Guidelines for Adjusting Municipal Wards Following the 2010 Federal Census

State of Wisconsin
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GUIDELINES FOR ADJUSTING MUNICIPAL WARDS FOLLOWING THE 2010 FEDERAL CENSUS

This bulletin provides information on the ward subdistricting process, the statutory requirements and legal deadlines that must be met, and the relationship among state, county, and local governments in establishing and using municipal wards to form election districts.

For municipal and county clerks, this bulletin supplements the release of detailed population data reflecting the results of the 2010 decennial federal census. It provides guidance to counties and municipalities regarding adjusting ward boundaries so that wards may be combined to form election districts at every level of government.

I. WHAT IS A WARD AND HOW IS IT USED?

Definition

What we in Wisconsin call a "ward" is referred to as a "precinct" in other states or a "voting district" (vtd) by the Census Bureau. Wards do not constitute election districts from which municipal officials are elected, and thus are not subject to the "one person, one vote" requirement which governs the formation of election districts. Instead, wards are intended to serve as administrative subunits that are aggregated into election districts of equal population. Cities, villages, and towns form municipal wards by combining whole census blocks. Municipalities are required to adjust ward boundaries following the decennial federal census to conform to statutorily prescribed population ranges and meet other requirements including compactness, contiguity, and community of interest. Once established, wards serve as the building blocks used by the legislature, counties, and cities in redistricting their respective election districts.

Why Use Wards to Form Election Districts?

The initial rationale for establishing municipal wards was to give local governments the opportunity to influence the delineation of the boundaries of census tracts and enumeration districts and have a useful tool for planning purposes. As the result of enactment of federal legislation in 1975 (P.L. 94-171), municipalities were given the opportunity to receive population data for voting districts as well as census geography. The establishment of wards was made mandatory following the 1980 Census, and the legislature and courts have used those wards to form legislative districts. This is in contrast to previous legislative redistricting that relied on geographic descriptions to define the boundaries of legislative districts.

The use of locally defined wards which take into account growth patterns, communities of interest, and geography rather than the population collection units devised by the Census Bureau, provides a more meaningful building block to form election districts.

In addition, using the same wards to describe the boundaries of aldermanic, supervisory, and legislative districts aids voters and election officials.

Who Is Required to Establish Wards?

Section 5.15, Wisconsin Statutes, requires that all cities, villages, and towns with a population of 1,000 or more establish wards. Municipalities under 1,000 population may establish

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wards if they choose to. In addition, a county board may request that a municipality within the county establish a ward or wards if the county board proposes to place the municipality in two or more supervisory districts. The governing body of a municipality – the common council or village or town board – is responsible for establishing ward boundaries. An ordinance or resolution describing the ward boundaries must be adopted by a majority of the members of the governing body.

Requirements for Constructing Wards

In creating wards, municipalities are required to follow the standards specified in Section 5.15 of the statutes. Wards must:

- *Be comprised of whole census blocks*
  Wards are constructed by aggregating whole census blocks so that the population of the ward falls within a predetermined range (see: Population Ranges of Wards, p. 3-4). The census block is the smallest unit for which population is tabulated, and is typically bounded by streets or other prominent physical features. Political boundaries (municipal limits and county lines) may also serve as block boundaries. Blocks may be as small as a typical city block bounded by four streets or as large as several square miles in rural areas. They usually contain fewer than 100 people. *[5.15 (1)(b)]*

  There are two exceptions to the "whole block" requirement. A municipality may split a census block if its population is too large to permit the establishment of aldermanic districts of equal population. If annexed or detached territory divides a block, the affected municipalities may incorporate only the portion of the block contained within their boundaries. *[5.15 (2) (c) and (g)]*

  Any division of blocks must be based on the best evidence available of where the block's residents actually live. "Best evidence" includes data such as housing units, utility connections, and vehicle registrations. *[5.15 (2) (cm)]*

- *Suit the convenience of voters*
  Wards should "as far as practicable", be kept compact and observe the community of interest of existing neighborhoods. *[5.15 (1) (b)]*

- *Be comprised of contiguous territory*
  The only exception is island territory which is defined as territory separated from the major part of the municipality by water or the territory of another municipality. *[5.15 (1) (b)]*

- *Take into account the county supervisory district plan*
  Municipalities must make a "good faith effort" to accommodate the tentative county supervisory district plan by establishing wards which meet the county's needs. *[5.15 (2) (d)]*

- *Consider population and racial and ethnic characteristics*
  Wards must be constructed in a manner that permits the creation of supervisory and aldermanic districts of substantially equal population. They must also enhance the participation of members of racial or language minority groups in the political process and their ability to elect representatives of choice. *[5.15 (2) (bm); 5.15 (1) (a) 2.]*

- *Comply with the population ranges specified by law*
  See Section on Population Ranges of Wards.

- *Lie entirely within one municipality and one county*

Wards may not cross municipal or county lines. *[5.15. (1) (d)]*

- *Reflect the municipal boundaries in place on August 1, 2011*
  By specifying a uniform "snapshot" date for municipal boundaries, discrepancies are avoided in municipal boundaries, which is especially important for those also forming the boundaries between legislative districts. *[5.15 (1) (b)]*

Annexations

In general, annexations take effect on the date specified by the annexation ordinance or resolution**.** For purposes of adjusting ward boundaries, however, territory affected by annexations and detachments occurring up to August 1, 2011, must be incorporated in the ward plan adopted by the municipality. Annexations (or detachments) which occur after August 1, 2011, are not delayed because of redistricting but are not relevant for purposes of municipal subdistricting or legislative redistricting. Thus, municipal wards and legislative districts will reflect the same municipal boundaries in effect on the August 1, 2011, "snapshot" date.

Two additional points relating to annexations bear mentioning. The first is that once the boundaries of legislative districts are established by the legislature, annexations, consolidations, detachments, or any other action by a municipality cannot alter legislative districts. If a city or village annexes territory that is part of an adjacent assembly district, the annexed territory remains, for the rest of the decade, in the assembly district in which it was placed by the legislature. The second point relates to the population of the annexed or detached territory. Because all redistricting must be based on the population as reported by the decennial federal census which enumerates inhabitants according to their residences on April 1, 2010, the population of territory shifted by annexation between April 1, 2010 (the date used by the U.S. Bureau of the Census to determine place of residence), and August 1, 2011 (the date used by the legislature to determine municipal boundaries) must be computed using the location of residents on April 1, 2010. For purposes of redistricting, all population remains in the municipality where it was located on August 1, 2011, and cannot be counted in another municipality because of a subsequent annexation or detachment, although for purposes of elections, municipalities may adjust aldermanic district boundaries to reflect annexations and detachments after they become effective.

