

1999 DRAFTING REQUEST

Bill

Received: **12/9/98**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Bonnie Ladwig (608) 266-9171**

By/Representing: **Rep. Ladwig**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Topic:

Urban towns

Instructions:

See Attached. Redraft 1997 ASA 1 (s0378) to AB 114 (-0046), but sunset the provision that allows towns to become urban towns after 5 years.

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>
/?	shoveme 12/9/98	gilfokm 12/31/98		_____			Local
/1			,martykr 01/5/99	_____	lrb_docadmin 01/5/99	lrb_docadmin 01/19/99	

FE Sent For: **01/19/99.**

<END>

1999 DRAFTING REQUEST

Bill

Received: 12/9/98

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Bonnie Ladwig (608) 266-9171

By/Representing: Rep. Ladwig

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Alt. Drafters:

Subject: Munis - miscellaneous

Extra Copies:

Topic:

Urban towns

Instructions:

See Attached. Redraft 1997 ASA 1 (s0378) to AB 114 (-0046), but sunset the provision that allows towns to become urban towns after 5 years.

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>
/?	shoveme 12/9/98	gilfokm 12/31/98		_____			Local
/1			martykr 01/5/99	_____	lrb_docadmin 01/5/99		

FE Sent For:

<END>

Handwritten note: 01-19-99 with an arrow pointing to the 'FE Sent For:' field.

1999 DRAFTING REQUEST

Bill

Received: 12/9/98

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Bonnie Ladwig (608) 266-9171**

By/Representing: **Rep. Ladwig**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Topic:

Urban towns

Instructions:

See Attached. Redraft 1997 ASA 1 (s0378) to AB 114 (-0046), but sunset the provision that allows towns to become urban towns after 5 years.

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>
1/?	shoveme	1 12/10 WLJ	<i>km/s</i>	<i>JA</i>	<i>km/s</i>		
<i>11 MES 12/9/98</i>							

FE Sent For:

<END>

-1177/1
LRB 0046/L
MES: [unclear]
wje kg
RMR

1999 ~~1997~~ ASSEMBLY BILL ~~1141~~

D-Note

February 18, 1997 - Introduced by Representatives LADWIG, URBAN, ALBERS, BRANDEMUEHL, GOETSCH, F. LASEE, OTT, OWENS, PORTER, POWERS, SCHAFFER, SERATTI, SPRINGER and WARD, cosponsored by Senators FARROW, A. LASEE and SCHULTZ. Referred to Committee on Urban and Local Affairs.

regin

1 AN ACT to amend 60.61 (2) (intro.), 60.62 (1), 60.62 (2), 60.62 (3), 62.23 (7a) (a),
2 66.021 (2) (intro.), 66.024 (intro.), 66.025, 66.32 and 236.02 (5); and to create
3 60.10 (1) (g) and 60.225 of the statutes; relating to: the authority of certain
4 towns to become urban towns.

Analysis by the Legislative Reference Bureau

Under current law, if a town meeting authorizes a town board to do so, the town board may exercise powers that are related to villages and conferred on village boards by statute, except those powers that conflict with statutes relating to towns and town boards. For example, a town board exercising village powers may not create a tax incremental financing district, annex territory, exercise extraterritorial zoning jurisdiction over another town or, in counties that have adopted a county zoning ordinance, enact a town zoning ordinance unless it is approved by the county board. If a town board exercises village powers, the town is still subject to annexation by a city or village and may be subject to extraterritorial zoning powers exercised by a city or village.

Subject to several conditions, this bill authorizes a town board that is authorized to exercise village powers to adopt a resolution declaring that the town is an urban town. Under certain circumstances and subject to several limitations, the bill allows a town board that has adopted such a resolution to exercise any statutory power that a village may exercise, including the power to create a housing authority for the elderly. Before the town board may adopt a resolution declaring that the town is an urban town, the town must either: attempt, and fail, to

ASSEMBLY BILL 114

INS. ANL JT

consolidate with a city or village and have attempted to incorporate as a city or village between 1986 and 1996; or attempt to consolidate with a city or village and attempt, and fail, to incorporate as a city or village within ^{three} years after commencing the procedures that are required to become an urban town. The town board may adopt a resolution declaring that the town is an urban town only after its attempts to consolidate or incorporate fail. Once the town board adopts an urban town resolution, the resolution may take effect only after the resolution is approved by the electors of the town in a referendum.

