

## 59.23 Clerk.

### (1) DEPUTIES; SALARIES; VACANCIES.

(a) Every clerk shall appoint in writing one or more deputies and file the appointment in the clerk's office. The deputy or deputies shall aid in the performance of the duties of the clerk under the clerk's direction, and in case of the absence or disability of the clerk or of a vacancy in the clerk's office, unless another is appointed therefor as provided in par. (c), shall perform all of the duties of the clerk during the absence or until the vacancy is filled. The board may, at its annual meeting or at any special meeting, provide a salary for the deputy or deputies.

(b) In each county the clerk may also appoint the number of assistants that the board authorizes and prescribes, and the assistants shall receive salaries that the board provides and fixes.

(c) If a clerk is incapable of discharging the duties of office the board shall appoint an acting clerk within 90 days after the board adopts a resolution finding that the clerk is incapable of discharging the duties of the office. The acting clerk shall serve until the disability is removed. If the board is not in session at the time of the incapacity, the chairperson of the board may appoint an acting clerk, whose term shall not extend beyond the next regular or special meeting of the board. A person appointed as acting clerk or appointed to fill a vacancy in the office of clerk, upon giving an official bond with sureties as required of a clerk, shall perform all of the duties of the office; and thereupon the powers and duties of the deputy of the last clerk shall cease.

### (2) DUTIES. The clerk shall:

(a) *Board proceedings.* Act as clerk of the board at all of the board's regular, special, limited term, and standing committee meetings; under the direction of the county board chairperson or committee chairperson, create the agenda for board meetings; keep and record true minutes of all the proceedings of the board in a format chosen by the clerk, including all committee meetings, either personally or through the clerk's appointee; file in the clerk's office copies of agendas and minutes of board meetings and committee meetings; make regular entries of the board's resolutions and decisions upon all questions; record the vote of each supervisor on any question submitted to the board, if required by any member present; publish ordinances as provided in s. [59.14 \(1\)](#); and perform all duties prescribed by law or required by the board in connection with its meetings and transactions.

(b) *Recording of proceedings.* Record at length every resolution adopted, order passed and ordinance enacted by the board.

(c) *Orders for payment.* Sign all orders for the payment of money directed by the board to be issued, and keep a true and correct account of such orders, and of the name of the person to whom each order is issued; but he or she shall not sign or issue any county order except upon a recorded vote or resolution of the board authorizing the same; and shall not sign or issue any such order for the payment of the services of any clerk of court, district attorney or sheriff until the person claiming the order files an affidavit stating that he or she has paid into the county treasury all moneys due the county and personally collected or received in an official capacity; and shall not sign or issue any order for the payment of money for any purpose in excess of the funds appropriated for such purpose unless first authorized by a resolution adopted by the county board under s. [65.90 \(5\)](#).

(cm) *Apportionment of taxes.* Apportion taxes and carry out other responsibilities as specified in s. [70.63 \(1\)](#).

(d) *Accounts.* File and preserve in the clerk's office all accounts acted upon by the board, and endorse its action thereon, designating specifically upon every account the amount allowed, if any, and the particular items or charges for which allowed, and such as were disallowed, if any.

(de) *Property.* To the extent authorized by the board, exercise the authority under s. [59.52 \(6\)](#).

(dg) *Dogs.* Perform the responsibilities relating to dog licensing, which are assigned to the clerk under ch. [174](#), and the dog fund specified in ch. [174](#).

(di) *Marriage licenses, domestic partnerships.* Administer the program for issuing marriage licenses as provided in ch. [765](#) and the program for forming and terminating domestic partnerships as provided in ch. [770](#).

(e) *Reports of receipts and disbursements.* Record the reports of the treasurer of the receipts and disbursements of the county.