Population shifts occurring during the decade are not reflected in supervisory or aldermanic districts recorded until the next decennial census is taken, except that a county may alter the boundaries of its supervisory districts during mid-decade to reflect municipal boundary changes and a city may adjust the number of aldermanic districts in the city not more than once every two years, using the existing wards.

Thus, for purposes of redistricting, municipal boundaries must be shown as of August 1, 2011, and population must be allocated as reported by the Census Bureau based on residence as of April 1, 2010.

Population Ranges of Wards

The population ranges for wards were not arrived at arbitrarily; they were intended to approximately correspond to the population ranges of the geographic reporting units used by the U.S. Bureau of the Census.

Statute Section 5.15 (1) (a) directs that the population of a ward be established at a "convenient point" within the population range set by law with "due consideration for the known trends of population increase or decrease". Thus, the population of each ward should be set

at a level which is consistent with the prescribed population ranges, and which can accommodate fluctuations in population over a relatively long time.

Section 5.15 (2) (b) establishes specific population ranges, tied to the population of the municipality, that wards must fall within:

Population of Municipality	Ward Population Range
Cities over 150,000	1,000 to 4,000
Cities 39,000 to 149,999	800 to 3,200
Cities, villages, or towns	
10,000 to 38,999	600 to 2,100
1,000 to 9,999	300 to 1,000
Cities, villages, or towns to 999 . .	no division required

Wards may be established below the prescribed population ranges under several specified circumstances. These situations include territory which is located in a county or school district other than the county or school district in which the major part of the municipality is located; island territory containing resident population; territory which becomes part of a municipality after the adoption of a decennial ward plan; territory consisting of a portion of a ward the remainder of which has been detached from a municipality; and wards established to permit the creation of supervisory districts of equal population.

Adjusting Ward Boundaries in 2011

Ward boundaries are intended to be as permanent as possible with changes made only to accommodate changes in population growth patterns, alterations in municipal boundaries, or the mathematical requirements of creating election districts of equal population. Ward boundaries require adjustment under the following circumstances:

- *To reflect changes in population*
  Municipalities are required to adjust the boundaries of those wards which, according to the 2010 Census of Population, have either gained or lost population and as a result no longer fit with the statutory population ranges. A ward which exceeds the maximum of the applicable population range is to be divided into two or more wards; a ward which falls below the minimum of the applicable population range is to be combined with an adjacent ward or combined with the adjacent ward and subdivided into two or more wards. *[5.15 (1) (a) 3.]*
- *To reflect changes in minority population*
  Municipalities are also required to consider the racial and ethnic characteristics of the population when adjusting ward boundaries so that members of racial or language minority groups have an opportunity to elect candidates of their choice. Although wards do not directly constitute election districts, they are used to form such districts. Thus, minority population must be distributed within a combination of wards in such a manner as to make it possible to combine those wards to construct an aldermanic or supervisory district in which a racial or language minority has an opportunity to elect a representative of its choice. Court decisions have held that Black and Hispanic populations must be given special attention in redistricting and that election districts must be drawn so that a minority group has a fair chance to elect a candidate of its choice. *[5.15 (1) (a) 2.]*

- *To reflect changes in municipal boundaries*
  Adjustments in ward boundaries must be made to accommodate annexations, detachments, or other changes in municipal boundaries that have occurred since the previous ward plan was adopted. *[5.15 (1) (b), (2) (f)]*
- *To accommodate the establishment of county supervisory districts*
  Wards may also need adjustment to permit the establishment of county supervisory districts of equal population. Municipalities are required to consider the tentative county supervisory district plan in determining whether existing ward boundaries need to be changed. The county's tentative plan must include the number and tentative boundaries of the proposed supervisory districts or a description of boundary requirements. In the event that a municipality needs to be divided into two or more supervisory districts which cannot be accommodated within the existing ward plan, the county board is to submit a written statement to the municipality indicating the approximate location and population of the requested wards. *[5.15. (2) (d)]*
- *To facilitate the creation of aldermanic districts of equal population*
  A municipality may find it necessary to adjust existing ward boundaries if they no longer allow for the creation of aldermanic districts that are as nearly equal in population as practicable. *[5.15 (2) (bm)]*
- *Mid-decade changes*
  Once established, the boundaries of each ward are to remain unchanged until the next decennial census. However, several exceptions are recognized, although no ward line adjustment may cross the boundary of an assembly district. A town board may adjust ward boundaries if a new town is created or if part of the town is annexed to a city or village and realignment of the remaining town wards becomes necessary. *[5.15 (7)]* A city, village, or town must adjust ward boundaries to reflect a municipal detachment. *[5.15 (2) (e)]* New territory that becomes part of a municipality during the decade may constitute new ward, even if that ward falls below the prescribed minimum population range. *[5.15 (2) (f) 4.]* An annexation ordinance may annex territory to an existing ward or may place it in a new ward. *[66.0217 (8) (b)]* Finally, a ward may be adjusted by the legislature, as a matter of statewide concern, in the enactment of legislative districts. *[5.15 (1) (c)]*
- *To summarize:*
  The only reasons for adjusting ward boundaries are to: 1) comply with the population ranges required by law, 2) reflect changes in municipal boundaries occurring subsequent to the adoption of the previous ward plan, 3) permit the establishment of election districts of substantially equal population, and 4) permit the establishment of aldermanic or supervisory districts which enhance the participation of minorities in the political process and their ability to elect representatives of their choice.

The intent is that wards remain relatively permanent, with changes in ward boundaries made only to accommodate changes in population growth patterns, alterations in municipal boundaries, or the mathematical requirements of creating election districts of equal population.

In addition to the obvious benefit of greatly simplifying the task of reestablishing a ward plan based on the decennial census, municipalities benefit in other ways when ward lines are not disturbed. When wards remain relatively constant, the administration of elections is sim-

plified. Although the combination of wards comprising an election district may change, and aldermanic, supervisory, legislative, and congressional districts must be redrawn to reflect shifts in population, ward boundaries often need not change. Voter identification with the ward develops and is strengthened over time, and election officials have fewer problems in administering elections.

II. USING WARDS TO FORM ELECTION DISTRICTS

3-Step Process

The establishment of municipal wards requires cooperation between the municipality and the county board of each county in which a municipality is located and involves a 3-step process. Each step must be completed within 60 days.

Step 1 requires the county board to submit a tentative county supervisory district plan to each municipal governing body in the county. The county board is required to hold a public hearing on the tentative plan. If a municipality needs to be divided and placed in more than one supervisory district, the board is to indicate the approximate location of the territory from which a ward is sought and the approximate population of the ward.