The bill also allows the board of an urban town to exercise certain zoning powers and to remove the town from coverage of county zoning ordinances, other than a county shorelands zoning ordinance, and exempts the town from being subject to certain city and village annexation and extraterritorial powers. Also under the bill, town residents may attempt to enact direct legislation. This bill does not extend constitutional or statutory home rule powers to urban towns, nor does it allow such towns to create a tax incremental financing district, to adopt a village form of government, to annex territory or to engage in extraterritorial zoning or plat approval.

The powers granted to urban towns in this bill apply only if certain conditions are met on the date on which the town board adopts the resolution. Some of the conditions that must be satisfied include the following:

1. The population of the town must be at least 7,500.
2. The equalized value of the town must exceed \$360,000,000 and must be at least \$40,000 on a per person basis.
3. The town must provide law enforcement, fire protection and emergency medical services 24 hours a day.
4. At least 30% of the town residents must receive water supply and sewage disposal services from one of several entities, such as a town sanitary district, a town utility district, a metropolitan sewerage district or another city, village or town.
5. The town must adopt a comprehensive land use plan as part of a master plan.
6. The town board must consist of ^{five} supervisors.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

INS. ANL-2 ✓

Effect "The people"

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

- 1 SECTION 1. 60.10 (1) (g) of the statutes is created to read:
- 2 60.10 (1) (g) *Approval of resolutions.* Approve a resolution adopted by the town
- 3 board under s. 60.225 (1).
- 4 SECTION 2. 60.225 of the statutes is created to read:

✓
✓

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 114**

January 15, 1998 – Offered by Representative LADWIG.

1 **AN ACT to amend** 60.61 (2) (intro.), 60.62 (1), 60.62 (2), 60.62 (3), 62.23 (7a) (a),
2 66.021 (2) (intro.), 66.024 (intro.), 66.025, 66.32 and 236.02 (5); and **to create**
3 60.10 (1) (g) and 60.225 of the statutes; **relating to:** the authority of certain
4 towns to become urban towns.

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

5 **SECTION 1.** 60.10 (1) (g) of the statutes is created to read:

6 60.10 (1) (g) *Approval of resolutions.* Approve a resolution adopted by the town
7 board under s. 60.225 (1).[✓]

8 **SECTION 2.** 60.225[✓] of the statutes is created to read:

9 **60.225 Urban towns. (1) PROCESS; REQUIREMENTS.** Subject to sub. (1m)[✓], if a
10 town board is authorized to exercise village powers under s. 60.10 (2) (c)[✓], and subject
11 to sub. (2)[✓], a town board may adopt a resolution declaring its town to be an urban

1 town that is subject to this section if, on the date of adoption of the resolution, all of
2 the following conditions are satisfied:

3 (a) The population of the town is at least 7,500.

4 (b) The equalized value of the town exceeds all of the following amounts:

5 1. According to the most recent assessment, \$360,000,000.

6 2. On a per person basis, \$40,000 according to the most recent assessment.

7 (c) The town provides law enforcement services, 24 hours a day, by establishing
8 a town police department, by creating a joint police department with another city,
9 village or town under s. 60.56 or by contracting with another person under s. 60.56.

10 (d) The town provides fire protection services, 24 hours a day, by establishing
11 a town fire department or by creating a joint fire department with another city,
12 village or town under s. 60.55.

13 (e) The town provides emergency medical technician services, 24 hours a day,
14 by an emergency medical technician, as defined in s. 146.50 (1) (e).

15 (f) The town board adopts a comprehensive land use plan as part of a master
16 plan under s. 62.23 (2) and (3) that is administered by a planner who is employed by
17 the town.

18 (g) At least 30% of the town residents receive water supply and sanitary sewage
19 disposal services from one of the following:

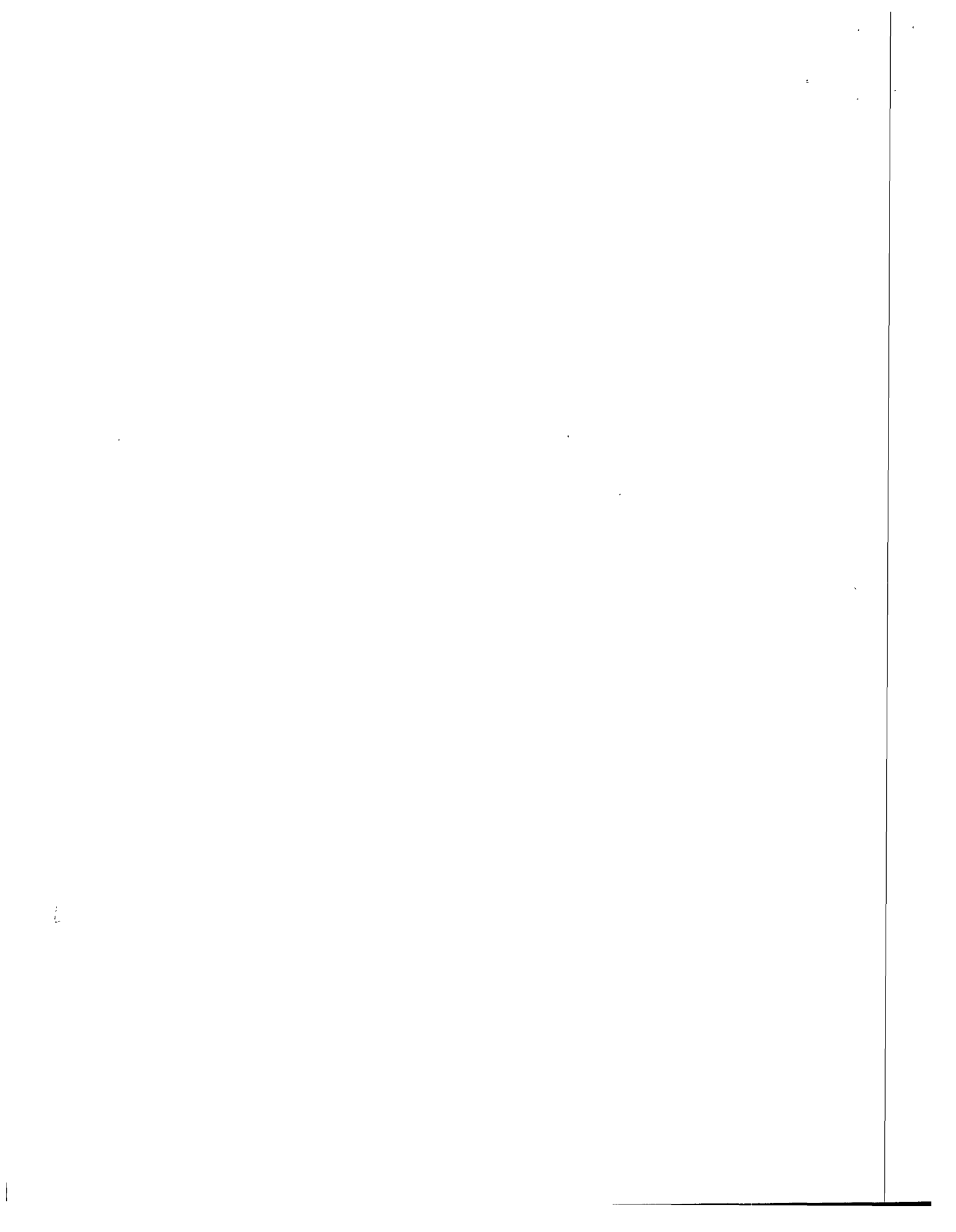
20 1. A town sanitary district created by the town under subch. IX.

21 2. A town utility district created under s. 66.072.

22 3. A metropolitan sewerage district created under ss. 66.20 to 66.26 or under
23 ss. 66.88 to 66.918.

24 4. A public utility created under s. 196.01 (5).

25 5. A town sanitary district created by another town under subch. IX.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

6. A city or village.
7. A city-owned treatment works or village-owned treatment works in which the town has an interest under an intergovernmental cooperation agreement under s. 66.30.

(h) The town board consists of 5 supervisors.

(1m) PROCEDURE. (a) Subject to par. (c) and except as provided in par. (b), a town board may proceed under sub. (1) only if the town board adopts a resolution declaring its intent to proceed under this paragraph and only if the town board institutes proceedings under s. 66.02 to consolidate the town with a city or village on or after the effective date of this paragraph [revisor inserts date], and if, between ~~1986~~ and ~~1996~~, the town board has done one of the following:

- 1. Instituted proceedings to incorporate the town as a city or village under s. 66.012.
- 2. Instituted proceedings to incorporate the town as a city or village under ss. 66.013 to 66.019.