(f) *Recording receipts and disbursements.* Keep a true and accurate account of all money which comes into the clerk's hands by virtue of the clerk's office, specifying the date of every receipt or payment, the person from or to whom the receipt or payment was received or paid, and the purpose of each particular

receipt or disbursement, and keep the book at all times open to the inspection of the county board or any member of the board.

(g) *Payments to treasurer.* Keep in the manner prescribed in par. (f) a separate account of all moneys paid the treasurer by the clerk.

(h) *Books of account.* Keep all of the accounts of the county and all books of account in a manner that the board directs. Books of account shall be maintained on a calendar year basis, which shall be the fiscal year in every county.

(i) *Chief election officer, election duties.* As the chief election officer of the county, perform all duties that are imposed on the clerk in relation to the preparation and distribution of ballots and the canvass and return of votes at general, judicial, and special elections.

(L) *Duplicate receipts.* Make out and deliver to the treasurer duplicate receipts of all money received by the clerk as clerk, and countersign and file in the clerk's office the duplicate receipts delivered to the clerk by the treasurer of money received by the treasurer.

(m) *Certified copies; oaths and bonds; signatures.*

1. Make and deliver to any person, for a fee that is set by the board under s. [19.35 \(3\)](#), a certified copy or transcript of any book, record, account, file or paper in his or her office or any certificate which by law is declared to be evidence.

2. Except as otherwise provided, receive and file the official oaths and bonds of all county officers and upon request shall certify under the clerk's signature and seal the official capacity and authority of any county officer so filing and charge the statutory fee. Upon the commencement of each term every clerk shall file the clerk's signature and the impression of the clerk's official seal in the office of the secretary of state.

(n) *Taxes.* Perform all duties that are imposed on the clerk in relation to the assessment and collection of taxes.

(nm) *Timber harvest notices.* Provide notice to a town chairperson regarding the harvesting of raw forest products, as described in s. [26.03 \(1m\) \(a\) 2.](#)

(o) *Report, receipts and disbursements to board.* Make a full report to the board, at the annual meeting or at any other regular meeting of the board when so stipulated by the board, in writing, verified by the clerk's oath, of all money received and disbursed by the clerk, and separately of all fees received by the clerk; and settle with the board the clerk's official accounts and produce to the board all books, accounts and vouchers relating to the same.

(p) *Proceedings to historical society.* Forward to the historical society, postpaid, within 30 days after their publication a copy of the proceedings of the board, and of all printed reports made under authority of such board or by the authority of other county officers.

(q) *County highway commissioner; notify of election.* Notify a county commissioner of highways of the commissioner's election within 10 days thereafter.

(r) *County tax for road and bridge fund.* Notify the proper town officers of the levy and rate of any tax for the county road and bridge fund.

(s) *List of local officials.* Annually, on the first Tuesday of June, transmit to the secretary of state a list showing the name, phone number, electronic mail address, and post-office address of local officials, including the chairperson, mayor, president, clerk, treasurer, council and board members, and assessor of each municipality, and of the elective or appointive officials of any other local governmental unit, as defined in s. [66.0135 \(1\) \(c\)](#), that is located wholly or partly within the county. Such lists shall be placed on file for the information of the public. The clerk, secretary, or other administrative officer of a local governmental unit, as defined in s. [66.0137 \(1\) \(as\)](#), shall provide the county clerk the information he or she needs to complete the requirements of this paragraph.

(t) *General.* Perform all other duties required of the clerk by law.

**History:** [1995 a. 201](#) ss. [261](#), [263](#), [264](#), [275](#); [1995 a. 225](#) ss. [147](#) to [150](#); [1997 a. 27](#); [1999 a. 9](#); [2013 a. 373](#); [2019 a. 19](#).

Under s. 59.17 (8) [now sub. (2) (h)], the clerk keeps only those accounts designated by the board. Harbick v. Marinette County, [138 Wis. 2d 172](#), [405 N.W.2d 724](#) (Ct. App. 1987).

