

1999 DRAFTING REQUEST

Bill

Received: **02/29/2000**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Senate Chief Clerk 6-2517**

By/Representing: **himself**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters: **rmarchan**

Subject: **Elections - miscellaneous
Munis - miscellaneous**

Extra Copies: **MES - 1
SRM - 1
Larry Barish - 1
Pete Cannon - 1**

Pre Topic:

No specific pre topic given

Topic:

Municipal subdistricting (S)

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>
/?	kuesejt 03/07/2000	csicilia 03/07/2000		_____			S&L
/P1	rmarchan 03/08/2000		haueca 03/07/2000	_____			S&L
/P2	rmarchan 03/08/2000	gilfokm 03/08/2000	haueca 03/08/2000	_____			S&L

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/1	kuesejt 03/09/2000		kfollet 03/08/2000	_____	lrb_docadmin 03/08/2000		S&L
/2	kuesejt 03/24/2000	gilfokm 03/24/2000	martykr 03/24/2000	_____	lrb_docadmin 03/24/2000	lrb_docadmin 03/25/2000	

FE Sent For: 03/24/2000.

↳ ("12")

<END>

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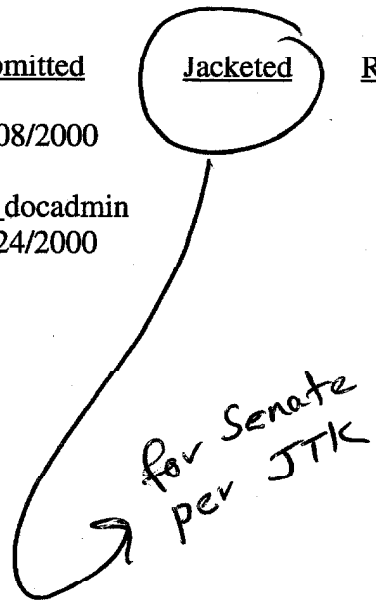
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/2	kuesejt 03/24/2000	gilfokm 03/24/2000	martykr 03/24/2000	_____	lrb_docadmin 03/24/2000		

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*for Senate
per JTK*



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	03/09/2000		03/08/2000 _____		03/08/2000		

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→ (03-24-00)
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1?	kuesejt	<i>1 p1 q5 3/7 00</i>	<i>ch 3-1 JF</i>	<i>ch 3-1 JF</i>			
FE Sent For:		<i>1 cjs 3/8 00</i>	<i>KJF 3/8</i>	<i>KJF/hmh <END> 3/8</i>			

From LRB-3959/2

1 Delete 45 day change, keep trigger change for 1st class sch. dist. (but ~~at least~~ at least days)

2 Re: annexations that subdivide blocks, mins should report an estimate of population not statement of population

3 Remove minimum word population requirements

4 Re: annexations - Min should letter annexed territory w/ "A" if territory is annexed AFTER DATE THAT COUNTY ADOPTS TENT PLAN

see mix-up of 3959 at 7-14 to 16,

regarding the reporting of annexed territory in word plan. Should identify all ~~annexed~~ territory annexed after date previous map used for that territory

(?)
17 mins need to determine what territory block is in which block

Sec. of state must find copy of all annexation info. received from mins to LRB upon receipt.

5 All word plans need only be filed once (either w/ county clerk or w/ LRB, depending upon population). If filed w/ clerk, then clerk copies LRB & LRB copies el. bd. If filed w/ LRB, then LRB copies el. bd. (foreg, see 5.15(4)(b)).

6 Min. word plan on split block of the block, ^{if the block contains an adult correctional or mental health institution} is a person correctional facility.

7 If min. fails to file word plan & other info, it is liable for LRB's state's costs ~~costs~~ (5.15(4)(c)) LRB to submit statement of all state costs.

Muni. subdistricting draft
for Sen. Chief Clerk (Don Schneider)

From LRB-3963/2

- ① Go back to Tentative County Supervisory district plan
 - Require plan to draw the lines of the sup. dist's
 - Plan submitted to muni's w/in 90 days after pub. of census data.
- ② Muni's have 60 days after receipt of county plan to draw wards that incorporate county plan
 - Muni. can vary from County plan for specific reasons (see attached list)
 - County must adjust its plan to account for ^(valley) muni. differences by 180 days after pub. census data or ~~otherwise~~ impose its plan on muni. by 180 days after pub. of census data
 - When muni's draw wards, must use population ^(+ territory) / _n of the ~~state~~ county adopted ~~state~~ plan
- ③ Include census correction provision from draft, but change Jan 1 (see analysis) to April 1
- ④ Require muni's to adjust their ~~ward~~ wards to incorporate legislative district plan no later than May 15 after eff. date of legislative district plan.

Marchant, Robert

From: Dsida, Michael
Sent: Tuesday, March 07, 2000 12:15 PM
To: Marchant, Robert
Subject: Forest Gregg

Rob-

I think this works, but do you need to include the land on which the building is situated for your definition?

, together with its grounds,

"Correctional institution" (or "correctional facility" or "prison" -- take your pick) means a building, structure or facility ~~in this state~~ that is owned or operated by the state or the federal government and that is used to confine persons convicted of a crime.

One other twist -- do you want to include state-local shared facilities? (See s. 302.45.)

Wanted wed 3/8 - 8AM

4655/4P1

1999 - 2000 LEGISLATURE

LRB-3959/2

RJM/JTK/MES/cmh:ch

DNOTES

tcs
PMNR
DNOTA

1999 BILL

filing of municipal ward plans and county supervisory district plans

gm. cat

1 **AN ACT to repeal** 5.15 (2) (f) 4., 5.15 (5), 62.08 (2), 66.021 (16) and 66.022 (6); **to**

2 **amend** 5.15 (1) (b), 5.15 (1) (c), 5.15 (2) (b) 3., 5.15 (2) (b) 4., 5.15 (2) (cm), 5.15

3 (2) (d), 5.15 (2) (g), 5.15 (4) (a), 5.15 (4) (b), 5.15 (6) (a), 5.15 (7), 5.15 (8), 5.18,

4 59.10 (2) (a), 59.10 (3) (b) 1., 59.10 (3) (b) 2., 59.10 (6), 62.08 (1), 62.08 (5), 66.021

5 (8) (a), 66.025 and 119.08 (1) (b); and **to create** 5.15 (2) (b) 5., 5.15 (2) (fm), 5.15

6 (4) (c) and 20.510 (1) (k) of the statutes; **relating to:** municipal wards, county

7 ~~supervisory districts, city aldermanic districts, election districts in 1st class city~~

8 school systems, recording of certain municipal annexations, the effective date

9 of certain annexation and detachment actions, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws relating to municipal wards, county supervisory districts, city aldermanic districts, election districts in first class city school systems and municipal annexations. *and detachments*

Time schedule

Currently, within 60 days after an official detailed report of the federal decennial census of population becomes available, each county must adopt a

Comp. 2

4NSIA

Establishing
sub sub

for election districts in 1st class city school systems

sub sub

4NS
3A
Move
to
p. 3

BILL

ANS 3A

M One to P. 3

tentative county supervisory district plan. Within 60 days after receiving a tentative supervisory district plan from each county in which a municipality having a population of 1,000 or more is located, the municipality must adopt a plan subdividing the municipality into wards. Within 60 days after each municipality that is required to be divided into wards within the county adjusts the wards of the municipality, the county must adopt a final supervisory district plan. Within 60 days after a city adopts a ward plan, the city must adopt an aldermanic district plan. Within 60 days after a first class city adopts an aldermanic district plan, the board of school directors of the city must adopt an election district plan. Under this bill, each of these time limits is changed to 45 days and a first class city board of school directors must adopt an election district plan within 45 days after adoption of a ward plan rather than an aldermanic district plan.

Currently?

60

decennial

Annexations that subdivide blocks

This bill provides that no annexation of territory by a city or village that establishes a municipal boundary that subdivides a census block is valid until the city or village furnishes to the secretary of state a certified copy of the annexation ordinance, a plat showing the annexed area and a statement of the population of the area according to the most recent federal decennial census. Currently, there is no such limitation.

an estimate

The bill also requires the secretary of state to provide the legislative reference system with a copy of the ordinance and estimate.

