

2007 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB40)

Received: **06/27/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-9915**

By/Representing: **Renner**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Renner -

Topic:

Changing the requirements for publication of local government ordinances

Instructions:

See Attached. Same as 2005 AB 257 (LRB -1844/3)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 06/27/2007	csicilia 06/27/2007		_____			
/1	mshovers 07/05/2007	lkunkel 07/05/2007	nmatzke 06/27/2007	_____	cduerst 06/27/2007		
/2			nmatzke 07/05/2007	_____	lparisi 07/05/2007		

FE Sent For:

<END>

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Topic:

Changing the requirements for publication of ~~city and village~~ ^{local government} ordinances

Instructions:

See Attached. Same as 2005 AB 257 (LRB -1844/3)

* for 1/2 - substitute
2007 LRB - 2851/3

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	mshovers 06/27/2007	csicilia 06/27/2007					
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/1			nmatzke 06/27/2007		cdurst 06/27/2007		
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1/2 MES 7/5/07
FE Sent For:
1/2/mk 7/5

nwn
7/5
nwn/sh
7/5

<END>

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Topic:

Changing the requirements for publication of city and village ordinances

Instructions:

See Attached. Same as 2005 AB 257 (LRB -1844/3)

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/?	mshovers	1 cjs 6/27 07	nwh 6/27	nwn/jf 6/27			

FE Sent For:

<END>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0810/2

MES:.....

D-NOTE

RMNR
ejs

LFB:.....Renner - Changing the requirements for publication of city and village ordinances

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 829, line 12: after that line insert:

3 (END)



2005 ASSEMBLY BILL 257

March 18, 2005 - Introduced by Representatives GOTTLIEB, AINSWORTH, BERCEAU, BIES, GIELOW, HAHN, HINES, JESKEWITZ, KERKMAN, LEMAHIEU, MUSSER, NISCHKE, OTT, OWENS, PETTIS, SEIDEL, VAN ROY, VOS, KESTELL, GUNDERSON, STRACHOTA, MURSAU, PRIDEMORE, KREIBICH, MOLEPSKE, STASKUNAS and STONE, cosponsored by Senators ROESSLER, REYNOLDS, BROWN, GROTHMAN, KANAVAS, A. LASEE and LASSA. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend** 61.50 (1), 61.50 (1m) and 62.11 (4) (a); and **to create** 61.50 (3)
2 and 62.11 (4) (c) of the statutes; **relating to:** changing the requirements for the
3 publication of city and village ordinances.

Analysis by the Legislative Reference Bureau

Generally under current law, the complete text of an ordinance that is enacted by a city or village must be published in the official city newspaper or in a newspaper that is published in the village. If no newspaper exists in a village, however, the ordinance may be posted in at least three public places in the village.

Under this bill, a city or village may continue to publish the complete text of an enacted ordinance or the city or village may publish a notice of the ordinance in the official city newspaper or in a newspaper that is published in the village. The notice must contain at least all of the following information:

1. The number and title of the ordinance.
2. The enactment date of the ordinance.
3. A summary of the ordinance.
4. Information about where the full text of the ordinance may be obtained.

The bill makes no change to current law regarding the posting of ordinances in villages in which there is no newspaper.

ASSEMBLY BILL 257

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:

11 → SECTION 1. ^{1866h} 61.50 (1) of the statutes is amended to read:

2 61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,
3 commission, license or other written instrument shall be executed on the part of the
4 village by the president and clerk, sealed with corporate seal, and in pursuance only
5 of authority therefor from the village board. All ordinances and bylaws shall be
6 signed by the president and countersigned by the clerk; and, if any penalty or
7 forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its
8 entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3),
9 and shall take effect on the day after its ~~the~~ publication or a later date if expressly
10 prescribed. If there is no newspaper published in the village, the village board may
11 in lieu of newspaper publication have copies of ~~said~~ the ordinances and bylaws posted
12 in at least 3 public places in said village, and proof thereof filed and recorded by the
13 village clerk, and the same shall take effect the day after the proof of posting has been
14 filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

15 SECTION 2. ^{1866j} 61.50 (1m) of the statutes is amended to read:

16 61.50 (1m) INDETERMINATE PUBLICATION. When any village ordinance is
17 required by law to be published without express designation therein as to class of
18 notice, ~~it~~ the ordinance shall be published either in its entirety, as a class 1 notice
19 under ch. 985, or as a notice, as described under sub. (3).