(b) Subject to par. (c), if a town board has not instituted one of the proceedings under par. (a) 1. or 2. between ~~1986~~ and ~~1996~~, the town board may proceed under sub. (1) only if the town board adopts a resolution declaring its intent to proceed under this paragraph and only if the town board, within a 3-year period beginning on the date of the adoption of the resolution declaring its intent to proceed under this paragraph, institutes proceedings under s. 66.02 to consolidate the town with a city or village and the town board institutes proceedings described under par. (a) 1. or 2.

(c) The town board may adopt a resolution under sub. (1) only if the town board institutes the proceedings under par. (a) or under par. (b) and the proceedings do not

10
11

1988

1998

✓
✓

1988 1998

1 result in either a consolidation under s. 66.02 or the incorporation of the town as a
2 city or village under s. 66.012 or ^{as a city or village} under ss. 66.013 to 66.019.

3 (2) RATIFICATION. (a) If a town board adopts a resolution under sub. (1), the
4 town board shall call a referendum to approve the resolution adopted under sub. (1).
5 The referendum shall be called for that purpose at the next spring primary or election
6 or September primary or general election, or the town board may call and conduct
7 a special referendum under s. 8.55, to be held not sooner than 45 days after the
8 referendum is called by the town board. The town board shall call for a referendum
9 under this subsection not later than 90 days after the adoption of a resolution under
10 sub. (1). The referendum question shall be: "Do you approve ~~of~~ the town board's
11 adoption of the resolution declaring the Town of ... [insert name of town] to be an
12 urban town?"

13 (b) A resolution adopted by a town board under sub. (1) may not take effect until
14 the resolution is approved in a referendum called for by the town board under par.
15 (a). If the referendum is approved by the electors of the town, the town clerk shall
16 certify that fact to the secretary of state. The secretary of state shall issue a
17 certificate of urban town status and shall record that status in a book kept for that
18 purpose.

19 (3) POWERS. (a) A town that is subject to this section may exercise any statutory
20 power that a village may exercise, except as follows:

21 1. A town acting under this section does not have home rule powers under
22 article XI, section 3, of the constitution or under s. 61.34 (5).

23 2. A town acting under this section may not exercise extraterritorial zoning
24 powers under s. 62.23 (7a) or 66.32, offensive industry regulation under s. 66.052 (1),

*Only on the question mark and
are needed here.*

1 extraterritorial plat approval under s. 236.10[✓] or wetlands in shorelands zoning
2 authority under s. 61.351[✓].

3 3. A town acting under this section may not exercise annexation of territory
4 powers under s. 66.021[✓], 66.024[✓] or 66.025[✓].

5 4. A town acting under this section may not create a tax incremental financing
6 district under s. 66.46[✓].

7 5. A town acting under this section may not adopt a village form of governance
8 by acting under ss. 61.19[✓] to 61.325[✓].

9 (b) 1. Except for a wetlands in shorelands zoning ordinance, no town may be
10 subject to any county zoning ordinance that is enacted by a county board after a town
11 board adopts a resolution under sub. (1)[✓] unless the town board approves the
12 ordinance or until the resolution adopted by the town board under sub. (1)[✓] is defeated
13 in a referendum that is held under sub. (2)[✓].

14 2. If a town board adopts a resolution under sub. (1)[✓] and the resolution is
15 ratified under sub. (2)[✓], a town board may adopt a resolution revoking its approval of
16 any county zoning ordinance, other than a wetlands in shorelands zoning ordinance,
17 if the town board notifies the county board in writing at least 60 days before the
18 resolution revoking approval of a county zoning ordinance takes effect.

19 3. Beginning on the effective date of the resolution revoking town approval of
20 a county zoning ordinance, a town that is subject to this section may enact zoning
21 ordinances only under s. 62.23[✓].

22 (c) No town territory may be annexed by a city or village under s. 66.021[✓], 66.024[✓]
23 or 66.025[✓] during the 3-year period described under sub. (1m) (b)[✓], during the period
24 beginning after a town board adopts a resolution under sub. (1)[✓] and before a
25 ratification vote under sub. (2)[✓] or at any time after the electors of the town approve

1 such a resolution under sub. (2),[✓] unless the town board approves the proposed
2 annexation or unless the land proposed to be annexed is less than 300 acres and at
3 least 85% of the border of such land is contiguous to the annexing city or village.