Except for their elected superior's power to appoint and discharge, chief deputies are subject to the Municipal Employment Relations Act, ss. 111.70 to 111.77, and are not excluded from a collective bargaining unit as a matter of law. Oneida County v. WERC, [2000 WI App 191](#), [238 Wis. 2d 763](#), [618 N.W.2d 891](#), [00-0466](#).

Statutory powers of the county clerk with respect to budgeting and record keeping cannot be transferred by the county board to a new position of finance officer. 63 Atty. Gen. 196.

A county board can only grant powers of indirect supervision to a finance director with respect to the accounting or bookkeeping duties of a county clerk. 65 Atty. Gen. 132.

#### **59.24 Clerks of counties containing state institutions to make claims in certain cases.**

The clerk of any county that is entitled to reimbursement under s. [16.51 \(7\)](#) shall make a certified claim against the state, without direction from the board, in all cases in which the reimbursement is directed in s. [16.51 \(7\)](#), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1. If the claims are approved by the department of corrections, they shall be certified to the department of administration and paid from the appropriation made by s. [20.410 \(1\) \(c\)](#), if the claim is for reimbursement of expenses involving a prisoner in a state prison named in s. [302.01](#), or from the appropriation under s. [20.410 \(3\) \(c\)](#), if the claim is for reimbursement of expenses involving a juvenile in a juvenile correctional facility, as defined in s. [938.02 \(10p\)](#).

**History:** [1989 a. 31, 359](#); [1995 a. 27, 77](#); [1995 a. 201 s. 265](#); Stats. 1995 s. 59.24; [1997 a. 35](#); [2005 a. 344](#).

#### **59.14 Publication of ordinances and proceedings.**

**(1)** Whenever a board enacts an ordinance under this chapter the clerk shall immediately publish the ordinance either in its entirety, as a class 1 notice, under ch. [985](#), or as a notice, as described under sub. [\(1m\) \(b\)](#); and the clerk shall procure and distribute copies of the ordinance to the several town clerks, who shall file it in their respective offices.

##### **(1m)**

(a) In this subsection, "summary" means a brief, precise, and plain-language description that can be easily understood.

(b) A notice of an ordinance that may be published under this subsection shall be published as a class 1 notice under ch. [985](#) and shall contain at least all of the following:

1. The number and title of the ordinance.
2. The date of enactment.
3. A summary of the subject matter and main points of the ordinance.
4. Information as to where the full text of the ordinance may be obtained, including the phone number of the county clerk, a street address where the full text of the ordinance may be viewed, and a website, if any, at which the ordinance may be accessed.

**(2)** The board shall, by ordinance or resolution, provide for publication in one or more newspapers in the county as a class 1 notice, under ch. [985](#), a certified copy of all its proceedings had at any meeting, regular or special; said publication to be completed within 60 days after the adjournment of each session.

**(3)** The board may at any meeting, regular or special, provide by resolution for the publication in pamphlet form by the lowest and best bidder therefor, of a sufficient and designated number of copies of its duly certified proceedings, for general distribution.

**(4)** The board may order public notices relating to tax redemption and other affairs of the county to be published in a newspaper printed in any other than the English language, to be designated in such order, whenever the board considers it necessary for the better information of the inhabitants of the county, and it shall appear from the last previous census that one-fourth or more of the adult population of the county is of a nationality not speaking the English language, and that there shall have been a newspaper published in the county continuously for one year or more in the language spoken by that nationality; but all of the notices shall also be published in a newspaper published in the English language as provided by law. The compensation for all of the publications shall be paid by the county ordering the publications, and shall be the same as that prescribed by law for publication in the English language; and no extra charge shall be allowed for translation in any case. No irregularity, mistake or informality in any such publication shall affect the validity or regularity of any tax redemptions or other legal proceedings.

