

1 **AN ACT** *to repeal* 61.31 (1) of the statutes; **relating to:** officer-of-the-peace status of
 2 village board members.

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

3 **SECTION 1.** 61.31 (1) of the statutes is repealed.

NOTE: Repeals the following language: “The president and each trustee shall be officers of the peace, and may suppress in a summary manner any riotous or disorderly conduct in the streets or public places of the village, and may command assistance of all persons under the same penalty for disobedience provided in s. 61.28 [\$10 forfeiture].”

There is no corresponding provision that applies to members of the city council. At one time, city council members had the “powers of a city policeman”. Section 62.09 (14), 1981–82 stats. That provision was repealed by 1983 Wisconsin act 210.

There is no apparent policy rationale for extending peace officer status to village presidents and trustees and not extending the same powers to common council members, particularly in light of the repeal of the latter.

Because it appears the provision is little used and little known, and because of concerns with possible liability, the provision is repealed.