

1973 Assembly Bill 663

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## CHAPTER 37 , Laws of 1973

AN ACT to amend 16.96 (2) (a), (b) and (c), 66.014 (2) (c), 66.018 (5) and 66.021 (4) (a) and (8) (a) and (b); and to create 16.96 (2) (cm) of the statutes, relating to population estimating by the department of administration.

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

SECTION 1. 16.96 (2) (a), (b) and (c) of the statutes are amended to read:

16.96 (2) (a) On or before ~~June 15~~ August 1 of each year, the department shall make its preliminary population determinations ~~as the basis for the July 31 preliminary distribution~~, and shall notify the clerk of each municipality and county of its preliminary population ~~determination for distribution purposes in that year determinations~~.

(b) Municipalities and counties believing that such population determinations ~~to be~~ are based upon incorrect information shall, by ~~July 15~~ September 15 of the same year, file their specific objections, and evidence in support thereof, with the department ~~of administration~~.

(c) On or before October 1 of each year, the department shall make any necessary adjustments in its population determinations for the November ~~15~~ distribution, and shall notify the clerk of any affected municipality or county of these adjustments. The adjusted population determinations shall be consistent with the methods used state wide for population determinations, and adjustments from the ~~June 15~~ August 1 population determinations shall be made only to accommodate corrected information.

SECTION 2. 16.96 (2) (cm) of the statutes is created to read:

16.96 (2) (cm) The July preliminary distribution shall be based on the final population determination of the previous year.

SECTION 3. 66.014 (2) (c) of the statutes is amended to read:

66.014 (2) (c) The petition shall designate a representative of the petitioners, and an alternate, who shall be an elector or freeholder in the territory, and state his address; describe the territory to be incorporated with sufficient accuracy to determine its location and have attached thereto a scale map reasonably showing the boundaries thereof; specify the current resident population of the territory by number in accordance with the definition given in s. 66.013 (2) (b); set forth facts substantially establishing the standards for incorporation required herein; and request the circuit court to order a referendum and to certify the incorporation of the village or city when it is found that all requirements have been met.

SECTION 4. 66.018 (5) of the statutes is amended to read:

66.018 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an incorporation referendum are cast in favor of a village or city, the clerk of the circuit court shall certify the fact to the secretary of state and supply him with ~~4~~ 5 copies of a description of the legal boundaries of the village or city and the associated population and ~~4~~ 5 copies of a plat thereof, of which 2 copies of both shall be forwarded to the highway commission, one copy to the department of administration and one copy to the department of revenue. The secretary of state shall issue a certificate of incorporation and record the same.

SECTION 5. 66.021 (4) (a) and (8) (a) and (b) of the statutes are amended to read:

66.021 (4) (a) The petition shall state the purpose of the petition and contain a description of the territory proposed to be annexed, sufficiently accurate to determine its location, and have attached thereto a scale map reasonably showing the boundaries of such territory and the relation of the territory to the municipalities involved. The petition shall also specify the current population of the territory by number in accordance with the definition given in s. 66.013 (2) (b).

(8) (a) The clerk of a city or village which has annexed territory shall file immediately with the secretary of state ~~4~~ 5 certified copies of a certificate and plat and one copy to each company that provides any utility service in area annexed plus one such copy with the register of deeds, signed by the clerk, describing the territory which was annexed and the associated population. Failure to file shall not invalidate the annexation but the duty to file shall be a continuing one. The clerk shall certify annually to the secretary of state and to the register of deeds a legal description of the total boundaries of the municipality as those boundaries existed on December 1, unless there has been no change in the 12 months preceding.

(b) The secretary of state shall forward 2 copies of the certificate and plat to the highway commission, one copy to the department of administration and one copy to the department of revenue.

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