20 SECTION 3. ^{1866j} 61.50 (3) of the statutes is created to read:

^

ASSEMBLY BILL 257

1 61.50 (3) REQUIREMENTS FOR NOTICE. A notice of an ordinance that may be
2 published under this section shall be published as a class 1 notice under ch. 985 and
3 shall contain at least all of the following:

- 4 (a) The number and title of the ordinance.
5 (b) The date of enactment.
6 (c) A summary of the subject matter of the ordinance.
7 (d) Information as to where the full text of the ordinance may be obtained.

8 ^{1866u} SECTION 4. 62.11 (4) (a) of the statutes is amended to read:

9 62.11 (4) (a) Proceedings of the council shall be published in the newspaper
10 designated under s. 985.06 as a class 1 notice, under ch. 985. The proceedings for the
11 purpose of publication shall include the substance of every official action taken by
12 the governing body. Except as provided in this subsection all ordinances every
13 ordinance shall be published either in its entirety, as a class 1 notice, under ch. 985,
14 or as a notice, as described under par. (c), within 15 days of passage, and shall take
15 effect on the day after its the publication or at a later date if expressly prescribed.

16 ^{1866v} SECTION 5. 62.11 (4) (c) of the statutes is created to read:

17 62.11 (4) (c) A notice of an ordinance that may be published under this
18 subsection shall be published as a class 1 notice under ch. 985 and shall contain at
19 least all of the following:

- 20 1. The number and title of the ordinance.
21 2. The date of enactment.
22 3. A summary of the subject matter of the ordinance.
23 4. Information as to where the full text of the ordinance may be obtained.

24

(END)

paragraph



Page 832, line 12: after that line insert:

1873(d)

Section # 62.23 (7a) (b) of the statutes is amended to read:

62.23 (7a) (b) The governing body may enact, without referring the matter to the plan commission, an interim zoning ordinance to preserve existing zoning or uses in all or part of the extraterritorial zoning jurisdiction while the comprehensive zoning plan is being prepared. Such ordinance may be enacted as is an ordinary ordinance but shall be effective for no longer than 2 years after its enactment, unless extended as provided in this paragraph. Within 15 days of its passage, the governing body of the city shall publish the ordinance in a newspaper having general circulation in the area or as a notice, as described under §.62.11(4)(c) proposed to be zoned as a class 1 notice, under ch. 985, and the city clerk shall mail a certified copy of the ordinance to the clerk of the county in which the extraterritorial jurisdiction is located and to the clerk of each town affected by the interim zoning ordinance and shall file a copy of the ordinance with the city plan commission. The governing body of the city may extend the interim zoning ordinance for no longer than one year, upon the recommendation of the joint extraterritorial zoning committee established under par. (c). No other interim zoning ordinance shall be enacted affecting the same area or part thereof until 2 years after the date of the expiration of the interim zoning ordinance or the one year extension thereof. While the interim zoning ordinance is in effect, the governing body of the city may amend the districts and regulations of the ordinance according to the procedure set forth in par. (f).

(ENO)

History: 1973 c. 60; 1975 c. 281; 1977 c. 205; 1979 c. 221, 355; 1981 c. 289, 341, 354, 374; 1983 a. 49, 410; 1985 a. 136 ss. 7 to 9, 10; 1985 a. 187, 225, 281, 316; 1987 a. 161, 395; 1989 a. 201; 1991 a. 255, 316; 1993 a. 27, 184, 301, 327, 400, 446, 471, 490, 491; 1995 a. 27 ss. 9126 (19), 9130 (4); 1995 a. 225; 1997 a. 3, 35, 246; 1999 a. 9, 148; 1999 a. 150 s. 672; 2001 a. 30 ss. 16, 17, 108; 2001 a. 50; 2005 a. 26, 34, 79, 81, 112, 171, 208.

O-NOTE:

Darin Renner:

This amendment includes §.62.23(7a)(b) which was not part of 2005 AB 257, but seems to be consistent with the intent of that bill. Is this OK?