In step 2, municipalities have a maximum of 60 days to adjust ward boundaries to comply with the proposed supervisory district plan following receipt of the tentative plan.

The third 60-day step requires counties to adopt final supervisory district plans and cities to establish aldermanic district plans.

The governing body of a municipality – the common council or village or town board – is responsible for establishing ward boundaries. An ordinance or resolution describing the ward boundaries must be adopted by a majority of the members of the governing body. Section 5.18 of the Wisconsin Statutes provides that if a municipality fails to adopt a ward plan within the prescribed time period, the county or any elector of the municipality may submit a proposed ward plan to the appropriate circuit court. If the court finds that the existing municipal ward plan fails to comply with statutory requirements, it may promulgate the submitted plan, or any other plan, to serve as a temporary ward plan until superseded by a valid plan enacted by the municipality.

Time Table

The official publication of population data and census maps on March 21, 2011, started the redistricting clock. As noted, counties have up to 60 days to enact a tentative redistricting plan; municipalities are allotted up to the following 60 days to enact an ordinance or resolution establishing municipal wards; and counties and municipalities are given up to 60 days to establish election districts. Each step begins when the previous step is completed and each step must be completed within 60 days. The 3 steps should be completed by October 1, 2011. All local elections beginning January 1, 2012, must be from the newly established districts. The Wisconsin Legislature is given the entire 2011-2012 session to establish legislative district boundaries. As a practical matter – so that the 2012 legislative elections can be based on the new districts – the legislature must complete redistricting by early May 2012 to facilitate publication of the first legal notice in May 2012 for the 2012 fall elections.

Requirement	Date / Completed By
P.L. 94-171 file received	March 10, 2011
Population data posted on the Redistricting Web site	March 21, 2011
Counties adopt tentative supervisory plans	June 2011
Municipalities adopt ward plans	August 2011
Counties establish supervisory districts	October 2011
Cities establish aldermanic districts	October 2011
Legislature establishes legislative and congressional districts	April 2012

Numbering of Wards and Combining Wards for Voting Purposes

Wards are to be designated by consecutive whole numbers beginning with the number "one". Wards may be combined to allow the use of a common polling place as long as the numbering of the combined wards is not changed. *[5.15 (4) (a)]* Municipalities having a population of 35,000 or more are required to maintain separate returns for all wards. Municipalities under 35,000 population are not required to maintain separate returns for combined wards as long as all voters in the combined wards are eligible to vote for the same offices. A resolution combining wards for voting purposes must be adopted prior to each election, although resolutions adopted by municipalities under 35,000 remain in effect until modified or rescinded. *[5.15 (6) (b)]*

III. COUNTY SUPERVISORY DISTRICTS

There are 2 steps involved in the establishment of county supervisory districts. The first step requires the county board to adopt a preliminary county supervisory district plan within 60 days after detailed population data and block level maps are made available by the state. The second step begins after municipalities adopt ward plans and requires the county board to enact a final supervisory district plan. A public hearing is required before adoption of both the tentative and final plans.

Step 1 − 59.10 (3) (b) 1.

At the first public hearing, the county board is directed to solicit suggestions from municipalities concerning the proposed tentative plan. The plan may be amended after the public hearing to incorporate suggestions received. A copy of the tentative plan is to be sent to the governing body of each municipality in the county.

County boards are to work cooperatively with municipalities in establishing supervisory districts. Supervisory districts are to be comprised of whole contiguous municipalities, parts of the same municipality, or contiguous parts of adjoining municipalities consisting of whole wards. All districts are to be substantially equal in population. Dual member districts are not permitted. If the tentative plan requires that a municipality be divided between two or more districts, the county board is to provide the municipality with a copy of the plan and a statement specifying the approximate location and population of the territory needed for the wards required to create the districts.

If the county board fails to adopt a tentative plan within 14 days from the expiration of the 60-day period, any municipality or voter within the county may submit a proposed plan to the circuit court. The court may promulgate that plan, or any other plan, as a temporary

supervisory district plan until superseded by a valid plan enacted by the county board. *[59.10 (6)]*

Step 2 – 59.10 (3) (b) 2.

The second step in the process requires the county board to hold a second public hearing and adopt a final supervisory district plan. This is to occur within 60 days after all the municipalities in the county have adjusted wards. All wards within a supervisory district must be contiguous, except for wards within a municipality that are wholly surrounded by water or another municipality, in which case the noncontiguous ward may be combined with its parent municipality to form a supervisory district. The county board chairperson is to file a copy of the final plan with the Secretary of State.

The complete text of Section 59.10 (3) (b) governing county supervisory districting is printed in the Appendix.

IV. ALDERMANIC DISTRICTS

The common council of a city is required to redistrict aldermanic districts within 60 days of adjusting its ward boundaries. Aldermanic districts are to be constructed from contiguous whole wards (excluding any isolated ward consisting of island territory surrounded by water or another municipality), must be as compact as possible, and must contain, as nearly as practicable, an equal number of inhabitants.

The redistricting ordinance must be adopted by a majority vote of all members of the common council. The common council is authorized to increase or decrease the number of aldermanic districts during the decade. Such action must not occur more frequently than once every two years and requires a two-thirds vote of the members of the common council.

Only towns and villages with a population of 1,000 or more are required to establish wards. However, all municipalities may be required to establish wards when necessary to create supervisory, legislative, or congressional districts of equal population. Town supervisors and village trustees continue to be elected on an at-large basis.

The text of Section 62.08, pertaining to the alteration of aldermanic districts, is printed in the Appendix.

V. REPORTING REQUIREMENTS

In addition to the division ordinance or resolution, municipalities must provide to the county clerk of each county in which the municipality is located, a list of census block numbers contained within each ward. Any split blocks must be identified and the population for each part provided, based on the April 1, 2010, reporting date. A map of the municipality showing the revised ward boundaries is also required. The resolution or ordinance, list of blocks, and map must be sent to the appropriate county clerk or clerks within five days after adoption of the ward plan.

Municipalities over 10,000 population are also required to send an additional copy of the ordinance or resolution, block number list, and map to the Legislative Reference Bureau (P.O. Box 2037, Madison, WI 53701-2037) within five days of the adoption of the ward plan.

Additional instructions will be sent concerning the format for reporting information.

VI. FOR FURTHER INFORMATION

For assistance in ward subdistricting and alteration of election districts, local officials have a number of resources available including regional planning commissions, county extension agents, county land information officers, and local government interest groups. There are also several Internet Web sites that provide useful information. Population data, maps, and other information are available on the Wisconsin Legislature redistricting Web site at: http://www.legis.state.wi.us/ltsb/redistricting. The U.S. Census Bureau Web site provides downloadable maps and redistricting population data at: http://www.census.gov/rdo. (See Appendix B.)

