

## 2007 DRAFTING REQUEST

### Bill

Received: **06/06/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **Rob**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - misc  
Local Gov't - counties**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to: **denise.solie@legis.wisconsin.gov  
darcy.paulson@legis.wisconsin.gov**

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Changing the publication requirements for local ordinances

---

### Instructions:

See Attached. Redraft 2005 ASA 1 to AB 257 (s0086), including AA 1 to ASA 1 (a0490)

---

### 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 06/06/2007	wjackson 06/15/2007		_____			Local
/1			natzke 06/15/2007	_____	cduerst 06/15/2007		Local
/2	mshovers 07/03/2007	wjackson 07/03/2007	natzke 07/03/2007	_____	sbasford 07/03/2007		Local

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	mshovers 07/03/2007	wjackson 07/03/2007	sherritz 07/03/2007	_____	cduerst 07/03/2007	cduerst 10/31/2007	

FE Sent For:

*/3 at  
intro*

<END>

## 2007 DRAFTING REQUEST

### Bill

Received: **06/06/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **Rob**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - misc  
Local Gov't - counties**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to: **denise.solie@legis.wisconsin.gov  
darcy.paulson@legis.wisconsin.gov**

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Changing the publication requirements for local ordinances

---

### Instructions:

See Attached. Redraft 2005 ASA 1 to AB 257 (s0086), including AA 1 to ASA 1 (a0490)

---

### 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 06/06/2007	wjackson 06/15/2007		_____			Local
/1			nmatzke 06/15/2007	_____	cduerst 06/15/2007		Local
/2	mshovers 07/03/2007	wjackson 07/03/2007	nmatzke 07/03/2007	_____	sbasford 07/03/2007		Local

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	mshovers 07/03/2007	wjackson 07/03/2007	sherritz 07/03/2007	_____	cduerst 07/03/2007		

FE Sent For:

<END>

**2007 DRAFTING REQUEST**

**Bill**

Received: **06/06/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **Rob**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - misc  
Local Gov't - counties**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to: **denise.solie@legis.wisconsin.gov  
darcy.paulson@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Changing the publication requirements for local ordinances

**Instructions:**

See Attached. Redraft 2005 ASA 1 to AB 257 (s0086), including AA 1 to ASA 1 (a0490)

**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 06/06/2007	wjackson 06/15/2007					Local
/1			nmatzke 06/15/2007		cduerst 06/15/2007		Local
/2	mshovers 07/03/2007	wjackson 07/03/2007	nmatzke 07/03/2007		sbasford 07/03/2007		

1/2 MES 7/3/07 sh 7/3 sh/mn 7/3

FE Sent For:

**<END>**

## 2007 DRAFTING REQUEST

### Bill

Received: **06/06/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **Rob**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - misc  
Local Gov't - counties**

Extra Copies: *also email to  
Denise Solie and  
Darcy Paulson in  
Rep. Gottlieb's  
office*

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Changing the publication requirements for local ordinances

---

### Instructions:

See Attached. Redraft 2005 ASA 1 to AB 257 (s0086), including AA 1 to ASA 1 (a0490)

---

### 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 06/06/2007	wjackson 06/15/2007		_____			Local
/1		<i>12 Wlj 7/3</i>	nmatzke 06/15/2007 <i>nwn 7/3</i>	_____	cduerst 06/15/2007		

*12 MES 7/3/07*

FE Sent For:

<END>

**2007 DRAFTING REQUEST**

**Bill**

Received: **06/06/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **Rob**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - misc  
Local Gov't - counties**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Changing the publication requirements for local ordinances

---

**Instructions:**

See Attached. Redraft 2005 ASA 1 to AB 257 (s0086), including AA 1 to ASA 1 (a0490)

---

**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	1 WLJ 6/14	nwn	nwn/cd			
----	----------	------------	-----	--------	--	--	--

6/15

6/15

/1 MES 6/6/07

FE Sent For:

<END>



**ASSEMBLY BILL 257 (LRB -1844)**

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

**2005**

03-18.	A.	Introduced by Representatives <b>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;</b> cosponsored by Senators <b>Roessler, Reynolds, Brown, Grothman, Kanavas, A. Lasee and Lassa.</b>	
03-18.	A.	Read first time and referred to committee on Urban and Local Affairs .....	146
04-06.	A.	Fiscal estimate received.	
04-07.	A.	Senator Grothman withdrawn as a cosponsor .....	169
04-07.	A.	<b>LRB correction</b> .....	175
04-15.	A.	Assembly substitute amendment 1 offered by Representative Gottlieb ( <b>LRB s0086</b> ) .....	189
04-19.	A.	Public hearing held.	
04-25.	A.	Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative Gottlieb ( <b>LRB a0490</b> ) .....	204
08-02.	A.	Assembly amendment 2 to Assembly substitute amendment 1 offered by Representative Albers ( <b>LRB a0604</b> ) .....	426

**2006**

05-11.	A.	Failed to pass pursuant to Senate Joint Resolution 1 .....	1133
--------	----	--	------

## Shovers, Marc

---

**From:** Richard, Rob  
**Sent:** Wednesday, June 06, 2007 2:01 PM  
**To:** Shovers, Marc  
**Subject:** Draft request

Marc:

Can you please draft ASA 1 (including AA1 to ASA 1) to 2005 AB 257 as a bill for Gottlieb?

Thank you!  
Rob

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 257**

April 25, 2005 – Offered by Representative GOTTlieb.

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

2 **1.** Page 3, line 4: on lines 4, 7, 9 and 10, after “ordinance” insert “, rule, or  
3 order”.

4 **2.** Page 3, line 16: on lines 16 and 17, delete “60.85” and substitute “60.80”.

5 **3.** Page 4, line 21: on lines 21 and 24, after “ordinance” insert “or bylaw”.

6 **4.** Page 5, line 1: on lines 1 and 2, after “ordinance” insert “or bylaw”.

7 (END)

- 2851/1

stays ↑

RMR

ASSEMBLY SUBSTITUTE AMENDMENT 1,

2007 TO 2005 ASSEMBLY BILL 257

LPS: Please PWF

April 15, 2005 - Offered by Representative GOTTLIEB.

Re  
glu

1 AN ACT *to amend* 59.14 (1), 60.77 (5) (c), 60.77 (5m), 60.80 (1) (intro.), 61.50 (1),  
 2 61.50 (1m) and 62.11 (4) (a); and *to create* 59.14 (1m), 60.77 (5s), 60.85 (5),  
 3 61.50 (3) and 62.11 (4) (c) of the statutes; **relating to:** changing the  
 4 requirements for the publication of certain actions taken by certain local  
 5 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 ~~substitute amendment~~ <sup>bill</sup>, 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.
4. Information about where the full text of the ordinance may be obtained.

\*

The ~~substitute amendment~~ <sup>bill</sup> makes no change to current law regarding the posting of ordinances in villages or towns

FE-L

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

IN 2-1

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

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

SECTION 2. 59.14 (1m) of the statutes is created to read:

59.14 (1m) A notice of an ordinance that may be published under this subsection shall be published as a class 1 notice under ch. 985 and shall contain at least all of the following:

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

SECTION 3. 60.77 (5) (c) of the statutes is amended to read:

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

SECTION 4. 60.77 (5m) of the statutes is amended to read:

60.77 (5m) AUTHORITY TO ENACT ORDINANCES. The commission may enact and enforce ordinances to implement the powers listed under sub. (5). The ordinances

1 shall be published either in their entirety, as a class 1 notice under ch. 985, or as a  
2 notice, as described under sub. (5s).

3 SECTION 5. 60.77 (5s) of the statutes is created to read:

4 60.77 (5s) REQUIREMENTS FOR NOTICE. A notice of an ordinance that may be  
5 published under this subsection shall be published as a class 1 notice under ch. 985  
6 and shall contain at least all of the following:

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

11 SECTION 6. 60.80 (1) (intro.) of the statutes is amended to read:

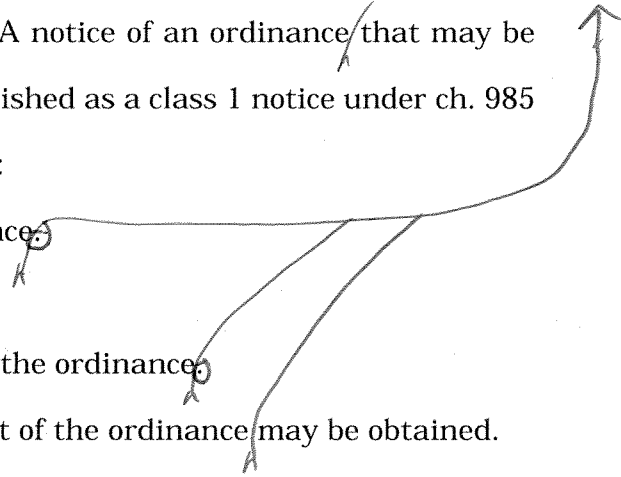
12 60.80 (1) GENERAL REQUIREMENT. (intro.) The town clerk shall publish either  
13 in its entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub.  
14 (5), or post in at least 3 places in the town likely to give notice to the public, the  
15 following, within 30 days after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

16 SECTION 7. ~~60.85~~<sup>6080</sup> (5) of the statutes is created to read:

17 ~~60.85~~<sup>6080</sup> (5) REQUIREMENTS FOR NOTICE. A notice of a resolution, motion, ordinance,  
18 or action that may be published under this subsection shall be published as a class  
19 1 notice under ch. 985 and shall contain at least all of the following:

- 20 (a) The number and title of the resolution, motion, ordinance, or action.
- 21 (b) The date of enactment.
- 22 (c) A summary of the subject matter of the resolution, motion, ordinance, or  
23 action.
- 24 (d) Information as to where the full text of the resolution, motion, ordinance,  
25 or action may be obtained.

rule or order



1           **SECTION 8.** 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 9.** 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 10.** 61.50 (3) of the statutes is created to read:

21           61.50 (3) REQUIREMENTS FOR NOTICE. A notice of an ordinance that may be  
22 published under this subsection shall be published as a class 1 notice under ch. 985  
23 and shall contain at least all of the following:

- 24           (a) The number and title of the ordinance
- 25           (b) The date of enactment.

one word  
↓  
or bylaw

*one word*

*or by law*

- 1 (c) A summary of the subject matter of the ordinance.
- 2 (d) Information as to where the full text of the ordinance may be obtained.

3 **SECTION 11.** 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), 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 12.** 62.11 (4) (c) of the statutes is created to read:

12 62.11 (4) (c) A notice of an ordinance that may be published under this  
 13 paragraph shall be published as a class 1 notice under ch. 985 and shall contain at  
 14 least all of the following:

- 15 1. The number and title of the ordinance.
- 16 2. The date of enactment.
- 17 3. A summary of the subject matter of the ordinance.
- 18 4. Information as to where the full text of the ordinance may be obtained.

19 (END)

*IMS  
5-18*



INS 2-1

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

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

**History:** 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1), (2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995 a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248.

end of ins  
2-1

INS 5-18

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 proposed to be zoned as a class 1 notice, under ch. 985, <sup>or as a notice, as described</sup> 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).

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.

under 20 62011(4)(c)

## Shovers, Marc

---

**From:** Richard, Rob  
**Sent:** Tuesday, July 03, 2007 11:47 AM  
**To:** Shovers, Marc  
**Subject:** FW: Changes to LRB 2851

Marc:

This is a follow up to my phone message. Assembly leadership needs this ASAP.

Thank you!  
Rob

---

**From:** Richard, Rob  
**Sent:** Thursday, June 21, 2007 2:03 PM  
**To:** Shovers, Marc  
**Subject:** Changes to LRB 2851

Marc:

Whenever the word "summary" is discussed (for instance page 3, line 6 or line 22), summary needs to be defined like this

Definition of summary:

"For purposes of this section, a summary shall mean a brief, succinct description containing the main points of an ordinance [rule, order, bylaw, motion, action or resolution] while avoiding the use of technical or legal terms not generally familiar to the public."

I put brackets around rule, etc. because I don't know whether these have to be spelled out in each section of the bill or if you'll create one definition for "summary" (without having to repeat it) affecting sections 3, 6, 8, 11 and 13.

Secondly, whenever you use "(d) Information as to where the full text...", I need you to add language to detail how the public can obtain the information. Please indicate "information" must include 1) the phone number for the municipal clerk, 2) a mailing address and 3) a website (if applicable).