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0810/1dn
MES:cjs:nwn

June 27, 2007

Darin Renner:

This amendment includes s. 62.23 (7a) (b), which was not part of 2005 AB 257, but seems to be consistent with the intent of that bill. Is this ok?

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0810/T

MES:cjs:nwn

RMK

LFB:.....Renner - Changing the requirements for publication of ~~city and~~
~~village~~ ordinances

local government

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

*LPS: Ptschg
request
sheet*

*FNS
1-1*

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 829, line 12: after that line insert:

inst-2

3 **SECTION 1866h.** 61.50 (1) of the statutes is amended to read:

4 61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,
5 commission, license or other written instrument shall be executed on the part of the
6 village by the president and clerk, sealed with corporate seal, and in pursuance only
7 of authority therefor from the village board. All ordinances and bylaws shall be
8 signed by the president and countersigned by the clerk; and, if any penalty or
9 forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its
10 entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3).

(6)

1 and shall take effect on the day after ~~its~~ the publication or a later date if expressly
2 prescribed. If there is no newspaper published in the village, the village board may
3 in lieu of newspaper publication have copies of ~~said~~ the ordinances and bylaws posted
4 in at least 3 public places in said village, and proof thereof filed and recorded by the
5 village clerk, and the same shall take effect the day after the proof of posting has been
6 filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

7 **SECTION 1866i.** 61.50 (1m) of the statutes is amended to read:

8 61.50 (1m) INDETERMINATE PUBLICATION. When any village ordinance is
9 required by law to be published without express designation therein as to class of
10 notice, ~~it~~ the ordinance shall be published either in its entirety, as a class 1 notice
11 under ch. 985, or as a notice, as described under sub. (3). (b)

12 **SECTION 1866j.** 61.50 (3) of the statutes is created to read:

13 **61.50 (3) REQUIREMENTS FOR NOTICE.** A notice of an ordinance that may be
14 published under this subsection shall be published as a class 1 notice under ch. 985
15 and shall contain at least all of the following:

- 16 (a) The number and title of the ordinance.
17 (b) The date of enactment.
18 (c) A summary of the subject matter of the ordinance.
19 (d) ~~Information as to where the full text of the ordinance may be obtained.~~

20 **SECTION 1866u.** 62.11 (4) (a) of the statutes is amended to read:

21 62.11 (4) (a) Proceedings of the council shall be published in the newspaper
22 designated under s. 985.06 as a class 1 notice, under ch. 985. The proceedings for the
23 purpose of publication shall include the substance of every official action taken by
24 the governing body. Except as provided in this subsection ~~all ordinances~~ every
25 ordinance shall be published either in its entirety, as a class 1 notice, under ch. 985,

1 or as a notice, as described under par. (c),^{2.} within 15 days of passage, and shall take
2 effect on the day after its the publication or at a later date if expressly prescribed.

JNS
3-3

3 **SECTION 1866v.** 62.11 (4) (c) of the statutes is created to read:

4 ~~62.11 (4) (c) A notice of an ordinance that may be published under this~~
5 ~~paragraph shall be published as a class 1 notice under ch. 985 and shall contain at~~
6 ~~least all of the following:~~

- 7 1. The number and title of the ordinance.
- 8 2. The date of enactment.
- 9 3. A summary of the subject matter of the ordinance.
- 10 4. Information as to where the full text of the ordinance may be obtained.”.

11 **2.** Page 832, line 12: after that line insert:

12 **“SECTION 1873d.** 62.23 (7a) (b) of the statutes is amended to read:

13 62.23 (7a) (b) The governing body may enact, without referring the matter to
 14 the plan commission, an interim zoning ordinance to preserve existing zoning or uses
 15 in all or part of the extraterritorial zoning jurisdiction while the comprehensive
 16 zoning plan is being prepared. Such ordinance may be enacted as is an ordinary
 17 ordinance but shall be effective for no longer than 2 years after its enactment, unless
 18 extended as provided in this paragraph. Within 15 days of its passage, the governing
 19 body of the city shall publish the ordinance in a newspaper having general
 20 circulation in the area proposed to be zoned as a class 1 notice, under ch. 985, or as
 21 a notice, as described under s. 62.11 (4) (c),^{2.} and the city clerk shall mail a certified
 22 copy of the ordinance to the clerk of the county in which the extraterritorial
 23 jurisdiction is located and to the clerk of each town affected by the interim zoning
 24 ordinance and shall file a copy of the ordinance with the city plan commission. The