Minimum populations for ~~300~~ wards

Currently, a municipality having a population of at least 10,000 but ~~not~~ less than 39,000 may create a ward with no fewer than 600 inhabitants. Under this bill, such a municipality may create a ward with no fewer than 300 inhabitants.

A municipality having a population of at least 39,000 but less than 150,000 may create a ward with no fewer than 800 inhabitants. Every other municipality may create a ward with no fewer than 1,000 inhabitants.

Currently, a municipality having a population of less than 10,000 may create a ward with no fewer than 300 inhabitants. Under this bill, such a municipality may, if no portion of the municipality is located in a county having a population of 25,000 or more, create a ward with as few as 100 inhabitants. If any portion of such a municipality is located in a county having a population of 25,000 or more, the bill permits the municipality to create a ward with as few as 200 inhabitants.

This bill changes these minimum population requirements.

ANS 1A
P. 1

Treatment of annexed territory

Currently, if new territory becomes a part of a municipality after adoption of a decennial ward plan, the municipality may add the territory to an existing ward or may create a separate ward consisting of that territory only. Under this bill, any such territory must constitute a separate whole ward and must be numbered with the letter "A" following the whole number assigned to the ward.

annexed after the county adopts a tentative supervisory district plan

Filing of copies of municipal ward plans

Currently, within five days after adoption of a decennial ward plan, each municipality is required to transmit the plan to the county clerk or board of election commissioners of each county in which the municipality is located. If the population of the municipality exceeds 10,000, the municipality is required to send a copy to the

a copy of

BILL

decennial ward

legislative reference bureau. Under this bill, a municipality with a population of more than 10,000 must send a copy of its ward plan also to the elections board. The plan includes any territory that was annexed to the municipality after January 1 of the year of the federal decennial census, the bill requires the plan to identify the municipality from which the territory was detached. Under the bill, each county clerk or board of election commissioners must send a copy of the ward plan of each municipality in the county having a population of 10,000 or less to the elections board and the legislative reference bureau no later than ten days after the date by which all municipalities in the county are required to be divided into wards. In addition, the bill provides that if any municipality fails to file a ward plan within the time prescribed by law, the municipality is liable to the elections board, the legislature and the legislative service agencies for additional costs incurred in recording ward data as a result of the delay.

census block number or numbers of the annexed territory and each

have been so divided. The legislative reference bureau must then provide copies of each ward plan to the elections board.

if

must

that

a municipality need only file a ward plan with the county clerk or board of election commissioners and the

INSER 3A
Town ward numbering

Currently, when a town is divided into wards, the annual town meeting and special town elections must be held in the first ward. The bill deletes that requirement.

Effective date of certain annexation or detachment actions

Currently, during the period from April 1 to June 30 of the year following a federal decennial census, if a city or village takes an annexation or detachment action affecting land that is the subject of certain ordinances or resolutions expressing the city's or village's intent not to annex or detach territory, the annexation or detachment is effective on July 1 of that year or at such later date as may be specified in the ordinance or resolution. The bill repeals that provision.

For further information see the *state and 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:

1 SECTION 1. 5.15 (1) (b) of the statutes is amended to read:
2 5.15 (1) (b). Except as authorized in sub. (2) (a), within 45 days after the
3 receipt of a tentative supervisory district plan and written statement, if any, from the
4 county board of each county in which a municipality is located, the governing body
5 of the municipality shall adjust its wards according to the schedule shown in sub. (2).
6 All territory contained within the municipality, and only the territory so contained,

sub-sub Filing of final county supervisory district plans of supervisors
Currently, the chairperson of each county board must file with the secretary of state a copy of the final county supervisory district plan. This bill requires the secretary of state to forward a copy of the supervisory district plan to the legislative reference bureau and requires the legislative reference bureau to forward a copy to the elections board.

BILL

SECTION 1

1 on August 1 following the year of the federal decennial census shall be contained
 2 within a ward. Except as authorized in sub. (2), each ward shall consist of whole
 3 blocks. To suit the convenience of the voters residing therein each ward shall, as far
 4 as practicable, be kept compact and observe the community of interest of existing
 5 neighborhoods and other settlements. All territory within a ward shall be
 6 contiguous, except for island territory as defined in sub. (2) (f) 3. Enactment or
 7 adoption of a division ordinance or resolution requires the affirmative vote of a
 8 majority of the members of the governing body.

INSEE
A4-8
8

9 **SECTION 2.** 5.15 (1) (c) of the statutes is amended to read:

10 5.15 (1) (c) The Unless adjusted under sub. (2) (fm), (6) (a) or (7) or as a matter
 11 of statewide concern under article IV, section 3, of the constitution, the wards
 12 established by municipal governing bodies under this section on the basis of in
 13 correlation with the published results of each federal decennial census of population
 14 shall govern the adjustment of supervisory districts under s. 59.10 (2) (a) and (3) (b)
 15 and of aldermanic districts under s. 62.08 (1) for the purpose of local elections
 16 beginning on January 1 of the 2nd year commencing after the year of the census,
 17 until revised under this section on the basis of to correlate with the results of the next
 18 decennial census of population unless adjusted under sub. (2) (f) 4., (6) (a) or (7), or
 19 unless adjusted, as a matter of statewide concern, in the enactment of legislative
 20 districts under article IV, section 3, of the constitution on the basis of the most recent
 21 decennial census of population.

INSERT
A4-2
21

22 **SECTION 3.** 5.15 (2) (b) 3. of the statutes is amended to read:

23 5.15 (2) (b) 3. In any city, village or town in which the population is at least
 24 10,000 but less than 39,000, each ward shall contain not less than 600 nor more
 25 than 2,100 inhabitants.

↑ ↑ ↑ ↑
Strike through

BILL

1 SECTION 4. 5.15 (2) (b) 4. of the statutes is amended to read:

2 5.15 (2) (b) 4. In any city, village or town in which the population is less than
3 10,000, ~~if any portion of the city or village is located in, or if the town is located in~~
4 ~~a county having a population of 25,000 or more,~~ each ward shall contain not less than
5 300 ~~nor~~ nor more than 1,000 inhabitants.

↑ ↑
Strike through

6 SECTION 5. 5.15 (2) (b) 5. of the statutes is ~~created~~ to read:

7 5.15 (2) (b) 5. In any city, village or town in which the population is less than
8 10,000, if no portion of the city or village is located in, or if the town is not located in,
9 a county having a population of 25,000 or more, each ward shall contain not less than
10 100 nor more than 1,000 inhabitants.

JMS:PT
AS-10

11 SECTION 6. 5.15 (2) (cm) of the statutes is amended to read:

12 5.15 (2) (cm) Any division of blocks under this section on the basis of population
13 shall be based on the best evidence available. In this paragraph, "best evidence"
14 includes, but is not limited to, the population of the block and other information
15 received from the U.S. bureau of the census and such data as number of housing
16 units, utility connections and vehicle registrations or a special census conducted
17 locally. ~~For~~ Except as provided in sub. (6) (a), for each ward so established, the
18 population estimate shall be correlated with the results of the most recent federal
19 decennial census of population, so that the total population reported for all wards in
20 the municipality agrees with the census results.

21 SECTION 7. 5.15 (2) (d) of the statutes is amended to read:

22 5.15 (2) (d) Every municipality shall make a good faith effort to accommodate
23 the tentative plan submitted by the county or counties in which it is located under
24 s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards authorized under par.
25 (b) in such a manner that will permit the creation of county supervisory districts in

BILL

SECTION 7

SECT# RP; 5.15(2)(c).

1 accordance with the population requirements for the plan specified in s. 59.10 (2) (a)
2 or (3) (b) 1.