**History:** [1987 a. 378](#); [1995 a. 201 s. 244](#); Stats. 1995 s. 59.14; [2007 a. 72](#); [2017 a. 365 s. 112](#).

Sub. (1) is discussed in reference to the effect of the failure to distribute and the requirements of distribution and publication. 62 Atty. Gen. 81.

Codification and publication of ordinances is discussed. 70 Atty. Gen. 124.

A county with a population of less than 250,000 is not required to designate an official newspaper. A county is not required to seek bids for the publication of legal notices. Even if a county does not competitively bid the publication of its own proceedings as provided in sub. (3), it may print its own proceedings or post them on its website. A county may not, in lieu of publication in a printed newspaper or posting on a physical bulletin board, post its legal notices on its official website. [OAG 2-08](#).

### **70.63 Apportionment of county and state taxes to municipalities.**

**(1) BY COUNTY CLERK.** The county clerk shall apportion the county tax and the whole amount of state taxes and charges levied upon the county, as certified by the department of administration, among the towns, cities and villages of the county, according and in proportion to the valuation thereof as determined by the department of revenue. The county clerk shall carry out in the record book, opposite the name of each in separate columns, the amount of state taxes and charges and the amount of county taxes so apportioned thereto, and the amount of all other special taxes or charges apportioned or ordered, or which the clerk is required by law to make in any year to any town, city or village, to be collected with the annual taxes. The clerk shall certify to the clerk of and charge to each town, city and village, except in cities of the 1st class, the amount of all such taxes so apportioned to and levied upon it, and shall, at the same time, file with the county treasurer a certified copy of each apportionment.

**(2) CITY OF FIRST CLASS.** The county clerk shall certify in a similar manner to the commissioner of assessments of each city of the first class located within the limits of the county.

**History:** [1973 c. 90](#); [1981 c. 20](#); [1991 a. 156](#); [1997 a. 35](#).

The statutory duties of the county clerk under ch. 70 may not be transferred to the county auditor, but the county auditor may be granted supervisory authority over the manner in which such duties are exercised. [OAG 6-08](#).

### [2013 Assembly BILL 613](#)

January 9, 2014 - Introduced by Representatives BERNIER, NERISON, STRACHOTA, NYGREN, BALLWEG, A. OTT, TAUCHEN, THIESFELDT, PETERSEN, LOUDENBECK, SWEARINGEN, WACHS, BERCEAU, BERNARD SCHABER, DANOU, RINGHAND, PRIDEMORE, RIPP, MARKLEIN, BILLINGS, JORGENSEN, KRUG, KLEEFISCH, BIES, KESTELL, DOYLE, MURPHY, TITTL, KULP, BROOKS, HESSELBEIN, OHNSTAD, VRUWINK, ENDSLEY, WEATHERSTON, T. LARSON, KOLSTE, KAHL, SARGENT, TRANEL, SCHRAA, JACQUE and JAGLER, cosponsored by Senators COWLES, T. CULLEN, GUDEX, HANSEN, LASEE, LEHMAN, MILLER, MOULTON, SHILLING, VINEHOUT and WIRCH. Referred to Committee on State Affairs and Government Operations.

**1 AN ACT** *to repeal* 59.23 (2) (j) and 59.23 (2) (k); *to renumber* 59.23 (2) (d); *to*

*amend* 5.62 (4) (b), 7.20 (1), 7.21 (2), 59.23 (1) (a), 59.23 (1) (b), 59.23 (1) (c), 359.23 (2) (a), 59.23 (2) (b), 59.23 (2) (c), 59.23 (2) (d) (title), 59.23 (2) (e), 59.23 (2) (f), 59.23 (2) (h), 59.23 (2) (m) 2., 59.23 (2) (n), 59.23 (2) (q), 59.23 (2) (r), 59.23

5(2) (s) and 889.04; and *to create* 59.23 (2) (cm), 59.23 (2) (d) 2., 59.23 (2) (de), 659.23 (2) (dg), 59.23 (2) (di), 59.23 (2) (i) and 59.23 (2) (nm) of the statutes;

**7relating to:** modifying the duties of a county clerk; the counties in which a board of election commissioners is required; and staffing of a board of election commissioners in populous counties.

