

**Committee Name:**

**Assembly Committee – Rural Affairs and Forestry  
(AC-RAF)**

**Appointments**

99hr\_AC-RAF\_Appt\_pt00

**Committee Hearings**

99hr\_AC-RAF\_CH\_pt00

**Committee Reports**

99hr\_AC-RAF\_CR\_pt00

**Clearinghouse Rules**

99hr\_AC-RAF\_CRule\_99-

**Executive Sessions**

99hr\_AC-RAF\_ES\_pt00

# Hearing Records

## 99hr\_ab0450

99hr\_sb0000

**Misc.**

99hr\_AC-RAF\_Misc\_pt00

**Record of Committee Proceedings**

99hr\_AC-RAF\_RCP\_pt00

11-18-99 PH

AB202, AB504, AB555

# WISCONSIN ALLIANCE OF CITIES

14 W. MIFFLIN • P.O. BOX 336 • MADISON, WI 53701-0336  
(608) 257-5881 FAX 257-5882 • EMAIL: wiscall@inxpress.net

30th Anniversary  
1969-1999

June 3, 1999

AB-450

Appleton  
Ashland  
Baraboo  
Beaver Dam  
Beloit  
Cudahy  
De Pere  
Eau Claire  
Fond du Lac  
Green Bay  
Greenfield  
Janesville  
Kaukauna  
Kenosha  
La Crosse  
Madison  
Manitowoc  
Marinette  
Marshfield  
Menasha  
Merrill  
Milwaukee  
Monroe  
Neenah  
Oshkosh  
Platteville  
Racine  
Sheboygan  
Stevens Point  
Superior  
Two Rivers  
Watertown  
Waukesha  
Wausau  
Wauwatosa  
West Allis  
West Bend  
Whitewater  
Wisconsin Rapids

TO: Representatives Bonnie Ladwig and John Ainsworth

FROM: Edward J. Huck, Executive Director

RE: Letter dated May 21, 1999, Annexation and Incorporation Standards

Thank for your letter regarding further discussions on annexation and incorporation law. I would suggest that the group consider possible changes to the border agreement statute in order to simplify it so more communities would voluntarily pursue change. I would suggest new standards for incorporation that may include revenue sharing as a condition. Revenue sharing could also be implemented into annexation law to mitigate town property tax impacts. We should consider detachment from one town to another or a town to a city. We should consider regional service delivery and what role that may play in incorporation standards. Finally we should consider the Wallace Commissions recommendation that would allow for more local control in these areas.

Regarding specific recommendations, I believe we should offer two very distinct routes for town government to follow. One is as it relates to a rural identity with defined rural density, rural infrastructure and rural natural resource property base. There could be specific protection granted for these towns such as revenue sharing for annexed property and zoning protection for incompatible land use decisions by their neighbors.

Two, when a town has or is considering an urban look the statutes should lay a clear path for future incorporation. This path should include a realistic density standard such as urban infrastructure requirements, comprehensive plans that include schools, police, fire and other urban services, a mass transit plan, sewer delivery, economic and housing diversity.

Finally, regarding what we would oppose. We would oppose total town incorporation unless there were perpetual revenue sharing agreements. Also, we would oppose incorporation standards based on population or equalized value.

Thank you for this opportunity to give you my thoughts. I look forward to our next discussion.

Sustainable Cities for the 21st Century



**CENTRAL  
BROWN COUNTY  
WATER AUTHORITY**

October 12, 1999

De Pere

Allouez

Ashwaubenon

Howard

Bellevue

Ledgeview

Hobart

Lawrence

Scott

Suamico

Oneida Nation



1649 S Webster

Green Bay

WI 54301-2450

Phone

920-448-2800

Fax

920-448-2850

The Central Brown County Water Authority consists of eleven municipalities within Brown County with a population of approximately 98,999 residents. Municipal members of the Water Authority include the City of De Pere, the Villages of Allouez, Ashwaubenon and Howard, the Oneida Nation, and the Towns of Bellevue, Hobart, Lawrence, Ledgeview, Scott and Suamico. The Water Authority was formed under Wisconsin State Statute 66.0735 in 1998 with the mission to bring Lake Michigan water to the communities as their potable water source. This statute, which was approved and signed into law in April, 1998, was introduced by the Water Authority for the express purpose of allowing Wisconsin communities to join together to solve regional water problems.