At the state and regional level, information is available from several sources. These include:

Legislative Reference Bureau
1 East Main Street
P.O. Box 2037
Madison, Wisconsin 53701-2037

Contact: Michael Keane (608) 266-0346; michael.keane@legis.wisconsin.gov
For: General information on redistricting
Format for sending ward plans to the state

Contact: Larry Barish (608) 266-0344; larry.barish@legis.wisconsin.gov
For: General information on redistricting

Contact: Steve Miller (608) 267-2175; steve.miller@legis.wisconsin.gov
For: General information on redistricting

Legislative Technology Services Bureau
Suite 200, 17 West Main Street
Madison, Wisconsin 53703-3305

Contact: Tony Van Der Wielen (608) 283-1817; tony.vanderwielen@legis.wisconsin.gov
For: Information on using WISE-LR software
Electronic data
Copies of maps

Applied Population Laboratory
Department of Community and Environmental Sociology
316 Agriculture Hall, 1450 Linden Drive
Madison, Wisconsin 53706

Contact: Dan Veroff, Extension Demographic Specialist (608) 265-9545;
dlveroff@wisc.edu
For: Census data questions

Government Accountability Board
Elections Division
812 East Washington Avenue, 3rd Floor
P.O. Box 7984
Madison, Wisconsin 53707-7984

Contact: Diane Lowe (608) 266-3276; diane.lowe@wi.gov
Steve Pickett (608) 266-3061; steve.pickett@wi.gov
For: Questions on administration of elections

U.S. Census Bureau
Chicago Regional Census Center
500 West Madison Street, Suite 1600
Chicago, Illinois 60661
Contact: Gail Krmenec, Asst. Regional Census Manager (312) 454-2709; gail.krmenec@census.gov
For: Count Question Resolution (CQR) program
Boundary, geocoding, and coverage corrections

VII. APPENDIX

A: Statutory References

The following statute sections are reprinted from the 2009-10 Wisconsin Statutes.

Text of Section 5.15

5.15 Division of municipalities into wards. (1) (a) 1. Every city, village, and town in this state shall by its common council or village or town board, respectively, be divided into wards as provided in this section, except as authorized in sub. (2). The boundaries of the wards established under this section, and the number assigned to each ward, are intended to be as permanent as possible, and to this end each ward shall when created contain a population at a convenient point within the applicable population range under sub. (2) (b), with due consideration for the known trends of population increase or decrease within that part of the municipality in which the ward is located.

2. Once established, the boundaries of each ward shall remain unchanged until a further decennial federal census of population indicates that the population of a ward is then above or below the applicable population range or until the ward boundaries are required to be changed to permit creation of supervisory or aldermanic districts of substantially equal population or to enhance the participation of members of a racial or language minority group in the political process and their ability to elect representatives of their choice.

3. If the population of a ward has increased above the maximum of its population range or if the population of a ward must be decreased for a reason specified in subd. 2., the ward shall be divided into 2 or more wards in compliance with sub. (2) (b). If the population of a ward has decreased below the minimum of its population range or if the population of a ward must be increased for a reason specified in subd. 2., the ward shall, if possible, be combined with an adjoining ward, or the underpopulated ward and one adjoining ward shall be combined and together subdivided into 2 or more wards in compliance with sub. (2).

(b) Except as authorized in sub. (2) (a), within 60 days after the receipt of a tentative supervisory district plan and written statement, if any, from the county board of each county in which a municipality is located, the governing body of the municipality shall adjust its wards according to the schedule shown in sub. (2). All territory contained within the municipality, and only the territory so contained, on August 1 following the year of the federal decennial census shall be contained within a ward. Except as authorized in sub. (2), each ward shall consist of whole blocks. To suit the convenience of the voters residing therein each ward shall, as far as practicable, be kept compact and observe the community of interest of existing neighborhoods and other settlements. All territory within a ward shall be contiguous, except for island territory as defined in sub. (2) (f) 3. Enactment or adoption of a division ordinance or resolution requires the affirmative vote of a majority of the members of the governing body.

(c) The wards established by municipal governing bodies under this section on the basis of the published results of each federal decennial census of population shall govern the adjustment of supervisory districts under s. 59.10 (2) (a) and (3) (b) and of aldermanic districts under s. 62.08 (1) for the purpose of local elections beginning on January 1 of the 2nd year commencing after the year of the census until revised under this section on the basis of the results of the next decen-

nial census of population unless adjusted under sub. (2) (f) 4., (6) (a) or (7), or unless adjusted, as a matter of statewide concern, in the enactment of legislative districts under article IV, section 3, of the constitution on the basis of the most recent decennial census of population.

(d) Every ward shall be wholly contained within a single county.

(2) (a) Except as required by par. (d), no city electing its common council at large in which the total population is less than 1,000, and no village or town in which the total population is less than 1,000 is required to be divided into wards under this section, but any such city, village or town may divide itself into wards if the creation of wards facilitates the administration of elections. No village or town located in a county having only one town is required to be divided into wards under this section.

(b) 1. In any city in which the population is at least 150,000, each ward shall contain not less than 1,000 nor more than 4,000 inhabitants.

2. In any city in which the population is at least 39,000 but less than 150,000, each ward shall contain not less than 800 nor more than 3,200 inhabitants.

3. In any city, village or town in which the population is at least 10,000 but less than 39,000, each ward shall contain not less than 600 nor more than 2,100 inhabitants.

4. In any city, village or town in which the population is less than 10,000, each ward shall contain not less than 300 nor more than 1,000 inhabitants.

(bm) Every city electing the members of its common council from aldermanic districts shall assemble the blocks wholly or partially contained within the city into wards that will enable the creation of aldermanic districts that are substantially equal in population.

(c) If the population of a block exceeds the maximum population for a ward otherwise specified in this subsection, such block shall be constituted a ward by itself, except that if the population of a block substantially exceeds the population of proposed aldermanic districts in a city so that, if the block were to constitute an aldermanic district, the populations of the aldermanic districts in the city would not be substantially equal, the city shall divide the block to permit assembly into wards that will enable creation of aldermanic districts that are substantially equal in population.

(cm) Any division of blocks under this section shall be based on the best evidence available. In this paragraph, "best evidence" includes, but is not limited to, the population of the block and other information received from the U.S. bureau of the census and such data as number of housing units, utility connections and vehicle registrations or a special census conducted locally. For each ward so established, the population estimate shall be correlated with the results of the most recent federal decennial census, so that the total population reported for all wards in the municipality agrees with the census results.

(d) Every municipality shall make a good faith effort to accommodate the tentative plan submitted by the county or counties in which it is located under s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards in such a manner that will permit the creation of county supervisory districts in accordance with the population requirements for the plan specified in s. 59.10 (2) (a) or (3) (b) 1.

