

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/11/2002

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-9916**

By/Representing: **Olin**

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

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - zoning
Counties - zoning**

Extra Copics:

Submit via email: **NO**

Pre Topic:

LFB:.....Olin -

Topic:

Authorize town boards to adopt village powers

Instructions:

See Attached. Same as AB 684, LRB -3909/2

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>
/?	shoveme 03/12/2002	gilfokm 03/12/2002		_____			
/1			rschluet 03/12/2002	_____	lrb_docadmin 03/12/2002		

FE Sent For:

<END>

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/11/2002

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-9916**

By/Representing: **Olin**

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

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - zoning
Counties - zoning**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Olin -

Topic:

Authorize town boards to adopt village powers

Instructions:

See Attached. Same as AB 684, LRB -3909/2

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

1? shoveme

Kmg

[Handwritten signature]
3/12/02

11 MES 3/12/02

FE Sent For:

<END>

In

Budget Amendments 2002

[Redacted]

Owens

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Linda Narveson

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Give ALL Town Boards village powers by statute (AB 684) Two-thirds of towns have village powers granted by town meeting votes. This would give the remaining one-third of towns village powers

[Redacted]

[Redacted]

[Redacted]

287


2001

Date (time)
needed

2454

LRB b ~~2455~~

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

MES: King: 

See form AMENDMENTS — COMPONENTS & ITEMS.

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

✓ #. Page 48, line 10: after the line insert:

#. Page, line:



#. Page, line:

#. Page, line:

#. Page, line:

#. Page, line:

2001 ASSEMBLY BILL 684

December 17, 2001 - Introduced by Representatives FREESE, OWENS, GRONEMUS, HAHN, HUBLER, HUEBSCH, HUNDERTMARK, LADWIG, F. LASEE, M. LEHMAN, LIPPERT, MCCORMICK, MUSSER, OTT, PETROWSKI, PETTIS, PLOUFF, RYBA, SCHNEIDER, SCHOOFF, SERATTI, SHERMAN, STARZYK, SYKORA, TOWNSEND and VRAKAS, cosponsored by Senators BRESKE, A. LASEE, ERPENBACH, WIRCH, SHIBILSKI and M. MEYER. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to repeal* 60.10 (2) (c); and *to amend* 60.10 (2) (intro.), 60.22 (3), 60.23
 2 (19) and 60.62 (1) of the statutes; **relating to:** authorizing a town board to
 3 exercise village powers.

Analysis by the Legislative Reference Bureau

Under current law, if a town meeting authorizes a town board to do so, the town board may exercise powers relating to villages and conferred on village boards by statute, except those powers that conflict with statutes relating to towns and town boards. For example, a town board exercising village powers may not create a tax incremental financing district, annex territory, exercise extraterritorial zoning jurisdiction over another town, or, in counties that have adopted a county zoning ordinance, enact a town zoning ordinance unless it is approved by the county board. If a town board exercises village powers, the town is still subject to annexation by a city or village and may be subject to extraterritorial zoning powers exercised by a city or village.

Under this bill, the power of a town meeting to authorize a town board to exercise village powers is repealed, and the bill authorizes a town board to exercise such powers.

For further information see the *state and 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:

ASSEMBLY BILL 684

1 " SECTION ~~1~~^{150d} 60.10 (2) (intro.)[✓] of the statutes is amended to read:

2 60.10 (2) DIRECTIVES OR GRANTS OF AUTHORITY TO TOWN BOARD. (intro.) ~~Except~~
3 ~~as provided under par. (c), directives~~ Directives or grants of authority to the town
4 board under this subsection may be general and continuing or may be limited as to
5 purpose, effect, or duration. A resolution adopted under this subsection shall specify
6 whether the directive or grant is general and continuing or whether it is limited as
7 to purpose, effect, or duration. A resolution that is continuing remains in effect until
8 rescinded at a subsequent town meeting by a number of electors equal to or greater
9 than the number of electors who voted for the original resolution. This subsection
10 does not limit any authority otherwise conferred on the town board by law. By
11 resolution, the town meeting may:

12 SECTION ~~2~~^{150db} 60.10 (2) (c) of the statutes is repealed.

13 SECTION ~~3~~^{150de} 60.22 (3) of the statutes is amended to read:

14 60.22 (3) VILLAGE POWERS. ~~If authorized under s. 60.10 (2) (c), may~~ May exercise
15 powers relating to villages and conferred on village boards under ch. 61, except those
16 powers which conflict with statutes relating to towns and town boards.

17 SECTION ~~4~~^{150dem} 60.23 (19) of the statutes is amended to read:

18 60.23 (19) FENCES IN SUBDIVISIONS. ~~If authorized under s. 60.10 (2) (c) to exercise~~
19 exercising village powers, by ordinance require a subdivider to construct a fence
20 under s. 90.02 on the boundary of a subdivision, as defined under s. 236.02 (8), as a
21 condition of plat approval by the town. The fence shall be maintained under s. 90.05
22 (2) and repaired under ss. 90.10 and 90.11.

23 SECTION ~~5~~^{150h} 60.62 (1) of the statutes is amended to read:

ASSEMBLY BILL 684

1 60.62 (1) Subject to subs. (2), (3), and (4), if a town board ~~has been granted~~
2 ~~authority to exercise~~ exercises village powers under s. ~~60.10 (2) (e)~~ 60.22 (3), the
3 board may adopt zoning ordinances under s. 61.35. // ,

4

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2454/1
MES:kmg:rs

LFB:.....Olin – Authorize town boards to adopt village powers

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

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

2 1. Page 48, line 10: after that line insert:

3 “SECTION 150d. 60.10 (2) (intro.) of the statutes is amended to read:

4 60.10 (2) DIRECTIVES OR GRANTS OF AUTHORITY TO TOWN BOARD. (intro.) ~~Except~~
5 ~~as provided under par. (c), directives~~ Directives or grants of authority to the town
6 board under this subsection may be general and continuing or may be limited as to
7 purpose, effect, or duration. A resolution adopted under this subsection shall specify
8 whether the directive or grant is general and continuing or whether it is limited as
9 to purpose, effect, or duration. A resolution that is continuing remains in effect until
10 rescinded at a subsequent town meeting by a number of electors equal to or greater

1 than the number of electors who voted for the original resolution. This subsection
2 does not limit any authority otherwise conferred on the town board by law. By
3 resolution, the town meeting may:

4 **SECTION 150db.** 60.10 (2) (c) of the statutes is repealed.

5 **SECTION 150de.** 60.22 (3) of the statutes is amended to read:

6 60.22 (3) VILLAGE POWERS. ~~If authorized under s. 60.10 (2) (c), may~~ May exercise
7 powers relating to villages and conferred on village boards under ch. 61, except those
8 powers which conflict with statutes relating to towns and town boards.

9 **SECTION 150dem.** 60.23 (19) of the statutes is amended to read:

10 60.23 (19) FENCES IN SUBDIVISIONS. ~~If authorized under s. 60.10 (2) (c) to exercise~~
11 exercising village powers, by ordinance require a subdivider to construct a fence
12 under s. 90.02 on the boundary of a subdivision, as defined under s. 236.02 (8), as a
13 condition of plat approval by the town. The fence shall be maintained under s. 90.05
14 (2) and repaired under ss. 90.10 and 90.11.

15 **SECTION 150h.** 60.62 (1) of the statutes is amended to read:

16 60.62 (1) Subject to subs. (2), (3), and (4), if a town board ~~has been granted~~
17 authority to exercise ~~exercises~~ village powers under s. ~~60.10 (2) (c)~~ 60.22 (3), the
18 board may adopt zoning ordinances under s. 61.35.”

19

(END)