

# State of Wisconsin



2015 Assembly Bill 372

Date of enactment: **February 4, 2016**  
Date of publication\*: **February 5, 2016**

## 2015 WISCONSIN ACT 140

AN ACT *to amend* 33.28 (2) (intro.), 33.28 (2) (b) and 33.28 (7); and *to create* 33.28 (2) (d) and 33.28 (2m) (c) of the statutes; **relating to:** membership of the board of commissioners of public inland lake protection and rehabilitation districts.

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

**SECTION 1g.** 33.28 (2) (intro.) of the statutes, as affected by [2015 Wisconsin Act 25](#), is amended to read:

33.28 (2) (intro.) ~~The~~ Except as provided in sub. (2m) (c), the board of commissioners shall consist of all of the following:

**SECTION 1i.** 33.28 (2) (b) of the statutes, as affected by [2015 Wisconsin Act 25](#), is amended to read:

33.28 (2) (b) One ~~resident of the district~~ person who is appointed by the governing body of the town, village, or city within which the largest portion by valuation of the district lies ~~and~~. The person appointed under this paragraph shall be a resident of the district who owns property within the district if possible. The appointee may be a member of the governing body making the appointment or shall be a member of the governing body of the town, village, or city within which the largest portion of the valuation of the district lies.

**SECTION 2m.** 33.28 (2) (d) of the statutes is created to read:

33.28 (2) (d) If the district includes a lake that is controlled by a dam, if the dam is not located in the town, village, or city within which the largest portion by valuation of the district lies, and if the governing body of the town,

village, or city within which the largest portion by valuation of the district lies elects not to make an appointment under par. (b), as provided in sub. (2m) (c), one person who is appointed by the governing body of the town, village, or city within which the dam is located. The person appointed under this paragraph shall be a resident of the district who owns property within the district if possible or shall be a member of the governing body of the town, village, or city within which the dam is located.

**SECTION 2r.** 33.28 (2m) (c) of the statutes is created to read:

33.28 (2m) (c) If the district includes a lake that is controlled by a dam and if the dam is not located in the town, village, or city within which the largest portion by valuation of the district lies, the governing body of the town, village, or city within which the largest portion by valuation of the district lies may elect not to make an appointment under sub. (2) (b).

**SECTION 3m.** 33.28 (7) of the statutes is amended to read:

33.28 (7) If a vacancy occurs in the membership of the board under sub. (2) (a) or ~~(b)~~ (d), the appointing authority shall appoint a person to fill the vacancy. If a vacancy occurs in the membership of the board under sub. (2) (b) that is not a result of the appointing body electing not to make an appointment under sub. (2m) (c), the appointing authority shall appoint a person to fill the

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

vacancy. If a vacancy occurs in the membership of the board under sub. (2) (c), the chairperson of the board shall

appoint a person to fill the remainder of the unexpired term, subject to approval by a majority vote of the board.

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