3 SECTION 8. 5.15 (2) (f) of the statutes is repealed

4 SECTION 9. 5.15 (2) (fm) of the statutes is created to read:

5 5.15 (2) (fm) Notwithstanding par. (b), if ~~a city, village or town is divided into~~
6 ~~wards and new~~ territory becomes a part of ^a the city, village or town after the ~~adoption~~
7 ~~of a decennial ward plan~~, each parcel of contiguous territory added to the city, village
8 or town shall constitute a separate whole ward as of the date on which the addition
9 occurs. The territory shall continue to constitute a separate whole ward until the
10 city, village or town adopts a subsequent decennial ward plan.

11 SECTION 10. 5.15 (2) (g) of the statutes is amended to read:

12 5.15 (2) (g) If a block is affected by an annexation authorized under s. 66.021
13 (8) (a) or by a detachment which establishes a municipal boundary that subdivides
14 the block, the municipalities in which the block is contained shall incorporate only
15 the portion of the block contained within their boundaries in their ward plans.

16 SECTION 11. 5.15 (4) (a) of the statutes is amended to read:

17 5.15 (4) (a) The division ordinance or resolution shall number all wards in the
18 municipality in whole numbers in consecutive order, beginning with the number one,
19 shall designate the polling place for each ward, and shall describe the boundaries of
20 each ward consistent with the conventions set forth in s. 4.003. The ordinance or
21 resolution shall be accompanied by a list of the block numbers used by the U.S.
22 bureau of the census that are wholly or partly contained within each ward, with any
23 block numbers partly contained within a ward identified, and a map of the
24 municipality which illustrates the revised ward boundaries. If a municipality enacts
25 a division ordinance or adopts a division resolution that adds territory to the

the date on which the county adopts a tentative supervisory district plan under s. 59.10 (2)(a) or (3)(b)1.
the date on which the city, village or town adds

includes
that is added

BILL

date on which the county adopts a tentative supervisory district plan under s. 59.10 (2)
(a) or (3)(b)1.

1 municipality after the ~~adoption of a decennial ward plan~~ each ward that is
2 comprised of added territory shall be consecutively numbered, beginning with the
3 whole number following the last number used in the decennial ward plan, in the
4 sequence in which the ward is added to the municipality, and shall bear the letter "A"
5 following the ward number.

6 SECTION 12. 5.15 ⁴(4) (b) of the statutes is amended to read:

7 5.15 (4) (b) Within 5 days after adoption or enactment of an ordinance or
8 resolution under this section, the municipal clerk shall ~~transmit~~ file one copy of the
9 ordinance or resolution ~~to~~ with the county clerk of each county in which the
10 municipality is ~~contained~~ located, accompanied by the list and map specified in par.

11 (a). ~~If the population of the municipality exceeds 10,000, the municipal clerk shall~~
12 ~~furnish ~~file~~ also one copy to ~~with~~ the board and one copy with the legislative reference~~
13 ~~bureau at the same time ~~no later than the date by which the copy must be filed with~~~~

14 ~~the county clerk~~ If a ward division includes territory that was annexed to the
15 municipality after January 1 of the year of the federal decennial census, the
16 municipal clerk shall identify, for each annexation, ^{the block number or numbers and} the municipality ^{or municipalities} from which the
17 territory was detached. No later than 10 days after the date by which all

18 municipalities in the county that are subject to a division requirement must be
19 divided into wards under sub. (1) (b), each county clerk shall file with the ~~board and~~
20 ~~with the~~ legislative reference bureau one copy of each ordinance or resolution
21 received under this section ~~from a municipality having a population of 10,000 or less.~~

22 accompanied by the list and map specified in par. (a). Each copy filed under this
23 paragraph shall identify the name of the municipality and the county or counties in
24 which it is located.

25 SECTION 13. 5.15 (4) (c) of the statutes is created to read:

! Upon receipt, the legislative reference bureau shall provide the board with one copy of each ordinance or resolution received under this section, accompanied by the list and map specified in par. (a)

BILL

SECTION 13

1 5.15 (4) (c) If a municipality fails to file a copy of an ordinance or resolution,
2 accompanied by the list and map specified in par. (a), within ⁽⁶⁵⁾ days after receipt of
3 a tentative supervisory district plan and written statement, if any, from the county
4 board of supervisors of each county in which the municipality is located, the
5 municipality is liable to the state for any additional costs incurred by the elections
6 board and by the legislature and legislative service agencies in recording ward data
7 at the time that the municipality makes its filing. The ^{legislative reference bureau} ~~elections board~~ may submit
8 a statement of ^{its} ~~the~~ costs to the municipal clerk. ~~The senate chief clerk, on behalf of~~
9 ~~the legislature, and the legislative reference bureau, on behalf of the legislative~~
10 ~~services agencies, may submit a statement of their costs to the municipal clerk.~~

*compute
all additional
costs for
which a
municipality
is liable under
this paragraph
and may*

11 [^]
SECTION 14. 5.15 (5) of the statutes is repealed.

12 [^]
SECTION 15. 5.15 (6) (a) of the statutes is amended to read:

13 5.15 (6) (a) Following any municipality-wide special federal census of
14 population, the governing body of the municipality in which the special census was
15 held may, by ordinance or resolution, adjust the ward boundaries, but no ward line
16 adjustment may cross the boundary of an assembly district. The municipal clerk
17 shall ~~transmit~~ file copies of the ordinance or resolution in compliance with sub. (4)
18 (b).

19 [^]
SECTION 16. 5.15 (7) of the statutes is amended to read:

20 5.15 (7) If a new town is created or if part of a town is annexed to a city or village
21 during a decennial period after the period for ward adjustments under sub. (1) (b),
22 the town board of ~~any~~ the new town to which territory is attached or of the town from
23 which territory is detached, without regard to the time provisions of sub. (1) (b), may,
24 by ordinance or resolution, adjust the wards in that town, but no ward line
25 adjustment may cross the boundary of an assembly district. The town clerk shall

BILL

1 transmit file copies of the ordinance or resolution making the adjustment in
2 compliance with sub. (4) (b).

3 SECTION 17. 5.15[^] (8) of the statutes is amended to read:

4 5.15 (8) ~~Until divided, all~~ Every municipality that is divided into wards shall
5 hold all elections are held in the established wards, until adjusted or revised under
6 this section.

7 SECTION 18. 5.18 of the statutes is amended to read:

8 ~~5.18 Enforcement of division requirement. If any municipality fails to~~
9 ~~comply with s. 5.15, the county in which the municipality is located or any elector of~~
10 ~~the municipality may submit to the circuit court for any county in which the~~
11 ~~municipality is located within 14 days from the expiration of the 60-day 45-day~~
12 ~~period under s. 5.15 (1) (b) a proposed plan for the division of the municipality into~~
13 ~~wards in compliance with this section. If the circuit court finds that the existing~~
14 ~~division of the municipality into wards fails to comply with s. 5.15, it shall review the~~
15 ~~plan submitted by the petitioner and after reasonable notice to the municipality may~~
16 ~~promulgate the plan, or any other plan in compliance with s. 5.15, as a temporary~~
17 ~~ward plan for the municipality to remain in effect until superseded by a ward plan~~
18 ~~adopted by the governing body in compliance with s. 5.15.~~

19 SECTION 19. 20.510 (1) (k) of the statutes is created to read:

20 20.510 (1) (k) *Ward data recording.* All moneys received from municipalities
21 under s. 5.15 (4) (c) for additional costs of recording ward data incurred by the board
22 as a result of late reports, to be used for that purpose.