(e) Notwithstanding par. (b), if territory is detached from a city, village or town after adoption of a decennial ward plan, and the remaining portion of the ward to which it was attached falls below the prescribed minimum population for the applicable range, the remaining portion of the population may be constituted a ward by itself.

(f) Notwithstanding par. (b), any city, village or town may establish a ward below the prescribed minimum population for the applicable range whenever the proposed ward is established under par. (a), (d) or (e) or whenever the proposed ward contains solely:

1. That part of a city or village situated in a county other than the county in which the major part of the municipality is located.

2. That part of a city, village or town belonging to a school district other than the school district to which the major part of the municipality belongs.

3. Island territory containing a resident population. In this subdivision, "island territory" means territory surrounded by water, or noncontiguous territory which is separated by the territory of another municipality or by water, or both, from the major part of the municipality to which it belongs.

4. New territory which becomes a part of a city, village or town after the adoption of a decennial ward plan.

(g) If a block is affected by an annexation or detachment which establishes a municipal boundary that subdivides the block, the municipalities in which the block is contained shall incorporate only the portion of the block contained within their boundaries in their ward plans.

(4) (a) The division ordinance or resolution shall number all wards in the municipality in whole numbers in consecutive order, beginning with the number one, shall designate the polling place for each ward, and shall describe the boundaries of each ward consistent with the conventions set forth in s. 4.003. The ordinance or resolution shall be accompanied by a list of the block numbers used by the U.S. bureau of the census that are wholly or partly contained within each ward, with any block numbers partly contained within a ward identified, and a map of the municipality which illustrates the revised ward boundaries.

(b) Within 5 days after adoption or enactment of an ordinance or resolution under this section, the municipal clerk shall transmit one copy of the ordinance or resolution to the county clerk of each county in which the municipality is contained, accompanied by the list and map specified in par. (a). If the population of the municipality exceeds 10,000, the municipal clerk shall furnish one copy to the legislative reference bureau at the same time. Each copy shall identify the name of the municipality and the county or counties in which it is located.

(5) When a town is divided into wards, the annual town meeting shall be held in a location authorized under s. 60.11 (3) (a).

(6) (a) Following any municipality−wide special federal census of population, the governing body of the municipality in which the special census was held may, by ordinance or resolution, adjust the ward boundaries, but no ward line adjustment may cross the boundary of an assembly district. The municipal clerk shall transmit copies of the ordinance or resolution in compliance with sub. (4) (b).

(b) No later than 60 days before each September primary and general election, and no later than 30 days before each other election the governing body of any municipality may by resolution combine 2 or more wards for voting purposes to facilitate using a common polling place. Whenever wards are so combined, the original ward numbers shall continue to be utilized for all official purposes. Except as otherwise authorized under this paragraph, every municipality having a population of 35,000 or more shall maintain separate returns for each ward so combined. In municipalities having a population of less than 35,000, the governing body may provide in the resolution that returns shall be maintained only for each group of combined wards at any election. Whenever a governing body provides for common ballot boxes and ballots or voting machines, separate returns shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the September primary and general election. The municipal clerk shall transmit a copy of the resolution to the county clerk of each county in which the municipality is contained. In municipalities having a population of less than 35,000, the resolution shall remain in effect for each election until modified or rescinded, or until a new division is made under this section.

(7) If a new town is created or if part of a town is annexed to a city or village during a decennial period after the period for ward adjustments under sub. (1) (b), the town board of any town to which territory is attached or from which territory is detached, without regard to the time provisions of sub. (1) (b), may, by ordinance or resolution, adjust the wards in that town, but no ward line adjustment may cross the boundary of an assembly district. The town clerk shall transmit copies of the ordinance or resolution making the adjustment in compliance with sub. (4) (b).

(8) Until divided, all elections are held in the established wards.

History: 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182; 2005 a. 149, 312.

City and county apportionment is discussed. City of Janesville v. Rock County, 107 Wis. 2d 187, 319 N.W.2d 891 (Ct. App. 1982).

The court properly voided the city's plan and adopted the county's plan, even though the county did not adopt the plan within 60 days of receiving census data. County of La Crosse v. City of La Crosse, 108 Wis. 2d 560, 322 N.W.2d 531 (Ct. App. 1982).

Text of Section 5.18

5.18 Enforcement of division requirement. If any municipality fails to comply with s. 5.15, the county in which the municipality is located or any elector of the municipality may submit to the circuit court for any county in which the municipality is located within 14 days from the expiration of the 60–day period under s. 5.15 (1) (b) a proposed plan for the division of the municipality into wards in compliance with this section. If the circuit court finds that the existing division of the municipality into wards fails to comply with s. 5.15, it shall review the plan submitted by the petitioner and after reasonable notice to the municipality may promulgate the plan, or any other plan in compliance with s. 5.15, as a temporary ward plan for the municipality to remain in effect until superseded by a ward plan adopted by the governing body in compliance with s. 5.15.

History: 1985 a. 304 ss. 9, 11, 12.

Text of Section 59.10

59.10 Boards: composition; election; terms; compensation; compatibility. The boards of the several counties shall be composed of representatives from within the county who are elected and compensated as provided in this section. Each board shall act under sub. (2), (3) or (5), unless the board enacts an ordinance, by a majority vote of the entire membership, to act under sub. (1). If a board enacts such ordinance, a certified copy shall be filed with the secretary of state.

(1) SELF–ORGANIZED COUNTIES. (a) *Number of supervisors and apportionment of supervisory districts.* In each county with a population of at least 500,000, sub. (2) (a) and (b) applies. In counties with a population of less than 500,000 and more than one town, sub. (3) (a) to (c) applies. In counties with one town only, sub. (5) applies.

(b) *Terms.* The term of office of supervisors is 2 years. A board may determine whether the terms shall be concurrent or staggered. Supervisors shall be elected at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms and shall take office on the 3rd Tuesday in April following their election. If the board determines that supervisors shall serve staggered terms, the board shall, by ordinance, provide for a division of supervisors into 2 classes, one class to be elected for one–half of a full term and the other class for a full term and thereafter the supervisors shall be elected for a full term. The board shall publish the ordinance as a class 1 notice, under ch. 985, or as a notice, as described under s. 59.14 (1m) (b), before publication of the notice of the election at which supervisors are to be elected.

(c) *Compensation.* The method of compensation for supervisors shall be determined by the board.

(d) *Vacancies.* A board may determine the procedure for filling a vacancy.