Any questions Marc, please call. 267-2369

Thank you!  
Rob



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-2851/1

MES:wlj:nnw

stays (circled) RMB

2007 BILL

now (circled)

region (circled)

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
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.

which shall be a brief, precise, and that plain language description which can be easily understood

**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:*

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)<sup>(b)</sup>, before publication of the notice of the election at  
12 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)<sup>(b)</sup>; and the clerk shall procure  
17 and distribute copies of the ordinance to the several town clerks, who shall file it in  
18 their respective offices.

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

**BILL**

**SECTION 3**

*(a) IN this subsection summary means a brief, precise, and plain language description which can be easily understood*

1           59.14 (1m) A notice of an ordinance 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       10 (a) The number and title of the ordinance.
- 5       20 (b) The date of enactment.
- 6       30 (c) A summary of the subject matter *and main points* of the ordinance.
- 7       40 (d) Information as to where the full text of the ordinance may be obtained.

8           **SECTION 4.** 60.77 (5) (c) of the statutes is amended to read:

9           60.77 (5) (c) Issue rules or orders, which shall be published either in their  
10 entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub. (5s). *(b)*

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

12           60.77 (5m) **AUTHORITY TO ENACT ORDINANCES.** The commission may enact and  
13 enforce ordinances to implement the powers listed under sub. (5). The ordinances  
14 shall be published either in their entirety, as a class 1 notice under ch. 985, or as a  
15 notice, as described under sub. (5s). *(b)*

16           **SECTION 6.** 60.77 (5s) of the statutes is created to read:

17           60.77 (5s) **REQUIREMENTS FOR NOTICE.** *(a) IN this subsection summary has the meaning given in 10594* A notice of an ordinance, rule, or order  
18 that may be published under this subsection shall be published as a class 1 notice  
19 under ch. 985 and shall contain at least all of the following:

- 20       10 (a) The number and title of the ordinance, rule, or order.
- 21       20 (b) The date of enactment.
- 22       30 (c) A summary of the subject matter *and main points* of the ordinance, rule, or order.
- 23       40 (d) Information as to where the full text of the ordinance, rule, or order may be  
24 obtained.

25           **SECTION 7.** 60.80 (1) (intro.) of the statutes is amended to read:

**BILL**

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) 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 8.** 60.80 (5) of the statutes is created to read:

6           60.80 (5) REQUIREMENTS FOR NOTICE. A notice of a resolution, motion, ordinance,  
 7 or action that may be published under this subsection shall be published as a class  
 8 1 notice under ch. 985 and shall contain at least all of the following:

- 9           6 (a) The number and title of the resolution, motion, ordinance, or action.
- 10          7 (b) The date of enactment.
- 11          3 (c) A summary of the subject matter of the resolution, motion, ordinance, or  
 12 action.
- 13          4 (d) Information as to where the full text of the resolution, motion, ordinance,  
 14 or action may be obtained.

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

16           61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,  
 17 commission, license or other written instrument shall be executed on the part of the  
 18 village by the president and clerk, sealed with corporate seal, and in pursuance only  
 19 of authority therefor from the village board. All ordinances and bylaws shall be  
 20 signed by the president and countersigned by the clerk; and, if any penalty or  
 21 forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its  
 22 entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3),  
 23 and shall take effect on the day after its the publication or a later date if expressly  
 24 prescribed. If there is no newspaper published in the village, the village board may  
 25 in lieu of newspaper publication have copies of said the ordinances and bylaws posted

**BILL**

1 in at least 3 public places in said village, and proof thereof filed and recorded by the  
2 village clerk, and the same shall take effect the day after the proof of posting has been  
3 filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

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

5 61.50 (1m) INDETERMINATE PUBLICATION. When any village ordinance is  
6 required by law to be published without express designation therein as to class of  
7 notice, ~~it the ordinance~~ shall be published either in its entirety, as a class 1 notice  
8 under ch. 985, or as a notice, as described under sub. (3). (b)

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

10 61.50 (3) REQUIREMENTS FOR NOTICE. A notice of an ordinance or bylaw that may  
11 be published under this subsection shall be published as a class 1 notice under ch.  
12 985 and shall contain at least all of the following:

- 13 60 (a) The number and title of the ordinance or bylaw.
- 14 20 (b) The date of enactment.
- 15 30 (c) A summary of the subject matter of the ordinance or bylaw. *and main points*
- 16 40 (d) Information as to where the full text of the ordinance or bylaw may be  
17 obtained.

