



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4591/1
SWB:amn

2023 ASSEMBLY BILL 661

November 9, 2023 - Introduced by Representatives DALLMAN, KURTZ, C. ANDERSON, CALLAHAN, CONSIDINE, GREEN, KATZMA, KITCHENS, MOSES, NOVAK, O'CONNOR, PENTERMAN, RETTINGER, SCHMIDT and WITTKE, cosponsored by Senators QUINN, BALLWEG, COWLES, MARKLEIN, PFAFF, SPREITZER and HESSELBEIN. Referred to Committee on Local Government.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to repeal* 65.90 (3) (a) 1.; and *to amend* 60.10 (1) (b) 2m., 60.30 (1e) (f)
2 and 82.19 (2) (a) of the statutes; **relating to:** town clerk and treasurer
3 appointments, publication requirements for proposed budget summary and
4 notice of public hearing, and discontinuance of highways.

Analysis by the Legislative Reference Bureau

This bill makes changes to various town procedures. Current law provides that a town with a population of 2,500 or more may move from an elected clerk, treasurer, or combined office of clerk and treasurer to an appointed clerk, treasurer, or combined clerk and treasurer by a vote of the electors at a town meeting. Under current law, a town with a population of under 2,500 may only move from an elected clerk, treasurer, or combined clerk and treasurer to an appointed position through a referendum. The bill would allow a town of any size to move from an elected position to an appointed one by a vote of the electors at a town meeting. Current law also prohibits a town's change from an elected to an appointed clerk, treasurer, or combined clerk and treasurer from taking effect until the end of the current elected term. Under the bill, a town may move to an appointed clerk, treasurer, or combined clerk and treasurer position during an elected term when there is a vacancy in the position.

The bill also changes the publication and notice requirements for towns with respect to the public hearing regarding the town's proposed budget. Current law requires that towns, cities, and villages conduct a public hearing on a proposed budget. Under current law, cities and villages must provide a summary of the

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proposed budget and notice of the budget public hearing and may do so by publishing the summary and notice in a newspaper, posting it in three locations, or posting it in one location and on a website maintained by the municipality. Current law also requires towns to provide a summary of the proposed budget and notice of the budget public hearing, but towns must post the summary and notice in three locations. This bill eliminates the limitation on how towns must provide the summary and notice, instead allowing towns the same options as cities and villages.

Finally, under current law, every highway ceases to be a public highway four years from the date on which it was laid out, except the parts of the highway that have been opened, traveled, or worked within that time. The bill eliminates the travel exception from consideration by a town board in determining whether a highway has ceased to be a public highway.

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

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

1 **SECTION 1.** 60.10 (1) (b) 2m. of the statutes is amended to read:

2 60.10 (1) (b) 2m. ~~In a town with a population of 2,500 or more, provide~~ Provide
3 for the appointment by the town board of the town clerk, town treasurer, or both, or
4 of the combined office of town clerk and town treasurer under s. 60.305 (1), at a level
5 of compensation to be set by the board that may not be reduced during the term to
6 which the person is appointed.

7 **SECTION 2.** 60.30 (1e) (f) of the statutes is amended to read:

8 60.30 (1e) (f) If a person is appointed to office under par. (e), the person initially
9 appointed may not take office until ~~the term of office of the incumbent town clerk,~~
10 ~~town treasurer, or combined town clerk and town treasurer expires~~ there is a vacancy
11 in that position, as described under s. 17.03. A person appointed to the office of town
12 clerk or town treasurer, or to the combined office of town clerk and town treasurer,
13 shall serve for a term, not to exceed 3 years, that is set by the town board. The person