4 (d) No town may be subject to the extraterritorial zoning jurisdiction or
5 extraterritorial plat approval jurisdiction of a city or village during the period
6 beginning after a town board adopts a resolution under sub. (1)[✓] and before a
7 ratification vote under sub. (2)[✓] or at any time after the electors of the town approve
8 such a resolution under sub. (2)[✓].

9 (e) 1. If a town is a party to a cooperative boundary plan under s. 66.023[✓] or
10 similar cooperative boundary agreement under s. 66.30[✓] on the date on which the
11 town becomes an urban town, the terms of the plan or agreement, or any approved
12 amendments to the plan or agreement, shall remain in effect until the expiration of
13 the planning period that is specified in the plan or the expiration of the agreement.

14 2. A town may become a party to a cooperative boundary plan under s. 66.023[✓]
15 any time before the first day of the 24th month beginning after the effective date of
16 this subdivision ... [revisor inserts date]. If a town becomes a party to such a plan
17 under this subdivision, the terms of the plan, or any approved amendments to the
18 plan, shall remain in effect until the expiration of the planning period that is
19 specified in the plan.

20 3. Except as provided in this paragraph and in par. (c)[✓], the boundaries of an
21 urban town may not be changed under s. 66.02[✓] or 66.022[✓], or by the acquisition or
22 disposal of territory by any means, unless the town agrees to the change.

23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

SECTION 3. 60.61 (2) (intro.)[✓] of the statutes is amended to read:

1 60.61 (2) EXTENT OF AUTHORITY. (intro.) Subject to subs. (3) and (3m), if a town
2 is located in a county which has not enacted a county zoning ordinance under s. 59.69,
3 the town board of a town that is not subject to s. 60.225,[✓] by ordinance, may:

4 **SECTION 4.** 60.62 (1) of the statutes,~~as affected by 1997 Wisconsin Act 211~~[✓] is
5 amended to read:

6 60.62 (1)[✓] Subject to subs. (2), (3) and (4) and to s. 60.225 (3)(b) 3.[✓] if a town board
7 has been granted authority to exercise village powers under s. 60.10 (2) (c), the board
8 may ~~adopt~~ enact zoning ordinances under s. 61.35.

9 **SECTION 5.** 60.62 (2)[✓] of the statutes is amended to read:

10 60.62 (2) If the county in which the town is located has enacted a zoning
11 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
12 approval by the town meeting or by a referendum vote of the electors of the town held
13 at the time of any regular or special election, except that this subsection does not
14 apply if a town board revokes its approval of a county zoning ordinance under s.
15 60.225 (3) (b) 2.[✓]

16 **SECTION 6.** 60.62 (3)[✓] of the statutes is amended to read:

17 60.62 (3) In counties having a county zoning ordinance, no zoning ordinance
18 or amendment of a zoning ordinance may be ~~adopted~~ enacted under this section
19 unless it is approved by the county board, except that this subsection does not apply
20 if a town board revokes its approval of a county zoning ordinance under s. 60.225 (3)
21 (b) 2.[✓]

22 **SECTION 7.** 62.23 (7a) (a)[✓] of the statutes is amended to read:

23 62.23 (7a) (a) Extraterritorial zoning jurisdiction means the unincorporated
24 area, except as provided in s. 60.225 (3) (d).[✓] within 3 miles of the corporate limits of
25 a first, second or third class city, or 1 1/2 miles of a fourth class city or a village.

1 Wherever extraterritorial zoning jurisdictions overlap, the provisions of s. 66.32
2 shall apply and any subsequent alteration of the corporate limits of the city by
3 annexation, detachment or consolidation proceedings shall not affect the dividing
4 line as initially determined under s. 66.32. The governing body of the city shall
5 specify by resolution the description of the area to be zoned within its extraterritorial
6 zoning jurisdiction sufficiently accurate to determine its location and such area shall
7 be contiguous to the city. The boundary line of such area shall follow government lot
8 or survey section or fractional section lines or public roads, but need not extend to
9 the limits of the extraterritorial zoning jurisdiction. Within 15 days of the adoption
10 of the resolution the governing body shall declare its intention to prepare a
11 comprehensive zoning ordinance for all or part of its extraterritorial zoning
12 jurisdiction by the publication of the resolution in a newspaper having general
13 circulation in the area proposed to be zoned, as a class 1 notice, under ch. 985. The
14 city clerk shall mail a certified copy of the resolution and a scale map reasonably
15 showing the boundaries of the extraterritorial jurisdiction to the clerk of the county
16 in which the extraterritorial jurisdiction area is located and to the town clerk of each
17 town, any part of which is included in such area.

