



2003 SENATE BILL 351

December 17, 2003 - Introduced by Senators KANAVAS, KEDZIE, REYNOLDS, BROWN and ROESSLER, cosponsored by Representatives UNDERHEIM, SUDER, J. WOOD, STONE, ALBERS, NASS, GUNDERSON and SHILLING. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

- 1 **AN ACT to amend** 59.10 (3) (c) (title); and **to create** 59.10 (3) (cm) of the statutes;
2 **relating to:** the size of the county board of supervisors in certain counties.

Analysis by the Legislative Reference Bureau

Current law requires each county board to redistrict its supervisory districts once every ten years based on the results of the decennial federal census, except that in counties having a population of 500,000 or more (currently only Milwaukee County) the board may, after enactment of a decennial redistricting plan, redistrict to reduce the size of the board not more than once prior to November 15, 2010.

This bill permits the board of supervisors of any county with a population of less than 500,000, except a county having only one town (currently, all counties except Milwaukee and Menominee) to decrease the number of supervisors on the board and adopt a new redistricting plan during the ten-year period between the adoption of decennial redistricting plans. The bill requires the redistricting plan to satisfy certain criteria that also apply to decennial redistricting plans. For example, the bill requires the districts created under the redistricting plan to be substantially equal in population and in as compact a form as possible, and requires each district to contain whole contiguous municipalities or contiguous parts of the same municipality. The bill further requires the districts to consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted and requires the original numbers of the districts in their geographic outlines, to the extent possible, to be retained.

The bill also permits the electors of any county whose board is permitted to enact an intradecade redistricting plan to require the enactment of such a plan by

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petition and referendum. A petition must be signed by a number of electors of the county equal to at least 25% of the total votes cast for the office of supervisor at the most recent supervisory election. If a valid petition is filed, a referendum must be held at the next regularly scheduled election in the county that follows the date of filing by at least 42 days. The question must specify the proposed number of members of the board. If the question is approved, a committee consisting of one person appointed by the chairperson of the board and two persons appointed by the county clerk enacts an ordinance prescribing revised boundaries for the supervisory districts in the county in accordance with the approved question at the referendum. The districts are subject to the same requirements that apply to districts created by the board in an intradecade plan enacted by the board.

Under the bill, supervisors are elected from the districts created under any intradecade redistricting plan at the next spring election when supervisors would normally be elected.

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

1 **SECTION 1.** 59.10 (3) (c) (title) of the statutes is amended to read:

2 59.10 (3) (c) (title) *Changes during decade; municipal boundary adjustments.*

3 **SECTION 2.** 59.10 (3) (cm) of the statutes is created to read:

4 59.10 (3) (cm) *Changes during decade; reduction in size.* 1. ‘Number of
5 supervisors; redistricting.’ The board may decrease the number of supervisors after
6 the enactment of a supervisory district plan under par. (b). In that case, the board
7 shall redistrict, readjust, and change the boundaries of supervisory districts, so that
8 the number of districts equals the number of supervisors, the districts are
9 substantially equal in population according to the most recent countywide federal
10 census, the districts are in as compact a form as possible, and the districts consist of
11 contiguous whole wards in existence at the time at which the redistricting plan is
12 adopted. In the redistricting plan, the board shall adhere to the requirements under
13 par. (b) 2. and 3. with regard to contiguity and shall, to the extent possible, place
14 whole contiguous municipalities or contiguous parts of the same municipality within

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1 the same district. In redistricting under this subdivision, the original numbers of the
2 districts in their geographic outlines, to the extent possible, shall be retained. No
3 plan may be enacted under this subdivision during review of the sufficiency of a
4 petition filed under subd. 2. nor after a referendum is scheduled on such a petition.
5 The chairperson of the board shall file a certified copy of any redistricting plan
6 adopted under this subdivision with the secretary of state.

7 2. 'Petition and referendum.' The electors of the county may, by petition and
8 referendum, decrease the number of supervisors after the enactment of a
9 supervisory district plan under par. (b). The petition for a change in the number of
10 supervisors may be filed with the county clerk. The petition shall specify the
11 proposed number of supervisors to be elected. The petition shall be in the form
12 specified in s. 8.40 and shall contain a number of signatures of electors of the county
13 equal to at least 25% of the total votes cast in the county for the office of supervisor
14 at the most recent spring election preceding the date of filing. Any signatures on the
15 petition that are dated later than 50 days after the date of the earliest signature on
16 the petition are invalid. The county clerk shall promptly determine the sufficiency
17 of a petition filed under this subdivision. Upon determination that a petition is
18 sufficient, the county clerk shall call a referendum concurrently with the next
19 regularly scheduled election in the county that is held not earlier than 42 days after
20 the determination is made. The question proposed at the referendum shall be: "Shall
21 the Board of Supervisors of County be decreased from members to
22 members?". If the question is approved by a majority of the electors voting on the
23 question, a committee consisting of one person appointed by the chairperson of the
24 board and 2 persons appointed by the county clerk shall enact an ordinance
25 prescribing revised boundaries for the supervisory districts in the county in

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1 accordance with the approved question. The districts are subject to the same
2 requirements that apply to districts in any plan enacted by the board under subd. 1.
3 The county clerk shall file a certified copy of any redistricting plan adopted under
4 this subdivision with the secretary of state.

5 3. 'Election; term.' Except as otherwise provided in this subdivision, any
6 redistricting plan enacted under subd. 1. or 2. that becomes effective before
7 November 15 immediately preceding the expiration of the term of office of
8 supervisors in the county first applies to the spring election following the plan's
9 effective date at which supervisors are regularly elected in the county; otherwise, the
10 plan first applies to the 2nd succeeding spring election following the plan's effective
11 date at which supervisors are regularly elected in the county. If a question is
12 approved at a referendum held under subd. 2., no subsequent plan under subd. 1. or
13 2. may take effect before 2 years have elapsed after the effective date of the plan
14 enacted pursuant to the referendum. Any redistricting plan enacted under subd. 1.
15 or 2. shall remain in effect until the effective date of a subsequent redistricting plan
16 enacted under subd. 1. or 2. or until the effective date of a redistricting plan
17 subsequently enacted under par. (b). Supervisors elected from the districts created
18 under subd. 1. or 2. shall serve for 2-year terms and shall take office on the 3rd
19 Monday in April following their election.

20 (END)