(2) MILWAUKEE COUNTY. In each county with a population of at least 500,000:

(a) *Composition; supervisory districts.* Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, the board shall adopt and transmit to the governing body of each city and village wholly or partially contained within the county a tentative county supervisory district plan to be considered by the cities and villages when dividing into wards. The plan shall specify the number of supervisors to be elected and shall divide the county into a number of districts equal to the number of supervisors, with each district substantially equal in population and consisting of contiguous whole wards. Except as otherwise provided in this paragraph, the board shall develop and adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

(b) *Election; term.* Supervisors shall be elected for 4–year terms at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms, and shall take office on the 3rd Monday in April following their election.

(c) *Compensation.* Each supervisor shall be paid by the county an annual salary set by the board. The board may provide additional compensation for the chairperson. Section 66.0505 applies to this paragraph.

(d) *Changes during decade.* 1. 'Number of supervisors; redistricting.' The board may, not more than once prior to November 15, 2010, decrease the number of supervisors after the enactment of a supervisory district plan under par. (a). In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under sub. (3) (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. The chairperson of the board shall file a certified copy of any redistricting plan adopted under this subdivision with the secretary of state.

2. 'Election; term.' Any redistricting plan enacted under subd. 1. becomes effective on the first November 15 following its enactment, and first applies to the spring election following the plan's effective date. Any redistricting plan enacted under subd. 1. shall remain in effect until the effective date of a redistricting plan subsequently enacted under par. (a). Supervisors elected from the districts created under subd. 1. shall serve for 4–year terms and shall take office on the 3rd Monday in April following their election.

(3) OTHER COUNTIES. (a) *Classification; maximum number of supervisors.* Counties with a population of less than 500,000 and

more than one town are classified and entitled to a maximum number of supervisors as follows:

1. Counties with a population of less than 500,000 but at least 100,000 shall have no more than 47 supervisors.

2. Counties with a population of less than 100,000 but at least 50,000 shall have no more than 39 supervisors.

3. Counties with a population of less than 50,000 but at least 25,000 shall have no more than 31 supervisors.

4. Counties with a population of less than 25,000 and containing more than one town shall have no more than 21 supervisors.

5. If the population of any county is within 2% of the minimum population for the next most populous grouping under this paragraph, the board thereof, in establishing supervisory districts, may employ the maximum number for such districts set for such next most populous grouping.

(b) *Creation of supervisory districts.* 1. Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, each board shall propose a tentative county supervisory district plan setting forth the number of supervisory districts and tentative boundaries or a description of boundary requirements, hold a public hearing on the proposed plan and adopt a tentative plan. The proposed plan may be amended after the public hearing. The board shall solicit suggestions from municipalities concerning the development of an appropriate plan. The board shall transmit to each municipal governing body in the county the tentative plan that is adopted. Each district shall consist of whole wards or municipalities. Each district shall be designated to be represented by one supervisor, and all districts shall be substantially equal in population. In the tentative plan, the board shall, whenever possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. If the division of a municipality is sought by the board, the board shall provide with the plan a written statement to the municipality affected by each proposed division specifying the approximate location of the territory from which a ward is sought to be created for contiguity purposes and the approximate population of the ward proposed to effectuate the division.

2. Within 60 days after every municipality in the county adjusts its wards under s. 5.15, the board shall hold a public hearing and shall then adopt a final supervisory district plan, numbering each district. Wards within each supervisory district created by the plan shall be contiguous, except that one or more wards located within a city or village which is wholly surrounded by another city or water, or both, may be combined with one or more noncontiguous wards, or one or more wards or portions of wards consisting of island territory as defined in s. 5.15 (2) (f) 3. may be combined with one or more noncontiguous wards or portions of wards within the same municipality, to form a supervisory district.

4. The chairperson of the board shall file a certified copy of the final districting plan with the secretary of state.

(c) *Changes during decade; municipal boundary adjustments.* After the enactment of a plan of supervisory districts under par. (b), a municipal incorporation, annexation, detachment or consolidation may serve as a basis for altering between federal decennial censuses the boundaries of supervisory districts, in the discretion of the board. The number of supervisory districts in the county shall not be changed by any action under this paragraph. Any plan of county supervisory districts enacted under par. (b) may be amended under this paragraph but shall remain in effect as amended until superseded by another plan enacted by the board under par. (b) and filed with the secretary of state.

(cm) *Changes during decade; reduction in size.* 1. 'Number of supervisors; redistricting.' Except as provided in subd. 3., following the enactment of a decennial supervisory district plan under par. (b), the board may decrease the number of supervisors. In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under par. (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. No plan may be enacted under this subdivision during review of the sufficiency of a petition filed under subd. 2. nor after a referendum is scheduled on such a petition. However, if the electors of the county reject a change in the number of supervisory districts under subd. 2., the board may then take action under this subdivision except as provided in subd. 3. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of state.

2. 'Petition and referendum.' Except as provided in subd. 3., the electors of a county may, by petition and referendum, decrease the number of supervisors at any time after the first election is held following enactment of a decennial supervisory district plan under par. (b). A petition for a change in the number of supervisors may be filed with the county clerk. Prior to circulating a petition to decrease the number of supervisors in any county, a petitioner shall register with the county clerk, giving the petitioner's name and address and indicating the petitioner's intent to file such a petition. No signature on a petition is valid unless the signature is obtained within the 60−day period following such registration. The petition shall specify the proposed number of supervisors to be elected. Within 14 days after the last day for filing an original petition, any other petitioner may file an alternative petition with the county clerk proposing a different number of supervisors to be elected, and, if the petition is valid, the alternative proposed in the petition shall be submitted for approval at the same referendum. An alternative petition is subject to the same registration and signature requirements as an original petition. Each petition shall be in the form specified in s. 8.40 and shall contain a number of signatures of electors of the county equal to at least 25 percent of the total votes cast in the county for the office of supervisor at the most recent spring election preceding the date of filing. The county clerk shall promptly determine the sufficiency of a petition filed under this subdivision. Upon determination that a petition is sufficient, or if one or more valid alternative petitions are filed, upon determination that the petitions are sufficient, the county clerk shall call a referendum concurrently with the next spring or general election in the county that is held not earlier than 42 days after the determination is made. The question proposed at the referendum shall be: "Shall the board of supervisors of .... County be decreased from .... members to .... members?". If one or more alternative valid petitions are filed within 14 days after the last day that an original petition may be filed, the question relating to the number of supervisors shall appear separately. The first question shall be: "Shall the size of the county board of supervisors of .... County be decreased from its current membership of .... members?". Any subsequent question shall be: "If so, shall the size of the board be decreased to .... members?". Each elector may vote in the affirmative or negative on the first question and may then vote in the affirmative on one of the remaining questions. If the first question is not approved by a majority of the electors voting on the question, any subsequent question is of no effect. If the question is approved by a majority of the electors voting on the question, or, if more than one question is submitted, if the first

question is approved by a majority of the electors voting on the question, the board shall enact an ordinance prescribing revised boundaries for the supervisory districts in the county. The ordinance shall be enacted in accordance with the approved question or, if more than one question is submitted, in accordance with the choice receiving a plurality of the votes cast. The districts are subject to the same requirements that apply to districts in any plan enacted by the board under subd. 1. If the board has determined under sub. (1) (b) to adopt staggered terms for the office of supervisor, the board may change the expiration date of the term of any supervisor to an earlier date than the date provided under current ordinance if required to implement the redistricting or to maintain classes of members. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of state.

