



2021 SENATE BILL 187

March 10, 2021 - Introduced by Senators FELZKOWSKI, BALLWEG, BEWLEY and COWLES, cosponsored by Representatives MURSAU, ARMSTRONG, BROOKS, CALLAHAN, MOSES, MURPHY, RAMTHUN, ROZAR, SNYDER, SPIROS, SUBECK, TAUCHEN and TITTL. Referred to Committee on Transportation and Local Government.

1 **AN ACT to amend** 66.0501 (4) (a); and **to create** 61.327 of the statutes; **relating**
2 **to:** village officers serving as village employees.

Analysis by the Legislative Reference Bureau

Generally, under current law and under a number of state supreme court decisions, the doctrine of compatibility holds that one person cannot hold two offices if one office is superior to another in some respect and the superior office makes decisions about the other office such that the duties exercised under each might conflict to the public detriment. Also under current law, members of a town, village, or county board or city council are generally ineligible for any office or position that the board or council has the authority to fill. A specific statutory provision authorizes a town board member to receive an hourly wage, not exceeding \$15,000 each year, as a town employee.

This bill authorizes a member of a village board to receive an hourly wage, not exceeding \$15,000 each year, as a village employee.

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

3 **SECTION 1.** 61.327 of the statutes is created to read:
4 **61.327 Village trustees serving as employees.** Notwithstanding s. 66.0501
5 (2), a trustee of a village who also serves as a village employee may be paid an hourly

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1 wage for serving as a village employee, not exceeding a total of \$15,000 each year.
2 Amounts that are paid under this section may be paid in addition to any amount that
3 an individual receives under s. 61.32 or as a volunteer fire fighter, emergency
4 medical services practitioner, or emergency medical responder under s. 66.0501 (4)
5 (a).

6 **SECTION 2.** 66.0501 (4) (a) of the statutes is amended to read:

7 66.0501 (4) (a) A volunteer fire fighter, emergency medical services
8 practitioner, or emergency medical responder in a city, village, or town whose annual
9 compensation from one or more of those positions, including fringe benefits, does not
10 exceed \$25,000 if the city, village, or town has a population of 5,000 or less, or \$15,000
11 if the city, village, or town has a population of more than 5,000, may also hold an
12 elective office in that city, village, or town. It is compatible with his or her office for
13 an elected village or town officer to receive wages under s. 60.37 (4) or 61.327 for work
14 that he or she performs for the village or town.

15 (END)