Analysis by the Legislative Reference Bureau

This bill makes a number of changes to the duties of a county clerk and specifies some of the clerk's duties in the statute that lists the requirements of that office. The bill does the following:

1. Specifies that full-time equivalent deputies of the clerk work exclusively in the clerk's office and that deputies may be removed only by the clerk.
  2. Specifies that the clerk may appoint as many assistants as the county board authorizes. Currently, this provision applies only to counties with a population exceeding 150,000.
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3. Requires a county board to appoint an acting clerk within 90 days of the board adopting a resolution finding that the clerk is incapable of discharging his or her duties. Currently, the county board may appoint an acting clerk if the clerk is incapable of discharging his or her duties.
  4. Requires a clerk to create the agenda for board meetings, under the direction of the county board chairperson or committee chairperson, and file in the clerk's office copies of agendas and meetings of board and committee meetings.
  5. Requires a clerk to keep records of board and committee proceedings, orders for payments, receipts and disbursements of money, and reports of the treasurer related to receipts and disbursements of the county, without specifying the form or medium in which such records are kept. Currently, a clerk is required to keep such records in a book.
  6. Requires a clerk to notify a county commissioner of highways of the commissioner's election within ten days of the election and notify town officers of the levy and rate of tax for the county road and bridge fund. Currently, a clerk performed such notifications only in counties with a population of less than 150,000. Under current law, a clerk is required to transmit annually to the secretary of state a typed or printed list showing the name and post-office address of certain specified municipal officials. Under this bill, a clerk is required to transmit annually to the secretary of state a list of the name, phone number, e-mail address, and post-office address of these same municipal officials, other unspecified local officials, and elective and appointive officials of any other local governmental unit that is wholly or partly within the county. The bill also requires the clerk, secretary, or other administrative officer of a local governmental unit to provide the county clerk any information he or she needs to complete this requirement. The bill also repeals a number of obsolete provisions of current law. The bill repeals a requirement that a clerk transmit to the Department of Public Instruction certified copies of certain resolutions relating to raising money for school purposes, and repeals a requirement that a clerk transmit to the secretary of state a certified copy of an ordinance enacted by a village or town that relates to a change of the village's or town's name, the name of a newly organized town, or town boundary changes that result from county board action.

Currently, in each county over 500,000 population, elections are administered on the county level by a board of election commissioners instead of by the county clerk. This bill provides that, in each county over 750,000 population, elections are administered on the county level by a board of election commissioners instead of by the county clerk.

Currently, counties, municipalities, and special purpose districts share responsibility for administering elections in their jurisdictions. For purposes of election administration, county clerks are responsible for county functions except that, in counties having a population of more than 500,000 (Milwaukee County), county election functions are delegated by law to a bipartisan board of election commissioners. The board of election commissioners may hire an individual to serve

as its executive director, whose employment and removal is subject to civil service standards. This bill provides that each county clerk is the chief election officer of the

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county in which the clerk serves. The bill does not change the distribution of election

administration functions among governmental units. The bill also provides that, in counties having a population of more than 750,000, the county clerk shall serve as the executive director of the board of election commissioners. The change is effective

on the day on which the bill becomes law.

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:

**1SECTION 1.** 5.62 (4) (b) of the statutes is amended to read:

2 5.62 (4) (b) The county board of election commissioners in counties having a  
3 population of more than ~~500,000~~ 750,000 shall prepare the official primary ballot.

4 The commissioners shall arrange the names of all candidates for each office whose  
5 nomination papers are filed at the county level, using the same method as that  
used

6 by the government accountability board under s. 5.60 (1) (b).