1 governing body of the city may extend the interim zoning ordinance for no longer
2 than one year, upon the recommendation of the joint extraterritorial zoning
3 committee established under par. (c). No other interim zoning ordinance shall be
4 enacted affecting the same area or part thereof until 2 years after the date of the
5 expiration of the interim zoning ordinance or the one year extension thereof. While
6 the interim zoning ordinance is in effect, the governing body of the city may amend
7 the districts and regulations of the ordinance according to the procedure set forth in
8 par. (f).”

9 (END)

2007 BILL

1 **AN ACT to amend** 59.10 (1) (b), 59.14 (1), 60.77 (5) (c), 60.77 (5m), 60.80 (1)
2 (intro.), 61.50 (1), 61.50 (1m), 62.11 (4) (a) and 62.23 (7a) (b); and **to create** 59.14
3 (1m), 60.77 (5s), 60.80 (5), 61.50 (3) and 62.11 (4) (c) of the statutes; **relating**
4 **to:** changing the requirements for the publication of certain actions taken by
5 certain local governments.

Analysis by the Legislative Reference Bureau

Generally under current law, the complete text of an ordinance that is enacted by a city, village, town, county, or town sanitary district (local governmental unit) must be published in a local newspaper. If no newspaper exists in a village, however, the ordinance may be posted in at least three public places in the village. Towns may also post ordinances in the same manner.

Under this bill, a local governmental unit may continue to publish the complete text of an enacted ordinance, or the local governmental unit may publish a notice of the ordinance in a local newspaper. The notice must contain at least all of the following information:

1. The number and title of the ordinance.
2. The enactment date of the ordinance.
3. A summary of the ordinance, which shall be a brief, precise, and plain-language description that can be easily understood.
4. Information about where the full text of the ordinance may be obtained.

The bill makes no change to current law regarding the posting of ordinances in villages or towns.

BILL

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:

INS
1-1
P. 1

#. page 8 22 line 100 after that line insert 0 9

1 SECTION 1. 59.10 (1) (b) of the statutes is amended to read:

2 59.10 (1) (b) *Terms*. The term of office of supervisors is 2 years. A board may
3 determine whether the terms shall be concurrent or staggered. Supervisors shall be
4 elected at the election to be held on the first Tuesday in April next preceding the
5 expiration of their respective terms and shall take office on the 3rd Tuesday in April
6 following their election. If the board determines that supervisors shall serve
7 staggered terms, the board shall, by ordinance, provide for a division of supervisors
8 into 2 classes, one class to be elected for one-half of a full term and the other class
9 for a full term and thereafter the supervisors shall be elected for a full term. The
10 board shall publish the ordinance as a class 1 notice, under ch. 985, or as a notice,
11 as described under s. 59.14 (1m) (b), before publication of the notice of the election
12 at which supervisors are to be elected.

13 SECTION 2. 59.14 (1) of the statutes is amended to read:

14 59.14 (1) Whenever a board enacts an ordinance under this chapter the clerk
15 shall immediately publish it the ordinance either in its entirety, as a class 1 notice,
16 under ch. 985, or as a notice, as described under sub. (1m) (b); and the clerk shall
17 procure and distribute copies of the ordinance to the several town clerks, who shall
18 file it in their respective offices.

19 SECTION 3. 59.14 (1m) of the statutes is created to read:

20 59.14 (1m) (a) In this subsection, "summary" means a brief, precise, and
21 plain-language description that can be easily understood.



BILL

INS 1-1
p. 2 of 2

1 (b) A notice of an ordinance that may be published under this subsection shall
2 be published as a class 1 notice under ch. 985 and shall contain at least all of the
3 following:

- 4 1. The number and title of the ordinance.
- 5 2. The date of enactment.
- 6 3. A summary of the subject matter and main points of the ordinance.
- 7 4. Information as to where the full text of the ordinance may be obtained,
- 8 including the phone number of the county clerk, a street address where the full text
- 9 of the ordinance may be viewed, and a Web site, if any, at which the ordinance may
- 10 be accessed.