23 SECTION 20. 59.10 (2) (a) of the statutes is amended to read:

24 59.10 (2) (a) *Composition; supervisory districts.* Within ~~60~~ 45 days after the
25 population count by block, established in the decennial federal census of population,

BILL

SECTION 20

1 and maps showing the location and numbering of census blocks become available in
2 printed form from the federal government or are published for distribution by an
3 agency of this state, but no later than July 1 following the year of each decennial
4 census, the board shall adopt and transmit to the governing body of each city and
5 village wholly or partially contained within the county a tentative county
6 supervisory district plan to be considered by the cities and villages when dividing
7 into wards. The plan shall specify the number of supervisors to be elected and shall
8 divide the county into a number of districts equal to the number of supervisors, with
9 each district substantially equal in population and consisting of contiguous whole
10 wards. Except as otherwise provided in this paragraph, the board shall develop and
11 adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a
12 final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

13 **SECTION 21.** 59.10 (3) (b) 1. of the statutes is amended to read:

14 59.10 (3) (b) 1. Within ~~60~~ 45 days after the population count by block,
15 established in the decennial federal census of population, and maps showing the
16 location and numbering of census blocks become available in printed form from the
17 federal government or are published for distribution by an agency of this state, but
18 no later than July 1 following the year of each decennial census, each board shall
19 propose a tentative county supervisory district plan setting forth the number of
20 supervisory districts and tentative boundaries or a description of boundary
21 requirements, hold a public hearing on the proposed plan and adopt a tentative plan.
22 The proposed plan may be amended after the public hearing. The board shall solicit
23 suggestions from municipalities concerning the development of an appropriate plan.
24 The board shall transmit to each municipal governing body in the county the
25 tentative plan that is adopted. Each district shall consist of whole wards or

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1 municipalities. Each district shall be designated to be represented by one supervisor
2 and all districts shall be substantially equal in population. In the tentative plan, the
3 board shall, whenever possible, place whole contiguous municipalities or contiguous
4 parts of the same municipality within the same district. If the division of a
5 municipality is sought by the board, the board shall provide with the plan a written
6 statement to the municipality affected by each proposed division specifying the
7 approximate location of the territory from which a ward is sought to be created for
8 contiguity purposes and the approximate population of the ward proposed to
9 effectuate the division.

10 **SECTION 22.** 59.10 (3) (b) 2. of the statutes is amended to read:

11 59.10 (3) (b) 2. Within ~~60~~ 45 days after every municipality in the county adjusts
12 its wards under s. 5.15, the board shall hold a public hearing and shall then adopt
13 a final supervisory district plan, numbering each district. Wards within each
14 supervisory district created by the plan shall be contiguous, except that one or more
15 wards located within a city or village which is wholly surrounded by another city or
16 water, or both, may be combined with one or more noncontiguous wards, or one or
17 more wards or portions of wards consisting of island territory as defined in s. 5.15
18 (2) (f) 3. may be combined with one or more noncontiguous wards or portions of wards
19 within the same municipality, to form a supervisory district.

20 **SECTION 23.** 59.10 (6) of the statutes is amended to read:

21 59.10 (6) ENFORCEMENT OF DIVISION REQUIREMENT. If a county fails to comply
22 with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the
23 county or any elector of the county may submit to the circuit court for the county
24 within 14 days from the expiration of either ~~60-day~~ 45-day period under sub. (2) (a)
25 or (3) (b) a proposed tentative or final plan for creation of supervisory districts in

BILL

SECTION 23

1 compliance with this section. If the court finds that the existing division of the county
 2 into supervisory districts fails to comply with this section, it shall review the plan
 3 submitted by the petitioner and after reasonable notice to the county may
 4 promulgate the plan, or any other plan in compliance with this section, as a
 5 temporary supervisory district plan until superseded by a districting plan adopted
 6 by the board in compliance with this section.

7 **SECTION 24.** 62.08 (1) of the statutes is amended to read:

8 62.08 (1) Within ~~60~~ 45 days after the wards have been readjusted under s. 5.15
 9 (1) and (2) the common council of every city, including any city of the first class, shall
 10 redistrict the boundaries of its aldermanic districts, by an ordinance introduced at
 11 a regular meeting of the council, published as a class 2 notice, under ch. 985, and
 12 thereafter adopted by a majority vote of all the members of the council, so that all
 13 aldermanic districts are as compact in area as possible and contain, as nearly as
 14 practicable by combining contiguous whole wards, an equal number of inhabitants
 15 according to the most recent decennial federal census of population.

16 **SECTION 25.** 62.08 (2) of the statutes is repealed.

17 **SECTION 26.** 62.08 (5) of the statutes is amended to read:

18 62.08 (5) If a city fails to comply with sub. (1), any elector of the city may submit
 19 to the circuit court for any county in which the city is located within 14 days from the
 20 expiration of the ~~60-day~~ 45-day period under sub. (1) a proposed plan for creation
 21 of aldermanic districts in compliance with this section. If the court finds that the
 22 existing division of the city into aldermanic districts fails to comply with this section,
 23 it shall review the plan submitted by the petitioner and after reasonable notice to the
 24 city may promulgate the plan, or any other plan in compliance with this section, as

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A 12-15

BILL

1 a temporary aldermanic district plan until superseded by a districting plan adopted
2 by the council in compliance with this section.

3 SECTION 27. 66.021 (8) (a) of the statutes is amended to read:

4 66.021 (8) (a) The clerk of a city or village which has annexed territory shall
5 file immediately with the secretary of state a certified copy of the ordinance,
6 certificate and plat, and shall send one copy to each company that provides any
7 utility service in the area that is annexed. The clerk shall also record the ordinance
8 with the register of deeds and file a signed copy of the ordinance with the clerk of any
9 affected school district. Failure Except as provided in this paragraph, failure to file,
10 record or send shall not invalidate the annexation and the duty to file, record or send
11 shall be a continuing one. The An annexation of territory that establishes a
12 municipal boundary that subdivides a block is not valid until the clerk of the city or
13 village to which the territory is annexed files with the secretary of state the certified
14 copies ^{copy of the ordinance, certificate and plat} ^{estimate} required under this paragraph, together with a certified statement of the
15 population of the territory on the effective date of the annexation, according to the
16 latest federal decennial census. Any ordinance that is filed, recorded or sent under
17 this paragraph shall describe the annexed territory and the associated population.
18 The information filed with the secretary of state shall be utilized in making
19 recommendations for adjustments to entitlements under the federal revenue
20 sharing program and for distribution of funds under ch. 79. The clerk shall certify
21 annually to the secretary of state and record with the register of deeds a legal
22 description of the total boundaries of the municipality as those boundaries existed
23 on December 1, unless there has been no change in the 12 months preceding.

24 SECTION 28. 66.021 (16) of the statutes is repealed.

25 SECTION 29. 66.022 (6) of the statutes is repealed.

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1 SECTION 30. 66.025 of the statutes is amended to read:

2 66.025 Annexation of owned territory. In addition to other methods
3 provided by law and subject to ss. 59.692 (7) and 66.023 (7), territory owned by and
4 lying near but not necessarily contiguous to a village or city may be annexed to a
5 village or city by ordinance enacted by the board of trustees of the village or the
6 common council of the city, provided that in the case of noncontiguous territory the
7 use of the territory by the city or village is not contrary to any town or county zoning
8 regulation. The ordinance shall contain the exact description of the territory
9 annexed territory and the ~~names of the towns~~ ^{name of} each town from which the territory was
10 detached, and shall operate to attach the territory to the village or city upon the filing
11 of 6 certified copies thereof in the office of the secretary of state, together with 6 copies
12 of a plat showing the boundaries of the territory attached and any information
13 concerning the population of the territory required under s. 66.021 (8) (a). Two copies
14 of the ordinance and plat shall be forwarded by the secretary of state to the
15 department of transportation, one copy to the department of natural resources, one
16 copy to the department of revenue ~~and~~ ^{↓ ↓} one copy to the department of public
17 instruction. and one copy to the legislative reference bureau

18 SECTION 31. 119.08 (1) (b) of the statutes is amended to read:

19 119.08 (1) (b) Within ~~60~~ ^[plain text] days after the common council of the city enacts an
20 ordinance ~~determining the boundaries of the aldermanic districts in the city or~~
21 adopts a resolution under s. 5.15 (1) (b) dividing the city into wards following the
22 federal decennial census ~~under s. 62.08 (1),~~ the board shall, by vote of a majority of
23 the membership of the board, adopt an election district apportionment plan for the
24 election of board members which shall be effective until the city enacts a new

BILL

1 ordinance or adopts a new resolution under s. ~~62.08 (1)~~ redetermining the
2 ~~aldermanic-district 5.15~~ prescribing revised ward boundaries.

3 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4655/HmsA
RJM:.....

