

2005 ASSEMBLY BILL 904

December 29, 2005 – Introduced by Representatives OWENS, AINSWORTH, FRISKE, GRONEMUS, HAHN, HINES, KREIBICH, LEMAHIEU, LOEFFELHOLZ, LOTHIAN, MCCORMICK, MOLEPSKE, MURSAU, MUSSER, PETROWSKI, PETTIS, TOWNS, TOWNSEND, VOS and VRUWINK, cosponsored by Senators GROTHMAN, BRESKE and OLSEN. Referred to Committee on Urban and Local Affairs.

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

Analysis by the Legislative Reference Bureau

Under current law, appointments to a town plan commission of a town that is authorized to exercise village powers must be made by the town board chairperson, who also selects the commission chairperson. The town chairperson may appoint himself or herself to the commission. This current law provision applies only to towns with a population of less than 2,500.

Under this bill, appointments to a town plan commission are still made by the town board chairperson, but are subject to confirmation by the town board. The town board chairperson continues to select the commission chairperson. The bill also authorizes a majority of the town board to remove appointees from the town plan commission. All other current law provisions relating to the appointment of citizen members of the commission, terms of the commission members, and authority of the commission remain unchanged and the bill also applies to towns with a population of at least 2,500.

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:

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

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

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

14 60.62 **(4)** (d) Notwithstanding ss. 61.35 and 62.23 (1) (a), if a town with a
15 population of at least 2,500 acts under this section and creates a “Town Plan
16 Commission” under s. 62.23 (1) (a), all members of the commission shall be appointed
17 by the town board chairperson, subject to confirmation by the town board. The town
18 chairperson shall also select the presiding officer. The town board chairperson may
19 appoint town board members to the commission and may appoint other town elected
20 or appointed officials to the commission, except that the commission shall always
21 have at least 3 citizen members who are not town officials. Appointments shall be
22 made by the town board chairperson during the month of April for terms that expire
23 in April or at any other time if a vacancy occurs during the middle of a term except
24 that the appointees to the town plan commission may be removed before the
25 expiration of the appointee’s term by a majority vote of the town board. All other

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1 provisions of ss. 61.35 and 62.23 shall apply to a town plan commission to which this
2 paragraph applies.

3 **SECTION 3. Initial applicability.**

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

6 (END)