All eleven municipalities of the Water Authority presently utilize groundwater as their potable water source. The water levels of the aquifer in the area have been dropping at an alarming rate due to increased water use by a growing area population. Studies done for the Authority have indicated that the aquifer cannot provide for the long-term needs of the communities. These same studies have recommended that the Water Authority obtain its water from Lake Michigan. This is the only alternative. On September 8, 1999, the Central Brown County Water Authority voted to build an independent Lake Michigan water supply system. This would entail building a pipeline to Lake Michigan and associated water facilities. As Brown County is not situated adjacent to Lake Michigan, the pipeline would have to cross communities that are not members of the Water Authority and in fact, are located in another county.

AB 450 contains language that could seriously harm the ability of the Water Authority to implement its project and put the eleven communities in an extremely dire water situation. In order to make it clear that the provisions of AB 450 and SB 228 do not apply to joint local water authorities, the Central Brown County Water Authority asks that the following language be added to the proposed legislation.

1. Amend §66.0735(5)(e) to state as follows:

(e) Acquire, own, hold, use, lease as lessor or lessee, sell or otherwise dispose of, mortgage, pledge, or grant a security interest in any real or personal property, commodity or service. *In exercising its powers to acquire, own or lease real estate, the authority shall not be subject to the provisions of s. 60.625(2), 61.34(3)(b), or 62.22(1)(b)5.*

2. Amend §66.0735(5)(f) to state as follows:

(f) Acquire property by condemnation using the procedure under s. 32.05 or 32.06 for the purposes set forth in this section. *In exercising its powers to acquire property by condemnation, the authority shall not be subject to the provisions of s. 60.625(2), 61.34(3)(b), or 62.22(1)(b)5.*

3. Amend §66.0735(5)(g) to state as follows:

(g) Enter upon any state, county or municipal street, road or alley, or any public highway for the purpose of installing, maintaining and operating the authority's facilities. Whenever the work is to be done in a state, county or municipal highway, street, road or alley, the public authority having control thereof shall be duly notified, and the highway, street, road or alley shall be restored to as good a condition as existed before the commencement of the work with all costs incident to the work to be borne by the authority. *In exercising its power to install the authority's facilities, the authority shall not be subject to the provisions of s. 60.625(2), 61.34(3)(b), 62.22(1)(b)5, or 196.58(7).*

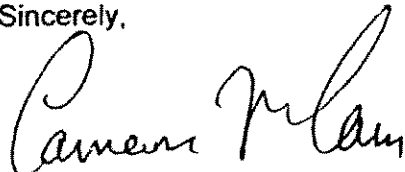
4. Amend §66.0735(5)(h) to state as follows:

(h) Install and maintain, without compensation to the state, any part of the authority's facilities over, upon or under any part of the bed of any river or of any land covered by any of the navigable waters of the state, the title to which is held by the state, and over, upon or under canals or through waterways. This paragraph does not relieve the authority of its obligation to obtain any permits or approvals otherwise required by law, *except the authority shall not be subject to the provisions of s. 60.625(2), 61.34(3)(b), 62.22(1)(b)5, or 196.58(7).*

The Central Brown County Water Authority does not support and objects to the proposed legislation in its present form as written. The Central Brown County Water Authority will take no position on AB 450 and SB 228 if the above noted additions are added to the proposed legislation.

Thank you for your consideration.

Sincerely,



Cameron McCain  
President, Central Brown County Water Authority

CM:pg