OPPOSITION to AB 109
Before the Assembly Committee on Local Government
League of Women Voters of Wisconsin and of Dane County
March 8, 2017

The League of Women Voters opposes AB 109 “The No Resident Vote on Town Withdrawal from Dane County Zoning” bill. We ask the Assembly Committee on Local Government to reject this bill.

The League of Women Voters promotes public understanding and participation in decision making as essential elements of efficient, accountable and economical government. A few examples of Wisconsin resident opportunities for participation in town governance are public discussion and voting at the annual town meeting and voting on a referendum on the spring or general election ballot.

AB 109 affects towns only in Dane County that wish to withdraw from county zoning. AB 109 removes the right of town residents in Dane County to vote on the issue of opting out of Dane County zoning.

Last session Wisconsin Act 178 was adopted. Act 178 explicitly allowed Dane County towns the opportunity to withdraw from county zoning, subject to approval by town residents through a vote at either the April annual town meeting, or in a referendum on the spring or general election ballot.

AB 109 explicitly but discreetly removes the requirement for a citizen vote by repealing 60.23 (34) (b) 3., a portion of Act 178 (see Section 4 of the bill). The summary of the bill prepared by the Legislative Reference Bureau makes no mention of this impact on the rights of town residents.

The requirement of a town resident vote to establish town zoning applies, and will continue to apply, in every other county in the state of Wisconsin where county zoning exists.

Why do the sponsors and supporters of AB 109 believe that residents of Dane County towns should not be afforded the same opportunity as other town residents in the state? AB 109 removes the right to vote on town participation in county zoning only for Dane County town residents and should be opposed.

Zoning and land use planning are among the important responsibilities of local and other units of government. The League believes that all levels of government should provide responsible and responsive management and long range planning of community growth and development, stewardship of natural resources and protection of public health.

The League supports current Wisconsin law, commonly known as the “Smart Growth” statute, that encourages local units of government (a city, village, town, county, or regional planning commission) to create a development plan or master plan. Such a comprehensive plan must contain the following planning elements: housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; land use; and intergovernmental cooperation. Clear provision for public participation is part of the Smart Growth.

We urge you to reject AB 109. Thank you for considering our testimony.