3. 'Limitation.' If the number of supervisors in a county is decreased by the board or by petition under this paragraph, no further action may be taken by the board or by petition under this paragraph in that county until after enactment of the next decennial supervisory district plan by the board under par. (b).

4. 'Election; term.' Any redistricting plan enacted under subd. 1. takes effect on November 15 following its enactment and first applies to the election of supervisors at the next spring election following the effective date that immediately precedes the expiration of the terms of office of supervisors in the county. Any reduction in the number of supervisory districts under subd. 2. that is approved at a spring election shall be enacted in the form of a redistricting plan no later than November 15 following that election and shall first apply to the election of supervisors at the next spring election immediately preceding the expiration of the terms of office of supervisors in the county, and any reduction in the number of supervisory districts under subd. 2. that is approved at a general election shall be enacted in the form of a redistricting plan no later than the 2nd succeeding November 15 following that election and shall first apply to the election of supervisors at the next spring election following that November 15 immediately preceding the expiration of the terms of office of supervisors in the county. Any redistricting plan enacted under subd. 1. or 2. shall remain in effect until the effective date of any subsequent redistricting plan enacted under sub. (3) (c) or until the effective date of a redistricting plan subsequently enacted under par. (b). Supervisors elected from the districts created under subd. 1. or 2. shall serve for 2–year terms and shall take office on the 3rd Tuesday in April following their election.

(d) *Election and term of supervisors.* 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.

(e) *Vacancies.* If a vacancy occurs on the board, the board chairperson, with the approval of the board, shall appoint a person who is a qualified elector and resident of the supervisory district to fill the vacancy. The successor shall serve for the unexpired portion of the term to which the person is appointed, unless the board orders a special election to fill the vacancy, in which case the person appointed shall serve until his or her successor is elected and qualified. The board may, if a vacancy occurs before June 1 in the year preceding expiration of the term of office, order a special election to fill the vacancy. If the board orders a special election during the period beginning on June 1 and ending on November 30 of any year, the special election shall be held concurrently with the succeeding spring election. If the board orders a special election during the period beginning on December 1 and ending on May 31 of the succeeding year, the special election shall be held on the Tuesday after the first Monday in November following the date of the order. A person so elected shall serve for the residue of the unexpired term.

(f) *Compensation.* Each supervisor shall be paid a per diem by the county for each day that he or she attends a meeting of the board. Any board may, at its annual meeting, by a two–thirds vote of all the members, fix the compensation of the board members to be next elected. Any board may also provide additional compensation for the chairperson.

(g) *Mileage.* Each supervisor shall, for each day that he or she attends a meeting of the board, receive mileage for each mile traveled in going to and returning from the meetings by the most usual traveled route at the rate established by the board under s. 59.22 as the standard mileage allowance for all county employees and officers.

(h) *Limitation on compensation.* Except for services as a member of a committee as provided in s. 59.13 no supervisor shall be paid for more days' attendance on the board in any year than is set out in this schedule: in counties having a population of less than 25,000, 20 days; at least 25,000 but less than 100,000, 25 days; at least 100,000 but less than 500,000, 30 days.

(i) *Alternative compensation.* As an alternative method of compensation, in counties having a population of less than 500,000, including counties containing only one town, the board may at its annual meeting, by a two–thirds vote of the members entitled to a seat, fix the compensation of the supervisors to be next elected at an annual salary for all services for the county including all committee services, except the per diem allowance for services in acquiring highway rights–of–way set forth in s. 84.09 (4). The board may, in like manner, allow additional salary for the members of the highway committee and for the chairperson of the board. In addition to the salary, the supervisors shall receive mileage as provided in par. (g) for each day's attendance at board meetings or for attendance at not to exceed 2 committee meetings in any one day.

(j) *Supplementary compensation.* The board, in establishing an annual salary, may enact an ordinance providing for a per diem for all committee meetings attended in excess of 40 committee and board meetings.

(4) COMPATIBILITY. No county officer or employee is eligible for election or appointment to the office of supervisor, but a supervisor may also be a member of a committee, board or commission appointed by the county executive or county administrator or appointed or created by the county board, a town board, a mosquito control district, the common council of his or her city, the board of trustees of his or her village or the board of trustees of a county institution appointed under s. 46.18.

(5) COUNTIES HAVING ONLY ONE TOWN. In all counties containing one town only, the board shall consist of the members of the town board and one supervisor from every village. A supervisor from a village shall be elected at the time the other village officers are elected. A majority of the members shall constitute a quorum of the county board. Each supervisor shall receive compensation and mileage as provided in sub. (3) (f) and (g). The chairperson of the board elected under s. 59.12 (1) may be, but need not be, the same person who is elected chairperson of the town board under s. 60.21 (3) (a).

(6) ENFORCEMENT OF DIVISION REQUIREMENT. If a county fails to comply with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the county or any elector of the county may submit to the circuit court for the county within 14 days from the expiration of either 60–day period under sub. (2) (a) or (3) (b) a proposed tentative or final plan for creation of supervisory districts in compliance with this section. If the court finds that the existing division of the county into supervisory districts fails to comply with this section, it shall review the plan submitted by the petitioner and after reasonable notice to the county may promulgate the plan, or any other plan in compliance with this section, as a temporary supervisory district plan until superseded by a districting plan adopted by the board in compliance with this section.

History: 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1), (2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995

a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248; 2007 a. 72, 97.

Cross−reference: See s. 17.21 (5) for provision as to filling vacancies on county boards in counties over 500,000.

Cross−reference: See s. 59.20 (1) for county supervisor residency requirements.

Cross−reference: See s. 66.0505 for restrictions on changes in compensation of county board members.

City and county apportionment is discussed. City of Janesville v. Rock County, 107 Wis. 2d 187, 319 N.W.2d 891 (Ct. App. 1982).

The trial court properly voided a city's supervisory district plan and adopted the county's plan even though the county did not adopt the plan within 60 days of receiving census data as required by sub. (3). County of La Crosse v. City of La Crosse, 108 Wis. 2d 560, 322 N.W.2d 531 (Ct. App. 1982).