P/HmsA

INSERT A4-8

SECTION ~~X~~ 5.15 (1) (a) of the statutes is amended to read:

5.15 (1) (a) Every city, village and town in this state shall by its common council or village or town board, respectively, be divided into wards as provided in this section, except as authorized in sub. (2). The boundaries of the wards established under this section, and the number assigned to each ward, are intended to be as permanent as possible, and to this end each ward shall when created contain a population at a convenient point within the applicable population ~~range~~ ^{limitation} under sub. (2) (b), with due consideration for the known trends of population increase or decrease within that part of the municipality in which the ward is located. Once established, the boundaries of each ward shall remain unchanged until a further decennial federal census of population indicates that the population of a ward is then above ~~or below~~ the applicable population ~~range~~ ^{limitation} or until the ward boundaries are required to be changed to permit creation of supervisory or aldermanic districts of substantially equal population or to enhance the participation of members of a racial or language minority group in the political process and their ability to elect representatives of their choice. If the population of a ward has increased above the ~~maximum of its~~ ^{applicable} population ~~range~~ ^{limitation} or if the population of a ward must be decreased for a reason specified in this paragraph, the ward shall be divided ~~into 2 or more~~ ^{or the boundaries of the ward shall be changed} ~~wards~~ in compliance with sub. (2) (b). If the population of a ward has decreased below the ~~minimum of its~~ population range or if the population of a ward must be increased for a reason specified in this paragraph, ^{whenever possible,} the ward shall, ~~if possible,~~ be combined with an adjoining ward, or the underpopulated ward and one adjoining ward shall be combined and together subdivided into 2 or more wards in compliance with sub. (2).

~~SECTION 2.~~ 5.15 (1) (b) of the statutes is amended to read:

5.15 (1) (b) Except as authorized in sub. (2) (a), within 60 days after the receipt of a tentative supervisory district plan and written statement, if any, from the county board of each county in which a municipality is located, the governing body of the municipality shall adjust its wards according to the schedule shown in sub. (2). All territory contained within the municipality, and only the territory so contained, on August 1 following the year of the federal decennial census shall be contained within a ward. Except as authorized in sub. (2), each ward shall consist of whole blocks. To suit the convenience of the voters residing therein each ward shall, as far as practicable, be kept compact and observe the community of interest of existing neighborhoods and other settlements. All territory within a ward shall be contiguous, except for ~~island territory as defined in sub. (2) (f) 3~~ surrounded by water or noncontiguous territory that is separated by the territory of another municipality, by water or by both from the major part of the municipality to which the noncontiguous territory belongs. Enactment or adoption of a division ordinance or resolution requires the affirmative vote of a majority of the members of the governing body.

INSERT A4-21

~~SECTION 2.~~ 5.15 (2) (b) 1. of the statutes is amended to read:

5.15 (2) (b) 1. In any city in which the population is at least 150,000, each ward shall contain not less than 1,000 ~~nor~~ more than 4,000 inhabitants.

~~SECTION 2.~~ 5.15 (2) (b) 2. of the statutes is amended to read:

5.15 (2) (b) 2. In any city in which the population is at least 39,000 but less than 150,000, each ward shall contain not less than 800 nor more than 3,200 inhabitants.

INSERT A5-10

facility that is owned or operated by this state or by the federal government and that is used to confine persons convicted of felonies or if a block contains a

~~SECTION 5.~~ 5.15 (2) (ce) of the statutes is created to read:

5.15 (2) (ce) If a block contains a ~~state prison, county jail, county house of correction, secured correctional facility, or mental health institute,~~ the city, village or town may divide the block in assembling into wards.

center for the developmentally disabled

INSERT A12-15

~~SECTION 5.~~ 59.10 (3) (b) 2. of the statutes is amended to read:

59.10 (3) (b) 2. Within 60 days after every municipality in the county adjusts its wards under s. 5.15, the board shall hold a public hearing and shall then adopt a final supervisory district plan, numbering each district. Wards within each supervisory district created by the plan shall be contiguous, except that one or more wards located within a city or village which is wholly surrounded by another city or water, or both, may be combined with one or more noncontiguous wards, or one ~~of~~

~~form a supervisory district and except that one or more wards~~ or portions of wards consisting of island territory as defined in s. 5.15 (2) (f) 3. surrounded by water or consisting of noncontiguous territory that is separated by the territory of another municipality, by water or by both from the major part of the municipality to which the noncontiguous territory belongs may be combined with one or more noncontiguous wards or portions of wards within the same municipality, to form a supervisory district.

~~SECTION 5.~~ 59.10 (3) (b) 4. of the statutes is amended to read:

59.10 (3) (b) 4. The chairperson of the board shall file a certified copy of the final districting plan with the secretary of state. Upon receipt, the secretary of state shall provide the legislative reference bureau with one copy of each final districting plan received under this subdivision. Upon receipt, the legislative reference bureau shall provide the state elections board with one copy of each final districting plan received under this subdivision.

INSERT A13-23

~~SECTION 8.~~ 66.021 (8) (b) of the statutes is amended to read:

66.021 (8) (b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary of state shall forward 2 copies of the ordinance, certificate and plat to the department of transportation, one copy to the department of administration, one copy to the department of revenue, one copy to the department of public instruction, one copy to the department of commerce, one copy to the department of natural resources, one copy to the department of agriculture, trade and consumer protection, one copy to the legislative reference bureau and 2 copies to the clerk of the municipality from which the territory was annexed. The secretary of state shall provide the legislative reference bureau with one copy of any certified estimate of population received under par. (a), along with any copies required under this paragraph.

~~SECTION 9.~~ 66.021 (15) of the statutes is amended to read:

66.021 (15) ANNEXATION OF TOWN ISLANDS. Upon its own motion, a city or village by a two-thirds vote of the entire membership of its governing body may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973.

and one copy to the legislative reference bureau

The ordinance shall include all surrounded town areas except those exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file ⁷ ~~6~~ certified copies of the ordinance in the office of the secretary of state, together with ⁷ ~~6~~ copies of a scale map. The secretary of state shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of natural resources, one copy to the department of revenue ~~and~~ one copy to the department of administration. ~~Done~~

~~receipt, the secretary of state shall make one copy of the ordinance and the scale map and forward the copies to the legislative reference bureau.~~

This subsection does not apply if the town island was created only by the annexation of a railroad right-of-way or drainage ditch. This subsection does not apply to land owned by a town government which has existing town government buildings located thereon. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. After December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

LinsA

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4655/P1dn
JTK & RJM:.....

J
cjs

Mr. Schneider:

1. Concerning the proposed requirement to file notice of annexations under s. 5.15 (4) (b), stats., we have used January 1 of the year of the federal decennial census as a start date because Larry Barish informs us that all census maps are always keyed to that date.

2. Proposed s. 5.15 (2) (ce) gives a municipality the authority to divide a block if the block contains a state center for the developmentally disabled or if the block contains a facility that is owned or operated by the state or the federal government and that is used to confine persons convicted of a crime. You may also want to allow a municipality to divide a block if the block contains a state-local shared correctional facility under s. 302.45, stats. However, because there are no such facilities that exist currently and because a state-local shared correctional facility may contain a significant voting population, we did not include this type of facility in the bill. Please let us know if you desire any changes to this provision.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

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

LRB-4655/P1dn
JTK&RJM:cjs:ch

March 7, 2000

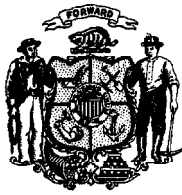
Mr. Schneider:

1. Concerning the proposed requirement to file notice of annexations under s. 5.15 (4) (b), stats., we have used January 1 of the year of the federal decennial census as a start date because Larry Barish informs us that all census maps are always keyed to that date.

