



2025 SENATE BILL 215

April 16, 2025 - Introduced by Senators QUINN, PFAFF, CABRAL-GUEVARA, FEYEN, JACQUE, JAMES, MARKLEIN and SPREITZER, cosponsored by Representatives DALLMAN, O'CONNOR, ANDERSON, ARMSTRONG, CALLAHAN, DITTRICH, DUCHOW, GUSTAFSON, JOHNSON, KNODL, KREIBICH, KURTZ, MURSAU, SWEARINGEN, VANDERMEER, WICHGERS and WITKE. Referred to Committee on Transportation and Local Government.

AN ACT *to repeal* 65.90 (3) (a) 1.; *to renumber and amend* 60.305 (4) (a); *to amend* 60.10 (1) (b) 2m., 60.30 (1e) (f), 60.331, 60.341 and 82.19 (2) (a); *to create* 60.305 (4) (a) 2. of the statutes; **relating to:** town clerk and treasurer appointments, publication requirements for proposed budget summary and notice of public hearing, and discontinuance of highways.

Analysis by the Legislative Reference Bureau

This bill makes changes to various town procedures. Current law provides that a town may combine certain positions, such as the town clerk and the town treasurer, and provides that the combination takes effect on the latest date that any current term of an office to be combined expires. The bill retains that deadline, but allows the town board to provide that the combination of offices takes effect immediately as both positions become vacant or, if the person appointed to the combined office holds one of the offices to be combined, immediately upon a vacancy in the other office to be combined.

Current law also provides that a town with a population of 2,500 or more may move from an elected clerk, treasurer, or combined office of clerk and treasurer to an appointed clerk, treasurer, or combined clerk and treasurer by a vote of the electors at a town meeting. Under current law, a town with a population of under

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2,500 may only move from an elected clerk, treasurer, or combined clerk and treasurer to an appointed position through a referendum. The bill allows a town of any size to move from an elected position to an appointed one by a vote of the electors at a town meeting. Current law also prohibits a town's change from an elected to an appointed clerk, treasurer, or combined clerk and treasurer from taking effect until the end of the current elected term. Under the bill, a town may move to an appointed clerk, treasurer, or combined clerk and treasurer position during an elected term when there is a vacancy in the position.

Under current law, a town treasurer is permitted to appoint a deputy treasurer, while a town clerk may appoint one or more deputies. The bill provides that a town treasurer may appoint one or more deputies. The bill also provides that deputy town clerks and deputy town treasurers need not be residents of the town.

The bill also changes the publication and notice requirements for towns with respect to the public hearing regarding the town's proposed budget. Current law requires that towns, cities, and villages conduct a public hearing on a proposed budget. Under current law, cities and villages must provide a summary of the proposed budget and notice of the budget public hearing and may do so by publishing the summary and notice in a newspaper, posting it in three locations, or posting it in one location and on a website maintained by the municipality. Current law also requires towns to provide a summary of the proposed budget and notice of the budget public hearing, but towns must post the summary and notice in three locations. This bill eliminates the limitation on how towns must provide the summary and notice, instead allowing towns the same options as cities and villages.

Finally, under current law, every highway ceases to be a public highway four years from the date on which it was laid out, except the parts of the highway that have been opened, traveled, or worked within that time. The bill eliminates the travel exception from consideration by a town board in determining whether a highway has ceased to be a public highway.

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:

SECTION 1. 60.10 (1) (b) 2m. of the statutes is amended to read:

60.10 (1) (b) 2m. ~~In a town with a population of 2,500 or more, provide~~ Provide for the appointment by the town board of the town clerk, town treasurer, or both, or of the combined office of town clerk and town treasurer under s. 60.305 (1), at a level

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of compensation to be set by the board that may not be reduced during the term to which the person is appointed.

SECTION 2. 60.30 (1e) (f) of the statutes is amended to read:

60.30 (1e) (f) If Subject to s. 60.305 (4) (a), if a person is appointed to office under par. (e), the person initially appointed may not take office until ~~the term of office of the incumbent town clerk, town treasurer, or combined town clerk and town treasurer expires~~ there is a vacancy in that position, as described under s. 17.03. A person appointed to the office of town clerk or town treasurer, or to the combined office of town clerk and town treasurer, shall serve for a term, not to exceed 3 years, that is set by the town board. The person may be reappointed and may be dismissed by the board only for cause, as defined in s. 17.001.

SECTION 3. 60.305 (4) (a) of the statutes is renumbered 60.305 (4) (a) 1. and amended to read:

60.305 (4) (a) 1. ~~At~~ Subject to subd. 2., a combination of offices under this section takes effect on the latest date that any current term of an office to be combined expires.

SECTION 4. 60.305 (4) (a) 2. of the statutes is created to read:

60.305 (4) (a) 2. The town board may provide that a combination of offices under this section takes effect immediately as both positions become vacant, as set forth in s. 17.03, or, if the person appointed to the combined office holds one of the offices to be combined, immediately upon a vacancy in the other office to be combined.

SECTION 5. 60.331 of the statutes is amended to read:

60.331 Deputy town clerk. Each town clerk may appoint one or more

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deputies for whom the town clerk is responsible. A deputy shall take and file the official oath and bond under s. 60.31. ~~The town clerk may designate a deputy to~~ shall perform the clerk's duties during the absence, sickness or other disability upon direction of the clerk or upon inability of the clerk to perform the clerk's duties. A deputy town clerk need not be a resident of the town.

SECTION 6. 60.341 of the statutes is amended to read:

60.341 Deputy town treasurer. Each town treasurer may appoint ~~a deputy~~ one or more deputies for whom the treasurer is responsible. ~~The~~ A deputy shall take and file the official oath and bond under s. 60.31. ~~In case of the absence, sickness or other disability of the treasurer, the~~ The deputy shall perform the treasurer's duties upon direction of the treasurer or upon inability of the treasurer to perform the treasurer's duties. A deputy town treasurer need not be a resident of the town.

SECTION 7. 65.90 (3) (a) 1. of the statutes is repealed.

SECTION 8. 82.19 (2) (a) of the statutes is amended to read:

82.19 **(2)** (a) Every highway shall cease to be a public highway 4 years from the date on which it was laid out, except the parts of the highway that have been opened, ~~traveled,~~ or worked within that time.

(END)