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

19 62.11 (4) (a) Proceedings of the council shall be published in the newspaper  
20 designated under s. 985.06 as a class 1 notice, under ch. 985. The proceedings for the  
21 purpose of publication shall include the substance of every official action taken by  
22 the governing body. Except as provided in this subsection all ordinances every  
23 ordinance shall be published either in its entirety, as a class 1 notice, under ch. 985,  
24 or as a notice, as described under par. (c), within 15 days of passage, and shall take  
25 effect on the day after ~~its~~ the publication or at a later date if expressly prescribed.



**BILL**

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

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

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

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) 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

*IN this paragraph summary has the meaning given in 62.11 (1m) (a)*

*and main points*

18

**BILL**

1 expiration of the interim zoning ordinance or the one year extension thereof. While  
2 the interim zoning ordinance is in effect, the governing body of the city may amend  
3 the districts and regulations of the ordinance according to the procedure set forth in  
4 par. (f).

5 (END)

**Shovers, Marc**

---

**From:** Solie, Denise  
**Sent:** Tuesday, July 03, 2007 3:50 PM  
**To:** Shovers, Marc  
**Cc:** Paulson, Darcy; Richard, Rob  
**Subject:** FW: Draft review: LRB 07-2851/2 Topic: Changing the publication requirements for local ordinances  
**Attachments:** LRB-2851\_2

Mark,

Rob is out for the remainder of the day.

We need a /3 please.

Whenever the language in the bill states "Information as to where the full text of the ordinance may be obtained" we need more specific language added. The draft should be modified to require that the information to be obtained should include 1) the phone number for the municipal clerk, 2) an address where the full text of the ordinance may be viewed and 3) a website, if the ordinance is available electronically.

I will be in caucus in GAR. Please call me in GAR, or on my cell (239-6754) if you have questions. I'll take the materials with me.

Thanks.

denise

---

**From:** Basford, Sarah  
**Sent:** Tuesday, July 03, 2007 3:01 PM  
**To:** Solie, Denise  
**Subject:** Draft review: LRB 07-2851/2 Topic: Changing the publication requirements for local ordinances

**Draft Requester: Mark Gottlieb**

**Following is the PDF version of draft LRB 07-2851/2.**



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-2851/2

MES:wlj:nwn

stays

RMR

2007 BILL

now

Regen

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:*

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**

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 **SECTION 4.** 60.77 (5) (c) of the statutes is amended to read:

9 60.77 (5) (c) Issue rules or orders, which shall be published either in their  
10 entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub. (5s)  
11 (b).

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

13 60.77 (5m) AUTHORITY TO ENACT ORDINANCES. The commission may enact and  
14 enforce ordinances to implement the powers listed under sub. (5). The ordinances  
15 shall be published either in their entirety, as a class 1 notice under ch. 985, or as a  
16 notice, as described under sub. (5s) (b).

17 **SECTION 6.** 60.77 (5s) of the statutes is created to read:

18 60.77 (5s) REQUIREMENTS FOR NOTICE. (a) In this subsection, "summary" has  
19 the meaning given in s. 59.14 (1m) (a).

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

- 23 1. The number and title of the ordinance, rule, or order.
- 24 2. The date of enactment.

INS  
3-7

**BILL**

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

3           4. Information as to where the full text of the ordinance, rule, or order may be  
4 obtained. *(INS 4-4)*

5           **SECTION 7.** 60.80 (1) (intro.) of the statutes is amended to read:

6           60.80 (1) GENERAL REQUIREMENT. (intro.) The town clerk shall publish either  
7 in its entirety, as a class 1 notice under ch. 985, or as a notice, as described under sub.  
8 (5) (b), or post in at least 3 places in the town likely to give notice to the public, the  
9 following, within 30 days after passage or adoption:

10          **SECTION 8.** 60.80 (5) of the statutes is created to read:

11          60.80 (5) REQUIREMENTS FOR NOTICE. (a) In this subsection, "summary" has the  
12 meaning given in s. 59.14 (1m) (a).