2. Proposed s. 5.15 (2) (ce) gives a municipality the authority to divide a block if the block contains a state center for the developmentally disabled or if the block contains a facility that is owned or operated by the state or the federal government and that is used to confine persons convicted of a crime. You may also want to allow a municipality to divide a block if the block contains a state-local shared correctional facility under s. 302.45, stats. However, because there are no such facilities that exist currently and because a state-local shared correctional facility may contain a significant voting population, we did not include this type of facility in the bill. Please let us know if you desire any changes to this provision.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-4655/P1
RJM/JTK/MES:cmh/cjs:ch/jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to repeal** 5.15 (2) (e), 5.15 (2) (f), 5.15 (5), 62.08 (2), 66.021 (16) and 66.022
2 (6); **to amend** 5.15 (1) (a), 5.15 (1) (b), 5.15 (1) (c), 5.15 (2) (b) 1., 5.15 (2) (b) 2.,
3 5.15 (2) (b) 3., 5.15 (2) (b) 4., 5.15 (2) (cm), 5.15 (2) (d), 5.15 (2) (g), 5.15 (4) (a),
4 5.15 (4) (b), 5.15 (6) (a), 5.15 (7), 5.15 (8), 59.10 (3) (b) 2., 59.10 (3) (b) 4., 66.021
5 (8) (a), 66.021 (8) (b), 66.021 (15), 66.025 and 119.08 (1) (b); and **to create** 5.15
6 (2) (ce), 5.15 (2) (fm), 5.15 (4) (c) and 20.510 (1) (k) of the statutes; **relating to:**
7 municipal wards, election districts in 1st class city school systems, recording of
8 certain municipal annexations, the effective date of certain annexation and
9 detachment actions, filing of municipal ward plans and county supervisory
10 district plans and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws relating to municipal wards, county supervisory districts, city aldermanic districts, election districts in first class city school systems and municipal annexations and detachments.

Minimum populations for wards

Currently, a municipality having a population of less than 10,000 may create a ward with no fewer than 300 inhabitants. A municipality having a population of at least 10,000 but less than 39,000 may create a ward with no fewer than 600 inhabitants. A municipality having a population of at least 39,000 but less than 150,000 may create a ward with no fewer than 800 inhabitants. Every other municipality may create a ward with no fewer than 1,000 inhabitants.

This bill eliminates these minimum ward population requirements.

Annexations that subdivide blocks

This bill provides that no annexation of territory by a city or village that establishes a municipal boundary that subdivides a census block is valid until the city or village furnishes to the secretary of state a certified copy of the annexation ordinance, a plat showing the annexed area and an estimate of the population of the area according to the most recent federal decennial census. Currently, there is no such limitation.

The bill also requires the secretary of state to provide the legislative reference bureau with a copy of the ordinance, plat and estimate.

Treatment of annexed territory

Currently, if new territory becomes a part of a municipality after adoption of a decennial ward plan, the municipality may add the territory to an existing ward or may create a separate ward consisting of that territory only. Under this bill, any such territory annexed after the county adopts a tentative supervisory district plan must constitute a separate whole ward and must be numbered with the letter "A" following the whole number assigned to the ward.

in which the territory is located

Filing of copies of municipal ward plans

Currently, within five days after adoption of a decennial ward plan, each municipality is required to transmit a copy of the plan to the county clerk or board of election commissioners of each county in which the municipality is located. If the population of the municipality exceeds 10,000, the municipality is required to send a copy to the legislative reference bureau.

Under this bill, if a decennial ward plan includes any territory that was annexed to the municipality after January 1 of the year of the federal decennial census, the plan must identify the census block number or numbers of the annexed territory and each municipality from which the territory was detached. Under the bill, a municipality need only file a ward plan with the county clerk or board of election commissioners and the county clerk or board of election commissioners must send a copy of the ward plan of each municipality in the county to the legislative reference bureau no later than ten days after the date by which all municipalities in the county that are required to be divided into wards have been so divided. The legislative reference bureau must then provide copies of each ward plan to the elections board. In addition, the bill provides that if any municipality fails to file a

ward plan within the time prescribed by law, the municipality is liable to the elections board, the legislature and the legislative service agencies for additional costs incurred in recording ward data as a result of the delay.

Filing of final county supervisory district plans

Currently, the chairperson of each county board of supervisors must file with the secretary of state a copy of the final county supervisory district plan. This bill requires the secretary of state to forward a copy of the supervisory district plan to the legislative reference bureau and requires the legislative reference bureau to forward a copy to the elections board.

Time schedule for establishing election districts in 1st class city school systems

Currently, within 60 days after a first class city adopts an aldermanic district plan, the board of school directors of the city must adopt an election district plan. Under this bill, a first class city board of school directors must adopt an election district plan within 60 days after adoption of a decennial ward plan rather than an aldermanic district plan.

Town ward numbering

Currently, when a town is divided into wards, the annual town meeting and special town elections must be held in the first ward. The bill deletes that requirement.

Effective date of certain annexation or detachment actions

Currently, during the period from April 1 to June 30 of the year following a federal decennial census, if a city or village takes an annexation or detachment action affecting land that is the subject of certain ordinances or resolutions expressing the city's or village's intent not to annex or detach territory, the annexation or detachment is effective on July 1 of that year or at such later date as may be specified in the ordinance or resolution. The bill repeals that provision.

For further information see the ***state and 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:

- 1 **SECTION 1.** 5.15 (1) (a) of the statutes is amended to read:
2 5.15 (1) (a) Every city, village and town in this state shall by its common council
3 or village or town board, respectively, be divided into wards as provided in this

SECTION 1

1 section, except as authorized in sub. (2). The boundaries of the wards established
2 under this section, and the number assigned to each ward, are intended to be as
3 permanent as possible, and to this end each ward shall when created contain a
4 population at a convenient point within the applicable population ~~range~~ limitation
5 under sub. (2)(b), with due consideration for the known trends of population increase
6 or decrease within that part of the municipality in which the ward is located. Once
7 established, the boundaries of each ward shall remain unchanged until a further
8 decennial federal census of population indicates that the population of a ward is then
9 above ~~or below~~ the applicable population ~~range~~ limitation or until the ward
10 boundaries are required to be changed to permit creation of supervisory or
11 aldermanic districts of substantially equal population or to enhance the
12 participation of members of a racial or language minority group in the political
13 process and their ability to elect representatives of their choice. If the population of
14 a ward has increased above the ~~maximum of its~~ applicable population ~~range~~
15 limitation or if the population of a ward must be decreased for a reason specified in
16 this paragraph, the ward shall be divided ~~into 2 or more wards~~ or the boundaries of
17 the ward shall be changed in compliance with sub. (2) (b). If the population of a ward
18 ~~has decreased below the minimum of its population range or if the population of a~~
19 ward must be increased for a reason specified in this paragraph, whenever possible,
20 the ward shall, ~~if possible~~, be combined with an adjoining ward, or the
21 underpopulated ward and one adjoining ward shall be combined and together
22 subdivided into 2 or more wards in compliance with sub. (2).

23 **SECTION 2.** 5.15 (1) (b) of the statutes is amended to read:

24 5.15 (1) (b) Except as authorized in sub. (2) (a), within 60 days after the receipt
25 of a tentative supervisory district plan and written statement, if any, from the county

1 board of each county in which a municipality is located, the governing body of the
2 municipality shall adjust its wards according to the schedule shown in sub. (2). All
3 territory contained within the municipality, and only the territory so contained, on
4 August 1 following the year of the federal decennial census shall be contained within
5 a ward. Except as authorized in sub. (2), each ward shall consist of whole blocks.
6 To suit the convenience of the voters residing therein each ward shall, as far as
7 practicable, be kept compact and observe the community of interest of existing
8 neighborhoods and other settlements. All territory within a ward shall be
9 contiguous, ~~except for island territory as defined in sub. (2) (f) 3~~ surrounded by water
10 or noncontiguous territory that is separated by the territory of another municipality,
11 by water or by both from the major part of the municipality to which the
12 noncontiguous territory belongs. Enactment or adoption of a division ordinance or
13 resolution requires the affirmative vote of a majority of the members of the governing
14 body.