11 SECTION 4. 60.77 (5) (c) of the statutes is amended to read:
12 60.77 (5) (c) Issue rules or orders, which shall be published either in their
13 entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub. (5s)
14 (b).
15 SECTION 5. 60.77 (5m) of the statutes is amended to read:
16 60.77 (5m) AUTHORITY TO ENACT ORDINANCES. The commission may enact and
17 enforce ordinances to implement the powers listed under sub. (5). The ordinances
18 shall be published either in their entirety, as a class 1 notice under ch. 985, or as a
19 notice, as described under sub. (5s) (b).
20 SECTION 6. 60.77 (5s) of the statutes is created to read:
21 60.77 (5s) REQUIREMENTS FOR NOTICE. (a) In this subsection, "summary" has
22 the meaning given in s. 59.14 (1m) (a).
23 (b) A notice of an ordinance, rule, or order that may be published under this
24 subsection shall be published as a class 1 notice under ch. 985 and shall contain at
25 least all of the following:

START INS 1-2
1866b
end of insert 1-1

1866c
18435c

1866d
18435e



- 4 -
INS 1-2
P. 2 of 3

BILL

- 1 1. The number and title of the ordinance, rule, or order.
- 2 2. The date of enactment.
- 3 3. A summary of the subject matter and main points of the ordinance, rule, or
- 4 order.
- 5 4. Information as to where the full text of the ordinance, rule, or order may be
- 6 obtained, including the phone number of the commission's secretary, a street address
- 7 where the full text of the ordinance, rule, or order may be viewed, and a Web site, if
- 8 any, at which the ordinance, rule, or order may be accessed.

1866e - 12435A (B)
9 **SECTION 7.** 60.80 (1) (intro.) of the statutes is amended to read:

10 **60.80 (1) GENERAL REQUIREMENT.** (intro.) The town clerk shall publish either
11 in its entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub.
12 (5) (b), or post in at least 3 places in the town likely to give notice to the public, the
13 following, within 30 days after passage or adoption:

1866f - 18435B (C)
14 **SECTION 8.** 60.80 (5) of the statutes is created to read:

15 **60.80 (5) REQUIREMENTS FOR NOTICE.** (a) In this subsection, "summary" has the
16 meaning given in s. 59.14 (1m) (a).

17 (b) A notice of a resolution, motion, ordinance, or action that may be published
18 under this subsection shall be published as a class 1 notice under ch. 985 and shall
19 contain at least all of the following:

- 20 1. The number and title of the resolution, motion, ordinance, or action.
- 21 2. The date of enactment.
- 22 3. A summary of the subject matter and main points of the resolution, motion,
- 23 ordinance, or action.
- 24 4. Information as to where the full text of the resolution, motion, ordinance, or
- 25 action may be obtained, including the phone number of the town clerk, a street

BILL

1 address where the full text of the resolution, motion, ordinance, or action may be
2 viewed, and a Web site, if any, at which the resolution, motion, ordinance, or action
3 may be accessed. V/O END of ins 1-2

4 **SECTION 9.** 61.50 (1) of the statutes is amended to read:

5 **61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES.** Every contract, conveyance,
6 commission, license or other written instrument shall be executed on the part of the
7 village by the president and clerk, sealed with corporate seal, and in pursuance only
8 of authority therefor from the village board. All ordinances and bylaws shall be
9 signed by the president and countersigned by the clerk; and, if any penalty or
10 forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its
11 entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3)
12 (b), and shall take effect on the day after its the publication or a later date if expressly
13 prescribed. If there is no newspaper published in the village, the village board may
14 in lieu of newspaper publication have copies of said the ordinances and bylaws posted
15 in at least 3 public places in said village, and proof thereof filed and recorded by the
16 village clerk, and the same shall take effect the day after the proof of posting has been
17 filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

18 **SECTION 10.** 61.50 (1m) of the statutes is amended to read:

19 **61.50 (1m) INDETERMINATE PUBLICATION.** When any village ordinance is
20 required by law to be published without express designation therein as to class of
21 notice, it the ordinance shall be published either in its entirety, as a class 1 notice
22 under ch. 985, or as a notice, as described under sub. (3) (b).