18 **SECTION 8.** 66.021 (2) (intro.) of the statutes is amended to read:

19 66.021 (2) METHODS OF ANNEXATION. (intro.) Subject to s. 66.023 (7) and except
20 as provided in s. 60.225 (3) (c), territory contiguous to any city or village may be
21 annexed thereto in the following ways:

22 **SECTION 9.** 66.024 (intro.) of the statutes is amended to read:

23 **66.024 Annexation by referendum; court order.** (intro.) As a complete
24 alternative to any other annexation procedure, and subject to s. 66.023 (7) and except
25 as provided in s. 60.225 (3) (c), unincorporated territory which contains electors and

1 is contiguous to a city or village may be annexed thereto in the manner hereafter
2 provided. The definitions in s. 66.021 (1) shall apply to this section.

3 SECTION 10. 66.025 of the statutes, as affected by 1997 Wisconsin Act 17, is
4 amended to read:

5 **66.025 Annexation of owned territory.** In addition to other methods
6 provided by law and subject to ss. 59.692 (7) and 66.023 (7) and except as provided
7 in s. 60.225 (3) (c), territory owned by and lying near but not necessarily contiguous
8 to a village or city may be annexed to a village or city by ordinance enacted by the
9 board of trustees of the village or the common council of the city, provided that in the
10 case of noncontiguous territory the use of the territory by the city or village is not
11 contrary to any town or county zoning regulation. The ordinance shall contain the
12 exact description of the territory annexed and the names of the towns from which
13 detached, and shall operate to attach the territory to the village or city upon the filing
14 of 6 certified copies thereof in the office of the secretary of state, together with 6 copies
15 of a plat showing the boundaries of the territory attached. Two copies of the
16 ordinance and plat shall be forwarded by the secretary of state to the department of
17 transportation, one copy to the department of natural resources, one copy to the
18 department of revenue and one copy to the department of public instruction.

19 SECTION 11. 66.32[✓] of the statutes is amended to read:

20 **66.32 Extraterritorial powers.** The extraterritorial powers granted to cities
21 and villages by statute, including ss. 30.745, 62.23 (2) and (7a), 66.052, 236.10 and
22 254.57, may not be exercised within the corporate limits of another city or village and
23 may not be exercised within the corporate limits of a town during the period
24 beginning after the town's[✓] board has adopted a resolution under s. 60.225 (1)[✓] and
25 before a ratification vote under s. 60.225 (2)[✓] or at any time^{after} the electors of the town

1 approve such a resolution under s. 60.225 (2). Wherever these statutory
2 extraterritorial powers overlap, the jurisdiction over the overlapping area shall be
3 divided on a line all points of which are equidistant from the boundaries of each
4 municipality concerned so that not more than one municipality shall exercise power
5 over any area.

6 SECTION 12. 236.02 (5) of the statutes is amended to read:

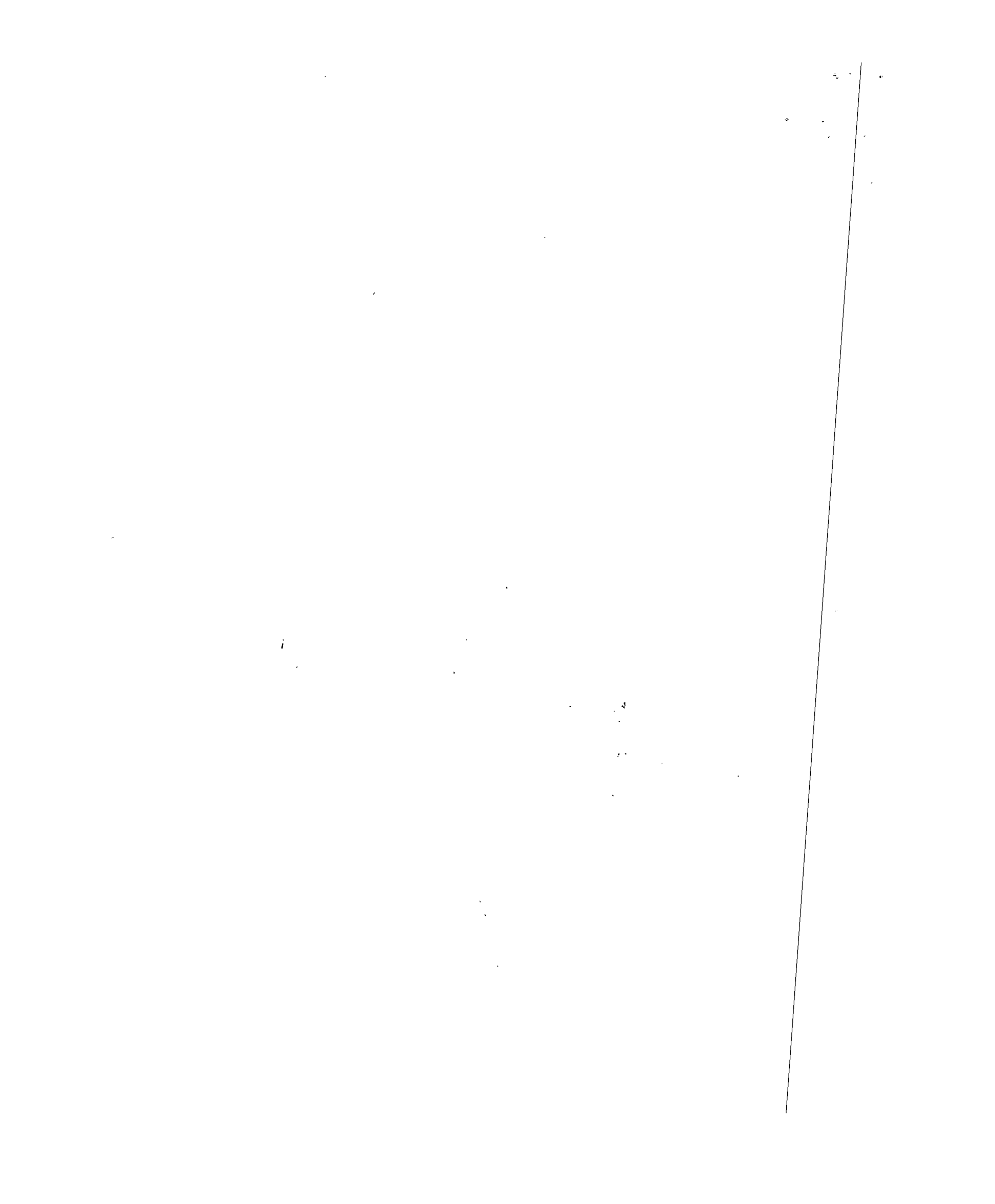
7 236.02 (5) "Extraterritorial plat approval jurisdiction" means the
8 unincorporated area, except as provided in s. 60.225 (3) (d), within 3 miles of the
9 corporate limits of a first, second or third class city, or 1 1/2 miles of a fourth class city
10 or a village.

11 (END)

D-note

I've advanced the dates ^{between} which a town must attempt ^{and fail} to consolidate with a city or village or incorporate as a city or village from "between 1986 and 1996" to "between 1988 and 1998." Is this OK?

MES



INS ANL-1

↓ If the town is a party to a cooperative boundary plan or agreement on the date that it becomes an urban town, the terms of the plan or agreement remain in effect until the expiration of the plan or agreement.

INS ANL-2

The bill also contains a sunset provision, such that the ~~urban town~~ ^{Provisions allowing the creation of urban} ~~creation of urban~~ ^{towns} will remain in effect for only ^{five} ~~10~~ years.

INS 6-22

(4) ^(CS) Sunset. This section does not apply on or after the first day of the 60th month beginning after ^{the effective date of this subsection} ... [revisor inserts date].

1000

1000

1000

1000

1000

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1177/1dn
MES:wlj&kg:km

January 5, 1999

I've advanced the dates between which a town must attempt and fail to consolidate with a city or village or incorporate as a city or village from "between 1986 and 1996" to "between 1988 and 1998". Is this OK?

Marc E. Shovers
Senior Legislative Attorney
266-0129

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 1/5/99

To: Representative Ladwig

Relating to LRB drafting number: LRB-1177

Topic

Urban towns

Subject(s)

Munis - miscellaneous

1. **JACKET** the draft for introduction Bonnie Ladwig
in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction Bonnie Ladwig.
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Marc E. Shovers, Senior Legislative Attorney
Telephone: (608) 266-0129

Done
1-19-99
MB