15 **SECTION 3.** 5.15 (1) (c) of the statutes is amended to read:

16 5.15 (1) (c) ~~The~~ Unless adjusted under sub. (2) (fm), (6) (a) or (7) or as a matter
17 of statewide concern under article IV, section 3, of the constitution, the wards
18 established by municipal governing bodies under this section ~~on the basis of~~ in
19 correlation with the published results of each federal decennial census of population
20 shall govern the adjustment of supervisory districts under s. 59.10 (2) (a) and (3) (b)
21 and of aldermanic districts under s. 62.08 (1) for the purpose of local elections
22 beginning on January 1 of the 2nd year commencing after the year of the census,
23 until revised under this section ~~on the basis of~~ to correlate with the results of the next
24 decennial census of population ~~unless adjusted under sub. (2) (f) 4., (6) (a) or (7), or~~
25 ~~unless adjusted, as a matter of statewide concern, in the enactment of legislative~~

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1 ~~districts under article IV, section 3, of the constitution on the basis of the most recent~~
2 ~~decennial census of population.~~

3 **SECTION 4.** 5.15 (2) (b) 1. of the statutes is amended to read:

4 5.15 (2) (b) 1. In any city in which the population is at least 150,000, each ward
5 shall contain not ~~less than 1,000 nor~~ more than 4,000 inhabitants.

6 **SECTION 5.** 5.15 (2) (b) 2. of the statutes is amended to read:

7 5.15 (2) (b) 2. In any city in which the population is at least 39,000 but less than
8 150,000, each ward shall contain not ~~less than 800 nor~~ more than 3,200 inhabitants.

9 **SECTION 6.** 5.15 (2) (b) 3. of the statutes is amended to read:

10 5.15 (2) (b) 3. In any city, village or town in which the population is at least
11 10,000 but less than 39,000, each ward shall contain not ~~less than 600 nor~~ more than
12 2,100 inhabitants.

13 **SECTION 7.** 5.15 (2) (b) 4. of the statutes is amended to read:

14 5.15 (2) (b) 4. In any city, village or town in which the population is less than
15 10,000, each ward shall contain not ~~less than 300 nor~~ more than 1,000 inhabitants.

16 **SECTION 8.** 5.15 (2) (ce) of the statutes is created to read:

17 5.15 (2) (ce) If a block contains a facility that is owned or operated by this state
18 or by the federal government and that is used to confine persons convicted of felonies
19 or if a block contains a center for the developmentally disabled, the city, village or
20 town may divide the block in assembling into wards.

21 **SECTION 9.** 5.15 (2) (cm) of the statutes is amended to read:

22 5.15 (2) (cm) Any division of blocks under this section on the basis of population
23 shall be based on the best evidence available. In this paragraph, "best evidence"
24 includes, but is not limited to, the population of the block and other information
25 received from the U.S. bureau of the census and such data as number of housing

1 units, utility connections and vehicle registrations or a special census conducted
2 locally. ~~For~~ Except as provided in sub. (6) (a), for each ward so established, the
3 population estimate shall be correlated with the results of the most recent federal
4 decennial census of population, so that the total population reported for all wards in
5 the municipality agrees with the census results.

6 **SECTION 10.** 5.15 (2) (d) of the statutes is amended to read:

7 5.15 (2) (d) Every municipality shall make a good faith effort to accommodate
8 the tentative plan submitted by the county or counties in which it is located under
9 s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards authorized under par.
10 (b) in such a manner that will permit the creation of county supervisory districts in
11 accordance with the population requirements for the plan specified in s. 59.10 (2) (a)
12 or (3) (b) 1.

13 **SECTION 11.** 5.15 (2) (e) of the statutes is repealed.

14 **SECTION 12.** 5.15 (2) (f) of the statutes is repealed.

15 **SECTION 13.** 5.15 (2) (fm) of the statutes is created to read:

16 5.15 (2) (fm) Notwithstanding par. (b), if territory becomes a part of a city,
17 village or town after the date on which the county adopts a tentative supervisory
18 district plan under s. 59.10 (2) (a) or (3) (b) 1., each parcel of contiguous territory
19 added to the city, village or town shall constitute a separate whole ward as of the date
20 on which the addition occurs. The territory shall continue to constitute a separate
21 whole ward until the city, village or town adopts a subsequent decennial ward plan.

22 **SECTION 14.** 5.15 (2) (g) of the statutes is amended to read:

23 5.15 (2) (g) If a block is affected by an annexation authorized under s. 66.021
24 (8) (a) or by a detachment which establishes a municipal boundary that subdivides

in which the
territory is located

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1 the block, the municipalities in which the block is contained shall incorporate only
2 the portion of the block contained within their boundaries in their ward plans.

3 **SECTION 15.** 5.15 (4) (a) of the statutes is amended to read:

4 5.15 (4) (a) The division ordinance or resolution shall number all wards in the
5 municipality in whole numbers in consecutive order, beginning with the number one,
6 shall designate the polling place for each ward, and shall describe the boundaries of
7 each ward consistent with the conventions set forth in s. 4.003. The ordinance or
8 resolution shall be accompanied by a list of the block numbers used by the U.S.
9 bureau of the census that are wholly or partly contained within each ward, with any
10 block numbers partly contained within a ward identified, and a map of the
11 municipality which illustrates the revised ward boundaries. If a municipality enacts
12 a division ordinance or adopts a division resolution that includes territory that is
13 added to the municipality after the date on which the county adopts a tentative
14 supervisory district plan under s. 59.10 (2) (a) or (3) (b) 1., each ward that is
15 comprised of the added territory shall be consecutively numbered, beginning with
16 the whole number following the last number used in the decennial ward plan, in the
17 sequence in which the ward is added to the municipality, and shall bear the letter "A"
18 following the ward number.

*in which
the territory
is located*

19 **SECTION 16.** 5.15 (4) (b) of the statutes is amended to read:

20 5.15 (4) (b) Within 5 days after adoption or enactment of an ordinance or
21 resolution under this section, the municipal clerk shall ~~transmit~~ file one copy of the
22 ordinance or resolution ~~to~~ with the county clerk of each county in which the
23 municipality is ~~contained~~ located, accompanied by the list and map specified in par.
24 (a). ~~If the population of the municipality exceeds 10,000, the municipal clerk shall~~
25 ~~furnish one copy to the legislative reference bureau at the same time~~ If a ward

1 division includes territory that was annexed to the municipality after January 1 of
2 the year of the federal decennial census, the municipal clerk shall identify, for each
3 annexation, the block number or numbers and the municipality or municipalities
4 from which the territory was detached. No later than 10 days after the date by which
5 all municipalities in the county that are subject to a division requirement must be
6 divided into wards under sub. (1) (b), each county clerk shall file with the legislative
7 reference bureau one copy of each ordinance or resolution received under this section
8 accompanied by the list and map specified in par. (a). Upon receipt, the legislative
9 reference bureau shall provide the board with one copy of each ordinance or
10 resolution received under this section, accompanied by the list and map specified in
11 par. (a). Each copy filed under this paragraph shall identify the name of the
12 municipality and the county or counties in which it is located.

13 **SECTION 17.** 5.15 (4) (c) of the statutes is created to read:

14 5.15 (4) (c) If a municipality fails to file a copy of an ordinance or resolution,
15 accompanied by the list and map specified in par. (a), within 65 days after receipt of
16 a tentative supervisory district plan and written statement, if any, from the county
17 board of supervisors of each county in which the municipality is located, the
18 municipality is liable to the state for any additional costs incurred by the elections
19 board and by the legislature and legislative service agencies in recording ward data
20 at the time that the municipality makes its filing. The legislative reference bureau
21 may compile all additional costs for which a municipality is liable under this
22 paragraph and may submit a statement of these costs to the municipal clerk.

23 **SECTION 18.** 5.15 (5) of the statutes is repealed.

24 **SECTION 19.** 5.15 (6) (a) of the statutes is amended to read:

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1 5.15 (6) (a) Following any municipality-wide special federal census of
2 population, the governing body of the municipality in which the special census was
3 held may, by ordinance or resolution, adjust the ward boundaries, but no ward line
4 adjustment may cross the boundary of an assembly district. The municipal clerk
5 shall ~~transmit~~ file copies of the ordinance or resolution in compliance with sub. (4)
6 (b).