23 **SECTION 11.** 61.50 (3) of the statutes is created to read:

24 **61.50 (3) REQUIREMENTS FOR NOTICE.** (a) In this subsection, "summary" has the
25 meaning given in s. 59.14 (1m) (a).

INS 2-12 p. 1 of 2



INS
2-12
P. 2002

BILL

1 (b) A notice of an ordinance or bylaw that may be published under this
2 subsection shall be published as a class 1 notice under ch. 985 and shall contain at
3 least all of the following:

- 4 1. The number and title of the ordinance or bylaw.
- 5 2. The date of enactment.
- 6 3. A summary of the subject matter and main points of the ordinance or bylaw.
- 7 4. Information as to where the full text of the ordinance or bylaw may be
8 obtained, including the phone number of the village clerk, a street address where the
9 full text of the ordinance or bylaw may be viewed, and a Web site, if any, at which the
10 ordinance or bylaw may be accessed.

← end of ins 2-12

11 **SECTION 12.** 62.11 (4) (a) of the statutes is amended to read:

12 62.11 (4) (a) Proceedings of the council shall be published in the newspaper
13 designated under s. 985.06 as a class 1 notice, under ch. 985. The proceedings for the
14 purpose of publication shall include the substance of every official action taken by
15 the governing body. Except as provided in this subsection ~~all ordinances every~~
16 ordinance shall be published either in its entirety, as a class 1 notice, under ch. 985,
17 or as a notice, as described under par. (c) 2., within 15 days of passage, and shall take
18 effect on the day after its the publication or at a later date if expressly prescribed.

19 **SECTION 13.** 62.11 (4) (c) of the statutes is created to read:

20 62.11 (4) (c) 1. In this paragraph, "summary" has the meaning given in s. 59.14
21 (1m) (a).

22 2. A notice of an ordinance that may be published under this paragraph shall
23 be published as a class 1 notice under ch. 985 and shall contain at least all of the
24 following:

- 25 a. The number and title of the ordinance.

INS
2-12
P. 1002

BILL

ins 3-3 p. 2 of 2

- 1 b. The date of enactment.
- 2 c. A summary of the subject matter and main points of the ordinance.
- 3 d. Information as to where the full text of the ordinance may be obtained,
- 4 including the phone number of the city clerk, a street address where the full text of
- 5 the ordinance may be viewed, and a Web site, if any, at which the ordinance may be
- 6 accessed. *40* *end of ins 3-3*

SECTION 14. 62.23 (7a) (b) of the statutes is amended to read:

62.23 (7a) (b) The governing body may enact, without referring the matter to the plan commission, an interim zoning ordinance to preserve existing zoning or uses in all or part of the extraterritorial zoning jurisdiction while the comprehensive zoning plan is being prepared. Such ordinance may be enacted as is an ordinary ordinance but shall be effective for no longer than 2 years after its enactment, unless extended as provided in this paragraph. Within 15 days of its passage, the governing body of the city shall publish the ordinance in a newspaper having general circulation in the area proposed to be zoned as a class 1 notice, under ch. 985, or as a notice, as described under s. 62.11 (4) (c) 2., and the city clerk shall mail a certified copy of the ordinance to the clerk of the county in which the extraterritorial jurisdiction is located and to the clerk of each town affected by the interim zoning ordinance and shall file a copy of the ordinance with the city plan commission. The governing body of the city may extend the interim zoning ordinance for no longer than one year, upon the recommendation of the joint extraterritorial zoning committee established under par. (c). No other interim zoning ordinance shall be enacted affecting the same area or part thereof until 2 years after the date of the expiration of the interim zoning ordinance or the one year extension thereof. While the interim zoning ordinance is in effect, the governing body of the city may amend

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1 the districts and regulations of the ordinance according to the procedure set forth in
2 par. (f).

