



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-4606/1  
EVM:amn

## 2017 ASSEMBLY BILL 836

January 12, 2018 - Introduced by Representatives NOVAK and SUBECK, cosponsored by Senators OLSEN and MILLER. Referred to Committee on Local Government.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT to amend** 5.58 (2), 5.58 (3), 165.987 (1) and 978.03 (1m) of the statutes;  
2     **relating to:** population standard for populous counties.

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

Under current law, certain provisions of the statutes apply to populous counties. Generally, under current law, these “populous counties” provisions apply to counties having a population of 500,000 or more, based on the most recent census data (currently only Milwaukee County). This bill changes the standard in these “populous counties” provisions to counties having a population of 750,000 or more (currently only Milwaukee County).

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

3     **SECTION 1.** 5.58 (2) of the statutes is amended to read:  
4     5.58 (2) STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; JUDICIARY; COUNTY  
5     EXECUTIVE; COUNTY COMPTROLLER; AND COUNTY SUPERVISORS. There shall be one  
6     separate ballot for state superintendent, judicial officers, county executive under s.  
7     59.17, and county supervisor, except as authorized in s. 5.655. In counties having a

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1 population of 750,000 or more, the ballot shall also include the office of comptroller  
2 and ~~in counties having a population of 500,000 or more, the ballot shall also include~~  
3 those offices under s. 8.11 (2) (b) and (2m). The arrangement of names of candidates  
4 for state superintendent, justice, court of appeals judge, and circuit court judge shall  
5 be determined by the commission in the manner specified in s. 5.60 (1) (b).  
6 Arrangement of the names of candidates for county executive, county comptroller,  
7 and county supervisor shall be determined by the county clerk or by the executive  
8 director of the county board of election commissioners in the manner specified in s.  
9 5.60 (1) (b).

10 **SECTION 2.** 5.58 (3) of the statutes is amended to read:

11 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,  
12 for any judicial office, for any elected seat on a metropolitan sewerage commission  
13 or town sanitary district commission, in counties having a population of 750,000 or  
14 more, only 2 candidates for the office of comptroller, ~~in counties having a population~~  
15 ~~of 500,000 or more~~ and only 2 candidates for member of the board of supervisors  
16 within each district, in counties having a population of less than ~~500,000~~ 750,000  
17 only 2 candidates for each member of the county board of supervisors from each  
18 district or numbered seat or only 4 candidates for each 2 members of the county board  
19 of supervisors from each district whenever 2 supervisors are elected to unnumbered  
20 seats from the same district, in 1st class cities only 2 candidates for any at-large seat  
21 and only 2 candidates from any election district to be elected to the board of school  
22 directors, in school districts electing school board members to numbered seats, or  
23 pursuant to an apportionment plan or district representation plan, only 2 school  
24 board candidates for each numbered seat or within each district, and twice as many  
25 candidates as are to be elected members of other school boards or other elective

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1 officers receiving the highest number of votes at the primary shall be nominees for  
2 the office at the spring election. Only their names shall appear on the official spring  
3 ballot.

4 **SECTION 3.** 165.987 (1) of the statutes is amended to read:

5 165.987 (1) From the appropriation under s. 20.455 (2) (kj), the department of  
6 justice shall allocate \$500,000 in each fiscal year to enter into a contract with an  
7 organization to provide services in a county having a population of 500,000 750,000  
8 or more for the diversion of youths from gang activities into productive activities,  
9 including placement in appropriate educational, recreational, and employment  
10 programs. Notwithstanding s. 16.75, the department may enter into a contract  
11 under this subsection without soliciting bids or proposals and without accepting the  
12 lowest responsible bid or offer.

13 **SECTION 4.** 978.03 (1m) of the statutes is amended to read:

14 978.03 (1m) The district attorney of any prosecutorial unit having a population  
15 of 200,000 or more but ~~not more than 499,999~~ less than 750,000 may appoint 3 deputy  
16 district attorneys and such assistant district attorneys as may be requested by the  
17 department of administration and authorized in accordance with s. 16.505. The  
18 district attorney shall rank the deputy district attorneys for purposes of carrying out  
19 duties under this section. The deputies, according to rank, may perform any duty  
20 of the district attorney, under the district attorney's direction. In the absence or  
21 disability of the district attorney, the deputies, according to rank, may perform any  
22 act required by law to be performed by the district attorney. Any such deputy must  
23 have practiced law in this state for at least 2 years prior to appointment under this  
24 section.