**7SECTION 2.** 7.20 (1) of the statutes is amended to read:

8 7.20 (1) A municipal board of election commissioners ~~and a county board of~~  
9 ~~election commissioners~~ shall be established in every city ~~and county~~ over 500,000  
10 population. A county board of election commissioners shall be established in every  
11 county over 750,000 population.

**12SECTION 3.** 7.21 (2) of the statutes is amended to read:

13 7.21 (2) The county clerk shall serve as executive director of the county board  
14 of election commissioners ~~may hire an executive director who.~~ The clerk shall  
15 perform whatever duties the board of election commissioners assigns to him or  
her.

16 ~~The county board shall determine the salary of that executive director.~~

Appointment

17and removal of that executive director shall be subject to civil service standards.  
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1executive director of the city board of election commissioners shall be appointed  
2under s. 62.51.

3**SECTION 4.** 59.23 (1) (a) of the statutes is amended to read:

4 59.23 (1) (a) Every clerk shall appoint in writing one or more full-time  
5equivalent deputies to work exclusively in the clerk's office and shall file the  
6appointment in the clerk's office. A deputy appointed under this paragraph may be  
7removed only by the clerk. The deputy or deputies shall aid in the performance of  
8the duties of the clerk under the clerk's direction, and in case of the absence or  
9disability of the clerk or of a vacancy in the clerk's office, unless another is  
appointed

10therefor as provided in par. (c), shall perform all of the duties of the clerk during  
the

11absence or until the vacancy is filled. The board ~~may, at any meeting,~~ shall  
provide

12a salary for the deputy or deputies.

13**SECTION 5.** 59.23 (1) (b) of the statutes is amended to read:

14 59.23 (1) (b) In each county ~~having a population exceeding 150,000 according~~  
15~~to the last state or national census,~~ the clerk may also appoint the number of  
16assistants that the board authorizes and prescribes, and the assistants shall  
receive

17salaries that the board provides and fixes.

18**SECTION 6.** 59.23 (1) (c) of the statutes is amended to read:

19 59.23 (1) (c) If a clerk is incapable of discharging the duties of office the board  
20~~may shall~~ appoint an acting clerk, ~~who shall~~ within 90 days after the board  
adopts

21a resolution finding that the clerk is incapable of discharging the duties of the  
office.

22The acting clerk shall serve until the disability is removed. If the board is not in  
23session at the time of the incapacity, the chairperson of the board may appoint an  
24acting clerk, whose term shall not extend beyond the next regular or special  
meeting

25of the board. A person appointed as acting clerk or appointed to fill a vacancy in  
the

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1office of clerk, upon giving an official bond with sureties as required of a clerk, shall  
2perform all of the duties of the office; and thereupon the powers and duties of the  
3deputy of the last clerk shall cease.

4**SECTION 7.** 59.23 (2) (a) of the statutes is amended to read:

5 59.23 (2) (a) *Board proceedings.* Act as clerk of the board at all of the board's  
6regular, special, limited term, and standing committee meetings thereof; under the  
7direction of the county board chairperson or committee chairperson, create the  
8agenda for board meetings; keep and record in a book therefor true minutes of all  
the

9proceedings of the board; in a format chosen by the clerk, including all committee  
10meetings, either personally or through the clerk's appointee; file in the clerk's  
11office  
12copies of agendas and minutes of board meetings and committee meetings; make  
13regular entries of the board's resolutions and decisions upon all questions; record  
14the  
15vote of each supervisor on any question submitted to the board, if required by  
16any  
17member present; publish ordinances as provided in s. 59.14 (1); and perform all  
18duties prescribed by law or required by the board in connection with its meetings  
19and  
20transactions.

21**SECTION 8.** 59.23 (2) (b) of the statutes is amended to read:

2259.23 (2) (b) *Recording of proceedings.* Record at length ~~in a book therefor~~ every  
23resolution adopted, order passed and ordinance enacted by the board.