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

16           1. The number and title of the resolution, motion, ordinance, or action.

17           2. The date of enactment.

18           3. A summary of the subject matter and main points of the resolution, motion,  
19 ordinance, or action.

20           4. Information as to where the full text of the resolution, motion, ordinance, or  
21 action may be obtained. *(INS 9-21)*

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

23          61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,  
24 commission, license or other written instrument shall be executed on the part of the  
25 village by the president and clerk, sealed with corporate seal, and in pursuance only

**BILL**

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

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

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

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

17 **61.50 (3) REQUIREMENTS FOR NOTICE.** (a) In this subsection, "summary" has the  
18 meaning given in s. 59.14 (1m) (a).

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

- 22 1. The number and title of the ordinance or bylaw.
- 23 2. The date of enactment.
- 24 3. A summary of the subject matter and main points of the ordinance or bylaw.



## BILL

1 4. Information as to where the full text of the ordinance or bylaw may be  
2 obtained. *(insert 6-2)*

3 **SECTION 12.** 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 13.** 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. *(FNS 6-20)*

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

22 62.23 (7a) (b) The governing body may enact, without referring the matter to  
23 the plan commission, an interim zoning ordinance to preserve existing zoning or uses  
24 in all or part of the extraterritorial zoning jurisdiction while the comprehensive  
25 zoning plan is being prepared. Such ordinance may be enacted as is an ordinary

**BILL**

1 ordinance but shall be effective for no longer than 2 years after its enactment, unless  
2 extended as provided in this paragraph. Within 15 days of its passage, the governing  
3 body of the city shall publish the ordinance in a newspaper having general  
4 circulation in the area proposed to be zoned as a class 1 notice, under ch. 985, or as  
5 a notice, as described under s. 62.11 (4) (c) 2., and the city clerk shall mail a certified  
6 copy of the ordinance to the clerk of the county in which the extraterritorial  
7 jurisdiction is located and to the clerk of each town affected by the interim zoning  
8 ordinance and shall file a copy of the ordinance with the city plan commission. The  
9 governing body of the city may extend the interim zoning ordinance for no longer  
10 than one year, upon the recommendation of the joint extraterritorial zoning  
11 committee established under par. (c). No other interim zoning ordinance shall be  
12 enacted affecting the same area or part thereof until 2 years after the date of the  
13 expiration of the interim zoning ordinance or the one year extension thereof. While  
14 the interim zoning ordinance is in effect, the governing body of the city may amend  
15 the districts and regulations of the ordinance according to the procedure set forth in  
16 par. (f).

17 (END)

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2851/3ins  
MES:wlj:nwn

INSERT 3-7

<sup>Not</sup> ( ), including the phone number of the county clerk, a street address where the full text of the ordinance may be viewed, and a website, if any, at which the ordinance may <sup>abe</sup> accessed. = Δ

INSERT 4-4

<sup>Not</sup> ( ), including the phone number of the commission's secretary, a street address where the full text of the ordinance, rule, or order may be viewed, and a website, if any, at which the ordinance, rule, or order may <sup>abe</sup> accessed. = Δ

INSERT 4-21

<sup>Not</sup> ( ), including the phone number of the town clerk, a street address where the full text of the resolution, motion, ordinance, or action may be viewed, and a website, if any, at which the resolution, motion, ordinance, or action may <sup>abe</sup> accessed. = Δ

INSERT 6-2

<sup>Not</sup> ( ), including the phone number of the village clerk, a street address where the full text of the ordinance or bylaw may be viewed, and a website, if any, at which the ordinance or bylaw may <sup>abe</sup> accessed. = Δ

INSERT 6-20

<sup>Not</sup> ( ), including the phone number of the city clerk, a street address where the full text of the ordinance may be viewed, and a website, if any, at which the ordinance may <sup>abe</sup> accessed. = Δ

**Duerst, Christina**

---

**From:** Richard, Rob  
**Sent:** Wednesday, October 31, 2007 4:24 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-2851/3 Topic: Changing the publication requirements for local ordinances

Please Jacket LRB 07-2851/3 for the ASSEMBLY.