Sub. (3) (a) does not establish a separate minimum for each class of county. The constitutionality of sub. (3) (a) is discussed. 60 Atty. Gen. 327.

A vacancy on a county board due to resignation may be filled by appointment by the county board chairperson when the board is not in session. 61 Atty. Gen. 1.

An incumbent county supervisor must resign before the county board may consider his or her appointment as highway commissioner. 61 Atty. Gen. 424.

A county board supervisor risks violations of s. 946.13 if he is appointed as counsel for indigent defendants. 62 Atty. Gen. 62, 118.

Under sub. (3) (c) alteration of county supervisory district boundaries between decennial censuses is authorized only when ward boundaries originally relied upon in reapportioning the county have been subsequently altered by incorporation, annexation, detachment, or consolidation. 63 Atty. Gen. 544.

Section 59.06 (2) (intro.) [now 59.13 (2) (intro.)] does not prohibit payment of additional mileage under s. 59.03 (3) (g) [now 59.10 (3) (g)]. 68 Atty. Gen. 73.

Text of Section 62.08

62.08 Alteration of aldermanic districts. (1) Within 60 days after the wards have been readjusted under s. 5.15 (1) and (2) the common council of every city, including any city of the first class, shall redistrict the boundaries of its aldermanic districts, by an ordinance introduced at a regular meeting of the council, published as a class 2 notice, under ch. 985, and thereafter adopted by a majority vote of all the members of the council, so that all aldermanic districts are as compact in area as possible and contain, as nearly as practicable by combining contiguous whole wards, an equal number of inhabitants according to the most recent decennial federal census of population.

(2) If territory becomes a part of any city after adoption of the ordinance under sub. (1), the limitations of s. 5.15 relating to population or area do not apply to the creation of new wards in the attached territory, or to the addition of the territory to an existing ward, but no ward line adjustment may cross the boundary of an assembly district.

(3) Whenever the boundaries of aldermanic districts are altered, or new aldermanic districts created, every aldermanic district or ward officer residing within the territory of a new or altered aldermanic district shall hold the same respective office therein for the remainder of the officer's term; and all other vacancies shall be filled as provided by law for the filling of such vacancies.

(4) The common council of any city may, by a two−thirds vote of all its members but not more frequently than once in 2 years, increase or decrease the number of aldermanic districts or the number of members of the city council, and in that case shall redistrict, readjust and change the boundaries of aldermanic districts, so that they are as nearly equal in population according to the most recent city−wide federal census as practicable by combining contiguous whole wards. In redistricting such cities the original numbers of the aldermanic districts in their geographic outlines shall as far as possible be retained, and the aldermanic districts so created and those the boundaries of which are changed shall be in as compact form as possible. This subsection does not apply to changes in aldermanic districts authorized under sub. (4m).

(4m) If in a city that is solely contained within one county the aldermanic districts are coterminous with the supervisory districts of the county and the county board decreases the number of supervisors in the county after enactment of a redistricting plan under s. 59.10 (3) (cm), the common council of the city may, by a majority vote of the council, no later than November 15 immediately preceding the expiration of the terms of office of members of the council, decrease the number of aldermanic districts and the corresponding number of members of the council in the city to maintain coterminous boundaries between the aldermanic and supervisory districts and may change the expiration date of the term of any council member to an earlier date than the date provided under the current ordinance if required to implement the redistricting or to maintain classes of members.

(5) If a city fails to comply with sub. (1), any elector of the city may submit to the circuit court for any county in which the city is located within 14 days from the expiration of the 60−day period under sub. (1) a proposed plan for creation of aldermanic districts in compliance with this section. If the court finds that the existing division of the city into aldermanic districts fails to comply with this section, it shall review the plan submitted by the petitioner and after reasonable notice to the city may promulgate the plan, or any other plan in compliance with this section, as a temporary aldermanic district plan until superseded by a districting plan adopted by the council in compliance with this section.

History: 1971 c. 304, 336; 1973 c. 12; 1979 c. 260; 1981 c. 4; 1985 a. 304; 1991 a. 316; 2005 a. 100.

B: Web Sites

http://www.legis.wisconsin.gov/ltsb/redistricting

http://www.census.gov/rdo

Redistricting Data

You are here: Census.gov › Redistricting Data

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- 2010 Census Redistricting Maps
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Strength in Numbers

Your Guide to Census 2010 Redistricting Data From the U.S. Census Bureau [PDF]

This booklet provides a historical record of the activities and data involved with the U.S. Census Bureau's Redistricting Data Program for the 2010 Census. In addition to providing a background of the role of the U.S. Census Bureau in redistricting and apportionment, this document goes on to detail specifics about the participation of states and the data products produced specifically for the 2010 Census. This compilation of information in a single source document gives an authoritative source of information about how the 2010 Census Redistricting Data Program was conducted.

For further information or a hard-copy of the booklet, please call the Census Redistricting Data Office at (301) 763-4039.

The Census Bureau will make available the 2010 Census Redistricting Data [P.L. 94-171] Summary Files and the geographic support products through links on the "Data" page of this website. Products will be posted on a flow basis by state. To access these links, please select the "Data" tab at the top of this page. Each product type will be listed as a link on the left side of the "Data" page.

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RB−06−2	Issues in Administering the Death Penalty. October 2006
RB−10−1	Summary of the 2009−2010 Wisconsin Legislative Session. July 2010

Informational Bulletins

IB−08−1	Fair Employment, Antidiscrimination, and Worker Protection Laws in Wisconsin. February 2008
IB−08−2	Wisconsin's Role in Electing the President. February 2008
IB−08−4	Ask the LRB. December 2008. Revised November 2010
IB−09−1	A Study Guide to the *2009-2010 Wisconsin Blue Book*. September 2009
IB−09−2	Inside the *2009-2010 Wisconsin Blue Book*. September 2009
IB−10−1	2011 Legislative Session Fiscal Estimate Manual. November 2010
IB−11−1	Guidelines for Adjusting Municipal Wards Following the 2010 Federal Census. March 2011

Wisconsin Briefs

Brief 08−3	Real ID. March 2008
Brief 08−4	Constitutional Amendment to be Considered by Wisconsin Voters, April 1, 2008. March 2008
Brief 08−6	Protecting Children from Unsafe Products. May 2008
Brief 08−8	Great Lakes-St. Lawrence River Basin Water Resources Compact. June 2008
Brief 08−9	Privacy Laws in Wisconsin. July 2008
Brief 08−11	Electronics Recycling. September 2008
Brief 08−14	Autism Treatment. November 2008
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Brief 09−4	Compensation of Wisconsin Legislators. February 2009
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