7 **SECTION 20.** 5.15 (7) of the statutes is amended to read:

8 5.15 (7) If a new town is created or if part of a town is annexed to a city or village
9 during a decennial period after the period for ward adjustments under sub. (1) (b),
10 the town board of ~~any the new town to which territory is attached~~ or of the town from
11 which territory is detached, without regard to the time provisions of sub. (1) (b), may,
12 by ordinance or resolution, adjust the wards in that town, but no ward line
13 adjustment may cross the boundary of an assembly district. The town clerk shall
14 ~~transmit~~ file copies of the ordinance or resolution making the adjustment in
15 compliance with sub. (4) (b).

16 **SECTION 21.** 5.15 (8) of the statutes is amended to read:

17 5.15 (8) ~~Until divided, all~~ Every municipality that is divided into wards shall
18 hold all elections are held in the established wards, until adjusted or revised under
19 this section.

20 **SECTION 22.** 20.510 (1) (k) of the statutes is created to read:

21 20.510 (1) (k) *Ward data recording.* All moneys received from municipalities
22 under s. 5.15 (4) (c) for additional costs of recording ward data incurred by the board
23 as a result of late reports, to be used for that purpose.

24 **SECTION 23.** 59.10 (3) (b) 2. of the statutes is amended to read:

1 59.10 (3) (b) 2. Within 60 days after every municipality in the county adjusts
2 its wards under s. 5.15, the board shall hold a public hearing and shall then adopt
3 a final supervisory district plan, numbering each district. Wards within each
4 supervisory district created by the plan shall be contiguous, except that one or more
5 wards ~~located within a city or village which is wholly surrounded by another city or~~
6 ~~water, or both, may be combined with one or more noncontiguous wards, or one or~~
7 ~~more wards or portions of wards consisting of island territory as defined in s. 5.15~~
8 ~~(2) (f) 3. surrounded by water or consisting of noncontiguous territory that is~~
9 ~~separated by the territory of another municipality, by water or by both from the major~~
10 ~~part of the municipality to which the noncontiguous territory belongs may be~~
11 ~~combined with one or more noncontiguous wards or portions of wards ~~within the~~~~
12 ~~same municipality, to form a supervisory district.~~

13 **SECTION 24.** 59.10 (3) (b) 4. of the statutes is amended to read:

14 59.10 (3) (b) 4. The chairperson of the board shall file a certified copy of the final
15 districting plan with the secretary of state. Upon receipt, the secretary of state shall
16 provide the legislative reference bureau with one copy of each final districting plan
17 received under this subdivision. Upon receipt, the legislative reference bureau shall
18 provide the state elections board with one copy of each final districting plan received
19 under this subdivision.

20 **SECTION 25.** 62.08 (2) of the statutes is repealed.

21 **SECTION 26.** 66.021 (8) (a) of the statutes is amended to read:

22 66.021 (8) (a) The clerk of a city or village which has annexed territory shall
23 file immediately with the secretary of state a certified copy of the ordinance,
24 certificate and plat, and shall send one copy to each company that provides any
25 utility service in the area that is annexed. The clerk shall also record the ordinance

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1 with the register of deeds and file a signed copy of the ordinance with the clerk of any
2 affected school district. ~~Failure~~ Except as provided in this paragraph, failure to file,
3 record or send shall not invalidate the annexation and the duty to file, record or send
4 shall be a continuing one. ~~The~~ An annexation of territory that establishes a
5 municipal boundary that subdivides a block is not valid until the clerk of the city or
6 village to which the territory is annexed files with the secretary of state the certified
7 copy of the ordinance, certificate and plat required under this paragraph, together
8 with a certified estimate of the population of the territory on the effective date of the
9 annexation, according to the latest federal decennial census. Any ordinance that is
10 filed, recorded or sent under this paragraph shall describe the annexed territory and
11 the associated population. The information filed with the secretary of state shall be
12 utilized in making recommendations for adjustments to entitlements ~~under the~~
13 ~~federal revenue sharing program and~~ for distribution of funds under ch. 79. The
14 clerk shall certify annually to the secretary of state and record with the register of
15 deeds a legal description of the total boundaries of the municipality as those
16 boundaries existed on December 1, unless there has been no change in the 12 months
17 preceding.

18 **SECTION 27.** 66.021 (8) (b) of the statutes is amended to read:

19 66.021 (8) (b) Within 10 days of receipt of the ordinance, certificate and plat,
20 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to
21 the department of transportation, one copy to the department of administration, one
22 copy to the department of revenue, one copy to the department of public instruction,
23 one copy to the department of commerce, one copy to the department of natural
24 resources, one copy to the department of agriculture, trade and consumer protection,
25 one copy to the legislative reference bureau and 2 copies to the clerk of the

1 municipality from which the territory was annexed. The secretary of state shall
2 provide the legislative reference bureau with one copy of any certified estimate of
3 population received under par. (a), along with any copies required under this
4 paragraph.

5 **SECTION 28.** 66.021 (15) of the statutes is amended to read:

6 66.021 (15) ANNEXATION OF TOWN ISLANDS. Upon its own motion, a city or village
7 by a two-thirds vote of the entire membership of its governing body may enact an
8 ordinance annexing territory which comprises a portion of a town or towns and which
9 was completely surrounded by territory of the city or village on December 2, 1973.
10 The ordinance shall include all surrounded town areas except those exempt by
11 mutual agreement of all of the governing bodies involved. The annexation ordinance
12 shall contain a legal description of the territory and the name of the town or towns
13 from which the territory is detached. Upon enactment of the ordinance, the city or
14 village clerk immediately shall file 67 certified copies of the ordinance in the office
15 of the secretary of state, together with 67 copies of a scale map. The secretary of state
16 shall forward 2 copies of the ordinance and scale map 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 administration and one
19 copy to the legislative reference bureau. This subsection does not apply if the town
20 island was created only by the annexation of a railroad right-of-way or drainage
21 ditch. This subsection does not apply to land owned by a town government which has
22 existing town government buildings located thereon. No town island may be
23 annexed under this subsection if the island consists of over 65 acres or contains over
24 100 residents. After December 2, 1973, no city or village may, by annexation, create
25 a town area which is completely surrounded by the city or village.

1 **SECTION 29.** 66.021 (16) of the statutes is repealed.

2 **SECTION 30.** 66.022 (6) of the statutes is repealed.

3 **SECTION 31.** 66.025 of the statutes is amended to read:

4 **66.025 Annexation of owned territory.** In addition to other methods
5 provided by law and subject to ss. 59.692 (7) and 66.023 (7), territory owned by and
6 lying near but not necessarily contiguous to a village or city may be annexed to a
7 village or city by ordinance enacted by the board of trustees of the village or the
8 common council of the city, provided that in the case of noncontiguous territory the
9 use of the territory by the city or village is not contrary to any town or county zoning
10 regulation. The ordinance shall contain the exact description of the ~~territory~~
11 ~~annexed territory~~ and the ~~names of the towns~~ name of each town from which ~~the~~
12 ~~territory was~~ detached, and shall operate to attach the territory to the village or city
13 upon the filing of 6 certified copies thereof in the office of the secretary of state,
14 together with 6 copies of a plat showing the boundaries of the territory attached and
15 any information concerning the population of the territory required under s. 66.021
16 (8) (a). Two copies of the ordinance and plat shall be forwarded by the secretary of
17 state to the department of transportation, one copy to the department of natural
18 resources, one copy to the department of revenue ~~and,~~ one copy to the department
19 of public instruction and one copy to the legislative reference bureau.

20 **SECTION 32.** 119.08 (1) (b) of the statutes is amended to read:

21 119.08 (1) (b) Within 60 days after the common council of the city enacts an
22 ordinance ~~determining the boundaries of the aldermanic districts in the city or~~
23 adopts a resolution under s. 5.15 (1) (b) dividing the city into wards following the
24 federal decennial census ~~under s. 62.08 (1),~~ the board shall, by vote of a majority of
25 the membership of the board, adopt an election district apportionment plan for the

1 election of board members which shall be effective until the city enacts a new
2 ordinance or adopts a new resolution under s. ~~62.08~~ (1) redetermining the
3 ~~aldermanic district~~ 5.15 prescribing revised ward boundaries.

4

(END)