



Legislative Briefs

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COUNTY BOARD SIZE REDUCTION

2005 Wisconsin Act 100, passed by the legislature and signed by Governor Jim Doyle on January 4, 2006, gives counties the authority to reduce the size of their boards of supervisors once between regular decennial redistricting. This authority was granted to Milwaukee County for the current decade by 2003 Wisconsin Act 32. In addition to granting this power to all other counties except Menominee, Act 100 creates a process by which the electors may initiate the process of reducing the size of county boards through a petition and referendum process.

COUNTY BOARD

Under Act 100, the county board may reduce its size under its own initiative once during the 10-year interim between regular rounds of redistricting. The board may not enact an interim size-reduction if there is already a petition pending from the voters of the county to reduce the size of the board.

PETITION AND REFERENDUM

Act 100 creates a procedure whereby electors of a county may initiate a reduction in county board size through a petition and referendum process.

In order to begin the petition and referendum process, a voter must register a statement of intent with the county clerk including the voter's name and address. This registration begins the 60-day period during which signatures may be collected. The petition must state the number of supervisors the petitioner would like the county board to have. If the county clerk determines that the petition has received a number of signatures equaling 25%

of the county's total vote for supervisor at the most recent spring election, a question will appear on the ballot at the next spring (April) or general (November) election occurring at least 42 days after the date the clerk makes his or her determination:

"Shall the size of the county board of supervisors of _____ county be reduced from _____ members to _____ members?"

If one or more other valid petitions are filed within 14 days after the last day permitted for filing of the first petition, a series of questions will appear on the ballot. The first question will be:

"Shall the size of the county board of supervisors of _____ county be decreased from its current membership of _____ members?"

The following questions, reflecting the preferences stated on the successful petitions, will each read:

"If so, shall the size of the board be decreased to _____ members?"

If a majority of electors vote "yes" for the first question, the question receiving a plurality of votes among the following questions will determine the new size of the county board.

REDISTRICTING

The county board must follow certain guidelines in creating new supervisory districts on its own initiative or in response to a petition and referendum process:

- Districts must be substantially equal in population.
- The board must use the most recent countywide federal census, which currently in

almost all cases is the 2000 federal decennial census.

- The board must use the same wards as created at the last regular decennial redistricting unless the ward boundaries have been changed since that time as permitted by law under limited circumstances. (See s. 5.15 (1)(c), (2)(f) 4., (6)(a) or (7), Wisconsin Statutes.)
- Changes in municipal boundaries resulting from incorporation, annexation, or detachment should be considered.
- Districts must be compact.
- The board may change the expiration date of members' terms to an earlier date to facilitate the adoption of a staggered term system.
- The new districts must include contiguous, whole municipalities or portions of municipalities.
- Previously existing district numbers must be retained to the greatest extent possible.
- If the new board size is mandated by a referendum occurring at the spring (April) election, the new district plan must be enacted by the following November 15. The first election under the new plan will occur at the spring election immediately preceding the end of incumbents' terms, with new terms beginning on the 3rd Tuesday in April.
- If the new board size is mandated by a referendum occurring at the general (November) election, the new district plan must be enacted by the 2nd following November 15. The first election under the new plan will occur at the spring election immediately preceding the end of incumbents' terms, with new terms beginning on the 3rd Tuesday in April.

- The county clerk must file the new plan with the secretary of state.
- After one reduction in size of the county board, no further reduction in the size of the board, whether on its own initiative, or by petition and referendum, may occur during the same decade.
- The county board may not reduce its size on its own initiative while any petition for size reduction is pending.

COMMON COUNCILS OF CITIES

Cities that are solely contained within one county where aldermanic districts are coterminous with supervisory districts may revise their aldermanic districts to reflect changes in county board districts. These cities are authorized to change the ending-dates of council members' terms to an earlier date if necessary to implement the redistricting or to maintain classes of members to facilitate staggered terms.

MILWAUKEE AND MENOMINEE COUNTIES

The provisions of Act 100 do not apply to Milwaukee County, which was granted the power to reduce the size of its county board by 2003 Act 32, or Menominee County, which must continue to follow the procedures outlined in Section 59.10 (5), Wisconsin Statutes.

EFFECTIVE DATE

2005 Wisconsin Act 100 is effective January 20, 2006.

FOR FURTHER INFORMATION

View a copy of 2005 Wisconsin Act 100 at www.legis.state.wi.us.