3

(END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0810/2
MES:cjs/wlj/lmk:nwn

LFB:.....Renner - Changing the requirements for publication of local government ordinances

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 822, line 10: after that line insert:

3 "SECTION 1843p. 59.10 (1) (b) of the statutes is amended to read:

4 59.10 (1) (b) *Terms.* The term of office of supervisors is 2 years. A board may
5 determine whether the terms shall be concurrent or staggered. Supervisors shall be
6 elected at the election to be held on the first Tuesday in April next preceding the
7 expiration of their respective terms and shall take office on the 3rd Tuesday in April
8 following their election. If the board determines that supervisors shall serve
9 staggered terms, the board shall, by ordinance, provide for a division of supervisors
10 into 2 classes, one class to be elected for one-half of a full term and the other class

1 for a full term and thereafter the supervisors shall be elected for a full term. The
2 board shall publish the ordinance as a class 1 notice, under ch. 985, or as a notice,
3 as described under s. 59.14 (1m) (b), before publication of the notice of the election
4 at which supervisors are to be elected.

5 **SECTION 1843r.** 59.14 (1) of the statutes is amended to read:

6 59.14 (1) Whenever a board enacts an ordinance under this chapter the clerk
7 shall immediately publish it the ordinance either in its entirety, as a class 1 notice,
8 under ch. 985, or as a notice, as described under sub. (1m) (b); and the clerk shall
9 procure and distribute copies of the ordinance to the several town clerks, who shall
10 file it in their respective offices.

11 **SECTION 1843s.** 59.14 (1m) of the statutes is created to read:

12 59.14 (1m) (a) In this subsection, “summary” means a brief, precise, and
13 plain-language description that can be easily understood.

14 (b) A notice of an ordinance that may be published under this subsection shall
15 be published as a class 1 notice under ch. 985 and shall contain at least all of the
16 following:

- 17 1. The number and title of the ordinance.
- 18 2. The date of enactment.
- 19 3. A summary of the subject matter and main points of the ordinance.
- 20 4. Information as to where the full text of the ordinance may be obtained,
21 including the phone number of the county clerk, a street address where the full text
22 of the ordinance may be viewed, and a Web site, if any, at which the ordinance may
23 be accessed.”.

24 **2.** Page 829, line 12: after that line insert:

1 **SECTION 1866b.** 60.77 (5) (c) of the statutes is amended to read:

2 60.77 (5) (c) Issue rules or orders, which shall be published either in their
3 entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub. (5s)
4 (b).

5 **SECTION 1866c.** 60.77 (5m) of the statutes is amended to read:

6 60.77 (5m) AUTHORITY TO ENACT ORDINANCES. The commission may enact and
7 enforce ordinances to implement the powers listed under sub. (5). The ordinances
8 shall be published either in their entirety, as a class 1 notice under ch. 985, or as a
9 notice, as described under sub. (5s) (b).

10 **SECTION 1866d.** 60.77 (5s) of the statutes is created to read:

11 60.77 (5s) REQUIREMENTS FOR NOTICE. (a) In this subsection, “summary” has
12 the meaning given in s. 59.14 (1m) (a).

13 (b) A notice of an ordinance, rule, or order that may be published under this
14 subsection shall be published as a class 1 notice under ch. 985 and shall contain at
15 least all of the following:

16 1. The number and title of the ordinance, rule, or order.

17 2. The date of enactment.

18 3. A summary of the subject matter and main points of the ordinance, rule, or
19 order.

20 4. Information as to where the full text of the ordinance, rule, or order may be
21 obtained, including the phone number of the commission’s secretary, a street address
22 where the full text of the ordinance, rule, or order may be viewed, and a Web site, if
23 any, at which the ordinance, rule, or order may be accessed.

24 **SECTION 1866e.** 60.80 (1) (intro.) of the statutes is amended to read:

1 60.80 (1) GENERAL REQUIREMENT. (intro.) The town clerk shall publish either
2 in its entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub.
3 (5) (b), or post in at least 3 places in the town likely to give notice to the public, the
4 following, within 30 days after passage or adoption:

5 **SECTION 1866f.** 60.80 (5) of the statutes is created to read:

6 60.80 (5) REQUIREMENTS FOR NOTICE. (a) In this subsection, "summary" has the
7 meaning given in s. 59.14 (1m) (a).

