mayor of the first class city and an executive council consisting of the chief elective officers of the other cities and the villages and towns that are wholly or partly contained within the district. Members serve for three-year terms. The allocation of seats between the first class city and the other municipalities is determined on the basis of the populations of the first class city and the other territory within the district relative to the population of the district. Commissioners may be removed by their appointing authorities at any time, and vacancies are filled in the same manner that regular appointments are made.

This bill provides instead for an 11-member commission to be elected by the electors of the metropolitan sewerage district on a nonpartisan ballot at the spring election. Under the bill, each member is elected to represent a subdistrict within the metropolitan sewerage district. Subdistricts must be equal in population, insofar as practicable. A member must reside within the subdistrict from which he or she is elected. Members serve for two-year terms, with the terms of those members representing even-numbered subdistricts expiring in even-numbered years and the terms of those members representing odd-numbered subdistricts expiring in odd-numbered years. Commissioners may be removed from office by a circuit court for cause and are subject to recall in the same manner as is currently provided for municipal elective officers. Vacancies are filled by appointment of the remaining members of the commission until a successor can be chosen at the spring election. Nomination paper signature requirements and contribution limits are the same as currently provided for other local offices, and spending guidelines are the same as for the office of county supervisor in counties having a population of 500,000 or more. Candidates for the office of commissioner are not eligible to receive public grants to finance their campaigns.

Under current law, the chairperson of the MMSD is elected by the other commissioners for a term specified by MMSD rule, although the chairperson is removable at the pleasure of the commission. Under this bill, the chairperson of the MMSD is elected by the other commissioners for a one-year term, and he or she is still removable during his or her term by a majority vote of the other members of the commission.

The bill provides for the commission to redistrict the subdistricts on a decennial basis. Under the bill, each reapportionment plan must provide for each subdistrict to consist of whole wards or municipalities. In addition, the commission must give due consideration to maintaining the compactness of subdistricts, maintaining the integrity of counties and municipalities within subdistricts, maintaining communities of interest within subdistricts, and fostering politically competitive subdistricts. However, the bill provides for the initial plan of apportionment of the subdistricts within the metropolitan sewerage district to be prescribed by state law

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pursuant to the recommendations of a special legislative committee which is charged by the bill with recommending an initial apportionment plan to the legislature. The bill provides that the plan is subject to the same standards that apply to a decennial reapportionment plan. Under the bill, the committee consists of ten members, including four members of the majority party within each house and one member of the minority party within each house. Each house must ensure that at least three of its appointees represent legislative districts that are wholly or partially contained within the metropolitan sewerage district. The enacted plan remains in effect until the next decennial census.

***Other metropolitan sewerage commissions***

Currently, the commissioners of a metropolitan sewerage district that does not include territory within a first class city are appointed by the county board or boards of supervisors of the county or counties having territory within the district or by the municipalities having territory in the district, except that if the governing bodies of all municipalities having territory within a district so determine, the commissioners are elected at large on a nonpartisan ballot at the spring election.

This bill provides that the commissioners of all metropolitan sewerage districts that do not include territory within a first class city shall be elected at large on a nonpartisan ballot at the spring election. Under the bill, the terms of service, method for filling vacancies, nomination paper signature requirements, and contribution limits for the office of commissioner in such districts are the same as currently provided for elective commissioners of the districts. Candidates for the office of commissioner are not eligible to receive public grants to finance their campaigns.

***Town sanitary district commissions***

Currently, one or more towns may organize a town sanitary district. The boundaries of the district need not be coterminous with any town. Each district is governed by a town sanitary district commission consisting of three members who serve at large for six-year terms, except that if a district is contained entirely within one town, the town board may constitute itself as the commission. Alternatively, the town board may provide for the appointment of commissioners, or may provide for the election of commissioners on a nonpartisan ballot at the spring election. If a district is contained within more than one town, the town board of the town containing the largest portion of the equalized full value of taxable property in the district may provide for the appointment or election of commissioners. Upon petition of a number of electors of the town equaling at least 20 percent of the vote cast for governor in the district at the last election, the district must change the method of selection of commissioners from appointment to election, and if a petition is approved by the electors of the district in a referendum, must change the method of selection of commissioners from election to appointment.

This bill provides for the election of each town sanitary district commission by the electors of the district at large on a nonpartisan ballot at the spring election. Under the bill, commissioners continue to serve for staggered six-year terms. The bill provides that the method of filling vacancies, nomination paper signature requirements, and contribution limits for the office of commissioner are the same as currently provided for elected commissioners of town sanitary districts. Under the

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bill, candidates for the office of commissioner are not eligible to receive public grants to finance their campaigns.

***Technical college district boards***

Currently, the state technical college system is managed on the local level by district boards consisting of nine members in each of the state's 16 technical college districts. The members of the technical college district board for each district are appointed by an appointment committee consisting of local elected officials in accordance with a representation plan based upon population distribution within the district, including distribution of women and minorities. All members of district boards must be residents of the district. Two members must be employers and two members must be employees. One member must be a school district administrator of a school district that lies within the technical college district. All members serve for three-year terms.

This bill provides for the election of all members of district boards from election districts within each technical college district on a nonpartisan ballot at the spring election. Each member must be an elector of the election district from which he or she is elected. Terms are changed to four years. Board members may be removed from office by a circuit court for cause and are subject to recall in the same manner as is currently provided for municipal elective officers. Vacancies are filled by appointment of the remaining members of the board until a successor can be chosen at the spring election. Under the bill, current district board members serve until July 1, 2009, at which time district board members who are elected at the 2009 spring election take office. The terms of the members are staggered so that at least two are elected every year. Nomination paper signature requirements, contribution limits, and spending guidelines are the same as currently provided for the office of representative to the assembly. Candidates for the district board are not eligible to receive public grants to finance their campaigns.

***Local exposition district boards of directors***

Currently, any municipality or combination of two or more municipalities may create an exposition district, the territory of which is coterminous with the territory of the sponsoring municipality or municipalities, except that if the sponsoring municipality is a first class city, the territory of the district is coterminous with that municipality and each city or village that is wholly or partly contained within the most populous county in which the city is located. The district is governed by a board of directors whose members are appointed by the chief executive officer or officers of the sponsoring municipality or municipalities, subject to confirmation by the municipal governing body or bodies. The number of members of a board of directors varies depending upon which municipality sponsors the district and whether there is more than one such municipality. Board members must be qualified to serve in accordance with certain statutory membership categories. Board members serve for staggered three-year terms.

This bill provides for the election of all members of local exposition district boards for staggered three-year terms at large by the electors of the district on a nonpartisan ballot at the spring election. Under the bill, all board members must be residents of the district. The bill permits the current appointing authorities or

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authorities to appoint initial board members in a newly created district and to fill vacancies by appointment. Nomination paper signature requirements and contribution limits are the same as currently established for local offices in special purpose districts. Under the bill, candidates for the office of board member are not eligible to receive public grants to finance their campaigns.

***Local professional baseball park district boards***

Currently, there is created a professional baseball park district in each county with a population of 600,000 or more and all counties that are contiguous to that county that are not included within another such district. The district is governed by a district board whose members are appointed, in numbers specified in the statutes, by the governor, subject to confirmation by the senate, by the chief executive officers of the counties within the district, and by the mayor or common council president of the most populous city within the district. Currently, there exists one professional baseball park district in this state which has a district board consisting of 13 members.

This bill creates a special committee for each local professional baseball park district that is in existence on the day the bill becomes law. The committee consists of the county executive (or the county board chairperson if there is no executive) of each county that has territory within the district. The committee is directed to report to the 2009 legislature when it convenes concerning the committee's recommendation for a process for popular election of the members of the district board of the district.

***Local professional football stadium district boards***

Currently, there is created a professional football stadium district in each county with a population of more than 150,000 in which is located the principal site of a stadium that is home to a professional football team that meets certain specified statutory criteria. The district is governed by a district board whose members are appointed, in numbers specified in the statutes, by the mayor of the most populous city that is located wholly or partly within the district, the chief elected official of each other municipality that is located wholly or partly within the district, and the county executive or board chairperson of the county in which the football stadium is located. Currently, there exists one professional football stadium district in this state which has a district board consisting of eight members.

***Local cultural arts district boards***

Currently, any city with a population of more than 150,000 may create a cultural arts district, the boundaries of which are coterminous with the boundaries of the city. The district is governed by a district board. If the sponsoring city is a first class city, the common council determines the membership and method of selection of the district board members. If the sponsoring city is not a first class city, the governor, mayor of the sponsoring city, and county executive or their designees serve as members of the district board, and the governor may appoint three additional members, the mayor may appoint six additional members, and the county executive may appoint one additional member.

This bill provides for the election of all members of each cultural arts district board for staggered four-year terms at large by the electors of the district on a

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nonpartisan ballot at the spring election. Under the bill, all district board members must have resided within 25 miles of the sponsoring city's city hall for at least one year prior to assuming office. The bill permits a committee consisting of the governor, the mayor of the sponsoring city, and the county executive or board chairperson of the county in which the largest portion of the population of the sponsoring city is located to appoint initial district board members in a newly created district and to fill vacancies by appointment. Nomination paper signature requirements and contribution limits are the same as currently established for local offices in special purpose districts. Under the bill, candidates for the office of district board member are not eligible to receive public grants to finance their campaigns.

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

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

1           **SECTION 1.** 5.01 (4) (a) of the statutes is amended to read:

2           5.01 **(4)** (a) If 2 or more candidates for the same office receive the greatest, but  
3 an equal number of votes, the winner shall be chosen by lot in the presence of the  
4 board of canvassers charged with the responsibility to determine the election, or in  
5 the case of an election for state or national office or metropolitan sewerage  
6 commissioner, if the ~~commissioner~~ metropolitan sewerage district is elected  
7 organized under s. ~~200.09 (11) (am)~~ subch. I of ch. 200, in the presence of the  
8 chairperson of the board or the chairperson's designee.

9           **SECTION 2.** 5.02 (3), (5) and (23) of the statutes are amended to read:

10           5.02 **(3)** "Educational officer" means the state superintendent, a member of a  
11 technical college district board, and a school board members member.

12           **(5)** "General election" means the election held in even-numbered years on the  
13 Tuesday after the first Monday in November to elect United States senators,  
14 representatives in congress, presidential electors, state senators, representatives to  
15 the assembly, district attorneys, state officers other than the state superintendent,