25 **SECTION 5. Nonstatutory provisions.**

**ASSEMBLY BILL 836****SECTION 5**

1 (1) In the statutes indicated, replace “500,000” with “750,000”: sections 7.30 (4)  
2 (b) 2. a. and b., 8.10 (3) (c), (cm), (d), (f), and (g) and (3m), 8.11 (2) (b), 11.1101 (1) (d),  
3 (2) (d), (3) (g), and (4) (g), 17.21 (5), 19.21 (5) (a) and (b), 27.02 (1), 27.03 (2), 27.06,  
4 27.075 (1), 30.79 (4), 32.08 (1), 38.40 (4m) (a), 40.02 (17) (gm), (25) (a) 6., (28), and (36),  
5 40.30 (1), 43.12 (1) (a) 1. and 3., (2) (intro.), and (7), 43.17 (9) (a), 43.19 (2) (a), 45.03  
6 (13) (k) (intro.), 45.75 (1), 45.80 (4), 46.036 (5m) (em), 46.10 (12), 46.21 (1) (am), 46.22  
7 (1) (a), 46.23 (3) (a), 46.48 (30) (a), 50.03 (2) (b), 51.08, 51.09, 51.437 (4g) (c) and (10m)  
8 (intro.), 59.10 (1) (a), (2) (intro.), (3) (a) (intro.) and 1., (h), and (i), 59.11 (1) (c), 59.13  
9 (3), 59.17 (1) (a) and (b), 59.18 (1), 59.20 (2) (a), (b), and (c), 59.25 (3) (a) 1. and 2. and  
10 (b), 59.26 (1) (intro.) and (8) (a), 59.34 (1) (a), 59.38 (5), 59.40 (1) (a) and (b), 59.42 (1)  
11 (a) and (2) (a) and (b) 4., 59.43 (7) (a) and (b), 59.45 (1) (a) 2. and (b), 59.52 (1) (a) and  
12 (b), (3) (b), (4) (a) 20., (b) (intro.), and (c) (intro.), and (21), 59.55 (3), 59.56 (2) (c), (10)  
13 (b), and (14) (a) 2. and (c), 59.57 (1) (b), 59.60 (1), (7m) (intro.), and (13) (a), 59.64 (4)  
14 (d), 59.66 (2) (a) 2., 59.694 (2) (a) and (b), 59.70 (2) (intro.), 59.74 (2) (b) 1. and 2., (c),  
15 and (h), 59.79 (intro.), 59.792 (1) (a), 59.80, 59.81, 59.82 (1) (intro.), 59.84 (1) (a), 59.85  
16 (1) (d), 59.86, 59.87 (1) (b), 59.875 (1), 59.88 (1), 61.19, 62.23 (6) (am) 2. and (7) (d) 2.  
17 and 2m. b., 63.01 (1), 63.03 (2) (km), (sg), and (sm), 63.065, 65.90 (1) and (6) (intro.),  
18 66.0125 (4), 66.0427, 66.0602 (3) (d) 3., 66.0603 (1m) (e) (intro.) and (5) (intro.),  
19 66.0607 (2), 66.1031 (1) and (3) (intro.), 67.045 (1) (g), 67.12 (12) (a), 70.51 (2), 71.38,  
20 73.06 (1), 74.19, 74.37 (6), 75.521 (3) (a) 2., 75.67 (1), 75.69 (1m) (a), 83.01 (1) (b),  
21 83.015 (3) (a), 83.025 (1) (d), 111.70 (8) (a) and (b), 111.77 (8) (a), 117.132 (1) and (1m)  
22 (c), 118.175 (2), 118.23 (1), 118.25 (3), 120.08 (2) (c), 121.85 (9) (a), 125.04 (3) (f) 2.,  
23 150.93 (3m), 150.951 (1), 164.06 (1), 165.55 (4), 167.27 (1), 174.001 (2j), 174.07 (1) (c)  
24 and (3) (a), 174.10 (2), 175.40 (5) (a), 194.04 (3) (a), 195.29 (4), 198.22 (13), 228.01,  
25 228.02, 228.03 (1), 228.04, 228.05, 228.06, 236.03 (2), 236.12 (1), 236.34 (1m) (em) 2.

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1 c. and (er) 2. b., 236.41 (3), 236.46 (1) (b), 250.01 (4) (a) (intro.) and (b), 251.02 (1), (1m)  
2 (intro.), (2) (a) (intro.) and (b), and (3m), 256.35 (3) (b) 8. a., b., and c., 287.13 (4) (a)  
3 and (b) 1. and 2., 301.08 (1) (b) 2., 302.336 (1), 303.08 (14), 303.16 (3), 345.43 (3) (a),  
4 349.03 (3), 349.13 (4), 753.30 (1) and (3) (intro.), 755.045 (1) (c), 757.41 (2), 757.68  
5 (2m) (a) 1. and (b), (4m), and (5m), 799.04 (2), 814.70 (3) (a) and (b) and (4) (a) and  
6 (b), 815.18 (6) (b) 3. and (13) (hm), 851.71 (4), 851.72 (7) and (9), 938.07 (3), 938.22  
7 (1) (b) and (c) and (3) (a) and (b), 946.87 (3), 961.555 (2) (c), 973.075 (5m) (a) 2.,  
8 973.076 (1) (b) 3., 978.03 (1), 978.07 (2), 978.12 (1) (a) 1. a. and b., (5) (b) and (c)  
9 (intro.), and (6) (a) 2., 978.13 (1) (b), (c), and (d), 985.03 (1) (c), 985.08 (4), and 995.20  
10 of the statutes.

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(END)