24**SECTION 9.** 59.23 (2) (c) of the statutes is amended to read:

2559.23 (2) (c) *Orders for payment.* Sign all orders for the payment of money  
26directed by the board to be issued, and keep ~~in a book therefor~~ a true and correct  
27account ~~thereof~~ of such orders, and of the name of the person to whom each order  
28is

29issued; but he or she shall not sign or issue any county order except upon a  
30recorded

31vote or resolution of the board authorizing the same; and shall not sign or issue  
32any

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33such order for the payment of the services of any clerk of court, district attorney or  
34sheriff until the person claiming the order files an affidavit stating that he or she  
35has

36paid into the county treasury all moneys due the county and personally collected  
37or

38received in an official capacity; and shall not sign or issue any order for the  
39payment

40of money for any purpose in excess of the funds appropriated for such purpose  
41unless

42first authorized by a resolution adopted by the county board under s. 65.90 (5).

43**SECTION 10.** 59.23 (2) (cm) of the statutes is created to read:

4459.23 (2) (cm) *Apportionment of taxes.* Apportion taxes and carry out other  
45responsibilities as specified in s. 70.63 (1).

46**SECTION 11.** 59.23 (2) (d) (title) of the statutes is amended to read:

4759.23 (2) (d) (title) *Accounts, access to financial records.*

48**SECTION 12.** 59.23 (2) (d) of the statutes is renumbered 59.23 (2) (d) 1.

49**SECTION 13.** 59.23 (2) (d) 2. of the statutes is created to read:

5059.23 (2) (d) 2. Without regard to whether the board creates an office of county  
51audit or under s. 59.47 (2), have free access to the books, accounts, bills,  
52vouchers,

53and receipts as described in s. 59.47 (1), as often as may be necessary to perform

the  
17 duties required under this section and the duties described under s. 59.47 (1),  
and  
18 the clerk shall report in writing the results of the examinations conducted under  
s.  
19 59.47 (1) to the board.

**20 SECTION 14.** 59.23 (2) (de) of the statutes is created to read:

21 59.23 (2) (de) *Property*. To the extent authorized by the board, exercise the  
22 authority under s. 59.52 (6).

**23 SECTION 15.** 59.23 (2) (dg) of the statutes is created to read:

24 59.23 (2) (dg) *Dogs*. Perform the responsibilities relating to dog licensing,  
25 which are assigned to the clerk under ch. 174, and the dog fund specified in ch.  
174.

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**1 SECTION 16.** 59.23 (2) (di) of the statutes is created to read:

2 59.23 (2) (di) *Marriage licenses, domestic partnerships*. Administer the  
3 program for issuing marriage licenses as provided in ch. 765 and the program for  
4 forming and terminating domestic partnerships as provided in ch. 770.

**5 SECTION 17.** 59.23 (2) (e) of the statutes is amended to read:

6 59.23 (2) (e) *Reports of receipts and disbursements*. Record ~~in a book therefor~~  
7 the reports of the treasurer of the receipts and disbursements of the county.

**8 SECTION 18.** 59.23 (2) (f) of the statutes is amended to read:

9 59.23 (2) (f) *Recording receipts and disbursements*. Keep a true and accurate  
10 account ~~in a book therefor~~ of all money which comes into the clerk's hands by  
virtue

11 of the clerk's office, specifying the date of every receipt or payment, the person  
from

12 or to whom the receipt or payment was received or paid, and the purpose of each  
13 particular receipt or disbursement, and keep the book at all times open to the  
14 inspection of the county board or any member of the board.

**15 SECTION 19.** 59.23 (2) (h) of the statutes is amended to read:

16 59.23 (2) (h) *Books of account*. Keep all of the accounts of the county and all  
17 books of account ~~as~~ in a manner that the board directs. Books of account shall be  
18 maintained on a calendar year basis, which shall be the fiscal year in every  
county.