8 (b) A notice of a resolution, motion, ordinance, or action that may be published
9 under this subsection shall be published as a class 1 notice under ch. 985 and shall
10 contain at least all of the following:

- 11 1. The number and title of the resolution, motion, ordinance, or action.
- 12 2. The date of enactment.
- 13 3. A summary of the subject matter and main points of the resolution, motion,
14 ordinance, or action.
- 15 4. Information as to where the full text of the resolution, motion, ordinance, or
16 action may be obtained, including the phone number of the town clerk, a street
17 address where the full text of the resolution, motion, ordinance, or action may be
18 viewed, and a Web site, if any, at which the resolution, motion, ordinance, or action
19 may be accessed."

20 **SECTION 1866h.** 61.50 (1) of the statutes is amended to read:

21 61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,
22 commission, license or other written instrument shall be executed on the part of the
23 village by the president and clerk, sealed with corporate seal, and in pursuance only
24 of authority therefor from the village board. All ordinances and bylaws shall be
25 signed by the president and countersigned by the clerk; and, if any penalty or

1 forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its
2 entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3)
3 (b), and shall take effect on the day after its the publication or a later date if expressly
4 prescribed. If there is no newspaper published in the village, the village board may
5 in lieu of newspaper publication have copies of ~~said~~ the ordinances and bylaws posted
6 in at least 3 public places in said village, and proof thereof filed and recorded by the
7 village clerk, and the same shall take effect the day after the proof of posting has been
8 filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

9 **SECTION 1866i.** 61.50 (1m) of the statutes is amended to read:

10 61.50 (1m) INDETERMINATE PUBLICATION. When any village ordinance is
11 required by law to be published without express designation therein as to class of
12 notice, ~~it~~ the ordinance shall be published either in its entirety, as a class 1 notice
13 under ch. 985, or as a notice, as described under sub. (3) (b).

14 **SECTION 1866j.** 61.50 (3) of the statutes is created to read:

15 61.50 (3) REQUIREMENTS FOR NOTICE. (a) In this subsection, "summary" has the
16 meaning given in s. 59.14 (1m) (a).

17 (b) A notice of an ordinance or bylaw that may be published under this
18 subsection shall be published as a class 1 notice under ch. 985 and shall contain at
19 least all of the following:

- 20 1. The number and title of the ordinance or bylaw.
- 21 2. The date of enactment.
- 22 3. A summary of the subject matter and main points of the ordinance or bylaw.
- 23 4. Information as to where the full text of the ordinance or bylaw may be
24 obtained, including the phone number of the village clerk, a street address where the

1 full text of the ordinance or bylaw may be viewed, and a Web site, if any, at which the
2 ordinance or bylaw may be accessed.

3 **SECTION 1866u.** 62.11 (4) (a) of the statutes is amended to read:

4 62.11 (4) (a) Proceedings of the council shall be published in the newspaper
5 designated under s. 985.06 as a class 1 notice, under ch. 985. The proceedings for the
6 purpose of publication shall include the substance of every official action taken by
7 the governing body. Except as provided in this subsection ~~all ordinances~~ every
8 ordinance shall be published either in its entirety, as a class 1 notice, under ch. 985,
9 or as a notice, as described under par. (c) 2., within 15 days of passage, and shall take
10 effect on the day after its the publication or at a later date if expressly prescribed.

11 **SECTION 1866v.** 62.11 (4) (c) of the statutes is created to read:

12 62.11 (4) (c) 1. In this paragraph, "summary" has the meaning given in s. 59.14
13 (1m) (a).

14 2. A notice of an ordinance that may be published under this paragraph shall
15 be published as a class 1 notice under ch. 985 and shall contain at least all of the
16 following:

- 17 a. The number and title of the ordinance.
- 18 b. The date of enactment.
- 19 c. A summary of the subject matter and main points of the ordinance.
- 20 d. Information as to where the full text of the ordinance may be obtained,
21 including the phone number of the city clerk, a street address where the full text of
22 the ordinance may be viewed, and a Web site, if any, at which the ordinance may be
23 accessed."

24 **3.** Page 832, line 12: after that line insert:

