

2005 Assembly Bill 904

Date of enactment: **March 27, 2006**

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2005 WISCONSIN ACT 207

AN ACT *to amend* 60.62 (4) (a); and *to create* 60.62 (4) (d) of the statutes; **relating to**: changing the method of appointing members to a town plan commission.

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

SECTION 1. 60.62 (4) (a) of the statutes is amended to read:

60.62 (4) (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a population of less than 2,500 that acts under this section may create a "Town Plan Commission" under s. 62.23 (1) (a) that has 5 members, all of whom shall be appointed by the town board chairperson, who subject to confirmation by the town board. The town chairperson shall also select the presiding officer. The town board chairperson may appoint himself or herself town board members to the commission and may appoint other town elected or appointed officials to the commission, except that the commission shall always have at least one citizen member who is not a town official. Appointees to the town plan commission may be removed only by a majority vote of the town board. All other provisions of ss. 61.35 and 62.23 shall apply to a town plan commission that has 5 members.

SECTION 2. 60.62 (4) (d) of the statutes is created to read:

60.62 (4) (d) Notwithstanding ss. 61.35 and 62.23 (1) (a), if a town with a population of at least 2,500 acts under this section and creates a "Town Plan Commission" under s. 62.23 (1) (a), all members of the commission shall be appointed by the town board chairperson, subject to confirmation by the town board. The town chairperson shall also select the presiding officer. The town board chairperson may appoint town board members to the commission and may appoint other town elected or appointed officials to the commission, except that the commission shall always have at least 3 citizen members who are not town officials. Appointments shall be made by the town board chairperson during the month of April for terms that expire in April or at any other time if a vacancy occurs during the middle of a term except that the appointees to the town plan commission may be removed before the expiration of the appointee's term by a majority vote of the town board. All other provisions of ss. 61.35 and 62.23 shall apply to a town plan commission to which this paragraph applies.

SECTION 3. Initial applicability.

(1) This act first applies to a vacancy on a town plan commission that occurs on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].