**19 SECTION 20.** 59.23 (2) (i) of the statutes is created to read:

20 59.23 (2) (i) *Chief election officer, election duties*. As the chief election officer  
21 of the county, perform all duties that are imposed on the clerk in relation to the  
22 preparation and distribution of ballots and the canvass and return of votes at  
23 general, judicial, and special elections.

**24 SECTION 21.** 59.23 (2) (j) of the statutes is repealed.

**25 SECTION 22.** 59.23 (2) (k) of the statutes is repealed.

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**1 SECTION 23.** 59.23 (2) (m) 2. of the statutes is amended to read:

2 59.23 (2) (m) 2. Except as otherwise provided, receive and file the official oaths  
3 and bonds of all county officers and upon request shall certify under the clerk's

4signature and seal the official capacity and authority of any county officer so filing  
5and charge ~~therefor~~ the statutory fee. Upon the commencement of each term every  
6clerk shall file the clerk's signature and the impression of the clerk's official seal in  
7the office of the secretary of state.

8**SECTION 24.** 59.23 (2) (n) of the statutes is amended to read:

9 59.23 (2) (n) ~~Taxes; election duties.~~ Perform all duties that are imposed on the  
10clerk in relation to the assessment and collection of taxes, ~~and to the preparation~~  
~~and~~  
11~~distribution of ballots and the canvass and return of votes at general, judicial and~~  
12~~special elections.~~

13**SECTION 25.** 59.23 (2) (nm) of the statutes is created to read:

14 59.23 (2) (nm) *Timber harvest notices.* Provide notice to a town chairperson  
15regarding the harvesting of raw forest products, as described in s. 26.03 (1m) (a)  
2.

16**SECTION 26.** 59.23 (2) (q) of the statutes is amended to read:

17 59.23 (2) (q) *County highway commissioner; notify of election.* ~~Except in~~  
18~~counties having a population of 150,000 or more, notify~~ Notify a county  
commissioner  
19of highways of the commissioner's election within 10 days thereafter.

20**SECTION 27.** 59.23 (2) (r) of the statutes is amended to read:

21 59.23 (2) (r) *County tax for road and bridge fund.* ~~Except in counties having~~  
22~~a population of 150,000 or more, notify~~ Notify the proper town officers of the levy  
and  
23rate of any tax for the county road and bridge fund.

24**SECTION 28.** 59.23 (2) (s) of the statutes is amended to read:

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159.23 (2) (s) *List of ~~municipal officers~~ local officials.* Annually, on the first  
2Tuesday of June, transmit to the secretary of state a ~~typewritten or printed~~ list  
3showing the name, phone number, electronic mail address, and post-office address  
4of local officials, including the chairperson, mayor, president, clerk, treasurer,  
5council and board members, and assessor of each municipality, and of the elective  
or  
6appointive officials of any other local governmental unit, as defined in s. 66.0135 (1)  
7(c), that is located wholly or partly within the county. Such lists shall be placed on  
8file for the information of the public. The clerk, secretary, or other administrative  
9officer of a local governmental unit, as defined in s. 66.0137 (1) (ae), shall provide  
the  
10county clerk the information he or she needs to complete the requirements of this  
11paragraph.

12**SECTION 29.** 889.04 of the statutes is amended to read:

13**889.04 County and municipal ordinances.** Matter entered or recorded in  
14any ordinance ~~or,~~ record book, or other format authorized under ss. 59.23 (2) (b),  
1560.33 (1) and (2), 61.25 (3) and 62.09 (11) (c) or printed in any newspaper, book,  
16pamphlet, or other form purporting to be so published, entered or recorded by  
any  
17county, town, city or village in this state as a copy of its ordinance, bylaw,

resolution

18or regulation, is prima facie evidence thereof; and after 3 years from the date of such

19publication, entry or recording such book or pamphlet shall be conclusive proof of the

20regularity of the adoption and publication of the ordinance, bylaw, resolution or 21regulation.