

2011 DRAFTING REQUEST

Bill

Received: 10/07/2011

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Alvin Ott (608) 266-5831

By/Representing: Erin

May Contact: Anna Henning, Leg. Council

Drafter: mshovers

Subject: Local Gov't - munis generally
Local Gov't - zoning

Addl. Drafters:

Extra Copies: EVM

Submit via email: YES

Requester's email: Rep.Ott@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Void the October 2010 annexation of Town of Harrison territory by the City of Kaukauna

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Local
/1	mshovers 11/01/2011	jdyer 11/02/2011	jfrantze 11/02/2011	_____	sbasford 11/02/2011		Local
/2	mshovers 11/09/2011	jdyer 11/09/2011	rschluet 11/09/2011	_____	lparisi 11/09/2011	sbasford 11/10/2011	

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mshovers

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Jo 11/2

11 MES d/11

FE Sent For:

<END>

Shovers, Marc

From: Henning, Anna
Sent: Thursday, September 29, 2011 1:44 PM
To: Shovers, Marc
Cc: Ruby, Erin
Subject: Drafting request for Town of Harrison annexation bill

Hi Marc,

I have confirmed with Erin Ruby in Rep. Ott's office that they would like a draft for a private bill, along the lines we discussed on the phone. In particular, the bill should be drafted to void the annexation commenced on October 19, 2010 by the City of Kaukauna, located in Outagamie County, of territory in the Town of Harrison, located in Calumet County. I believe we said that the bill would mention that the City had commenced the annexation without obtaining a resolution from the board of the Town of Harrison, as is required under s. 66.0217 (14) (b), Stats., for annexations of territory located in a county in which no part of the annexing municipality is located.

Thanks! And let me know if you have questions.

Anna

Anna Henning
Staff Attorney
Wisconsin Legislative Council
(608) 266-0292
anna.henning@legis.wisconsin.gov



Handwritten initials: JG, RMA

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

WANTED Friday

Handwritten initials: gm

1
2

AN ACT ...; relating to: voiding the annexation of territory in the Town of Harrison in Calumet County by the City of Kaukauna.

Analysis by the Legislative Reference Bureau

* This bill voids an annexation of territory in the Town of Harrison in Calumet County by the City of Kaukauna, which the city commenced on or about October 19, 2010. Under the bill, the legislature finds that the annexation did not comply with the current statutory requirements for a city that is located in one county to annex territory in another county, in which no part of the city is located. Current law states that, before such an annexation may occur, the town from which the territory is to be annexed must adopt a resolution approving the proposed annexation. In this case, the Town of Harrison did not adopt such a resolution.

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:

3
4
5

SECTION 1. Nonstatutory provisions.

(1) The annexation by the City of Kaukauna, in Outagamie County, of territory in the Town of Harrison, in Calumet County, which was commenced by the city on

1 or about October 19, 2010, is void and ~~is~~^{has} no legal effect. With regard to this
2 annexation, the legislature finds all of the following:

3 (a) The annexation by the ~~City~~ of Kaukauna[✓] did not comply with the
4 requirements of section 66.0217 (14) (b)[✓] of the statutes. Under that statute, a city
5 located in one county may not annex territory in another county, in which no part of
6 the city is located, unless the town from which the territory is to be annexed adopts
7 a resolution approving the proposed annexation.[✓]

8 (b) Although the ~~City~~ of Kaukauna annexed territory from the ~~Town~~ of
9 Harrison in Calumet County,[✓] under section 66.0217[✓] of the statutes, the ~~Town~~ did not
10 adopt a resolution approving the proposed annexation as required by section 66.0217
11 (14) (b)[✓] of the statutes.

12 (END)



PMR

WANTED:
today

2011 BILL

not Under current law, the town is prohibited from contesting the annexation in court.

X Regen

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BILL

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4 requirements of section 66.0217 (14) (b) of the statutes. Under that statute, a city
5 located in one county may not annex territory in another county, in which no part of
6 the city is located, unless the town from which the territory is to be annexed adopts
7 a resolution approving the proposed annexation.

8 (b) Although the city of Kaukauna annexed territory from the town of Harrison
9 in Calumet County, under section 66.0217 of the statutes, the town did not adopt a
10 resolution approving the proposed annexation as required by section 66.0217 (14) (b)
11 of the statutes.

12

(END)

Basford, Sarah

From: Ruby, Erin
Sent: Thursday, November 10, 2011 7:39 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-3337/2 Topic: Void the October 2010 annexation of Town of Harrison territory by the City of Kaukauna

Please Jacket LRB 11-3337/2 for the ASSEMBLY.