

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-16-99

BILL NO. SB 228

OF
SUBJECT ANNEXATION

OF TOWN LAND

(NAME) PERRENE J McMAHAN

(Street Address or Route Number) 18114 52ND RD - W. W. 53182

(City and Zip Code) WTA WI Towns Ass

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-18-99

BILL NO. SB 228

OF
SUBJECT _____

(NAME) Ed Huck

(Street Address or Route Number) 14 W Madison

(City and Zip Code) MADISON, WI

(Representing) WI Alliance of cities

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-16-99

BILL NO. SB 228

OF
SUBJECT _____

(NAME) JERRY DERR

(Street Address or Route Number) 1595 CT A J

(City and Zip Code) COLUMBUS, WI 53925

(Representing) MRBAW Towns comm

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11/16/99
BILL NO. 750
OF SB 228
SUBJECT _____

Joseph S. Clement
(NAME)
5819 Emslan Hills Rd.
(Street Address or Route Number)
Racine WI 53406
(City and Zip Code)
Chairman Town of Mt. Pleasant
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-16-99
BILL NO. SB 228
OF _____
SUBJECT _____

Frank Lasee, Rep.
(NAME)
(Street Address or Route Number)
(City and Zip Code)
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11/16/99
BILL NO. 228
OF _____
SUBJECT Amendment Restrictions

North Carlson
(NAME)
500 Genesee St.
(Street Address or Route Number)
Delafield, WI 53018
(City and Zip Code)
CITY OF DELAFIELD
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-16-99

BILL NO. SB 228

OF
SUBJECT _____

Janet Swenaby
(NAME)

74 E. Mifflin Suite 101
(Street Address or Route Number)

Madison 53703
(City and Zip Code)

Waushara County Municipal Executive
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-17-99

BILL NO. 228

OF
SUBJECT _____

Kent Woods
(NAME)

N35 W28364 Taylor's Woods
(Street Address or Route Number)

Recess Key
(City and Zip Code)

Wisconsin Towns Ass.
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11/16/99

BILL NO. SB 228

OF
SUBJECT Assembly

Jensen Plant 2
(NAME)

2844 Center Rd
(Street Address or Route Number)

Menominee WI 54452
(City and Zip Code)

W.I. THOMAS ASSC.
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-16-99

BILL NO. SB 228

OR
SUBJECT _____

(NAME) _____

ROBERT THOMAS
(Street Address or Route Number)

2751 C. S. RAAB RD BB
(City and Zip Code)

DODGEVILLE WI 53533
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-16-99

BILL NO. SB 228

OR
SUBJECT _____

Dan Thompson
(NAME)

202 State St
(Street Address or Route Number)

Madison WI 53703
(City and Zip Code)

League of Wisconsin
(Representing) Municipalities

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11-15-99

BILL NO. SB 228

OR
SUBJECT Annexation

~~Annexation~~
(NAME)

P.O. Box 7882
(Street Address or Route Number)

Madison, WI
(City and Zip Code)

Stat. Sen. Breske
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.
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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 11/16/99

BILL NO. SB 228

OR
SUBJECT ANNEXATION CHANGES
RICK STADELMAN

Wis Towns Assoc.
(NAME)

W7686 Gr80 MAM
(Street Address or Route Number)

SHAWANO, WIS 54166
(City and Zip Code)

Wis Towns Assoc
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

DATE: October 27, 1999

TO: SENATOR ROBERT WIRCH, CHAIRPERSON, SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, HOUSING AND GOVERNMENT OPERATIONS

FROM: Dan Fernbach, Senior Staff Attorney

SUBJECT: 1999 Senate Bill 228, Relating to Requiring Town Board Approval for, and Setting Conditions on, Certain Annexation Action and Prohibiting the Creation of Town Islands

You have requested, through your aide Beth Smith, a memorandum on the possible issues raised in 1999 Senate Bill 228. The bill was introduced by Senator Breske on September 9, 1999 and referred to the Senate Committee on Economic Development, Housing and Government Operations. To date, a public hearing on the bill has not been scheduled.

A companion bill, 1999 Assembly Bill 450, was introduced on September 14, 1999 by Representative Lasee. On October 5, 1999, a public hearing on Assembly Bill 450 was conducted by the Assembly Committee on Urban and Local Affairs. To date, no further action on Assembly Bill 450 has been taken.

I. PROVISIONS OF 1999 SENATE BILL 228

Senate Bill 228 provides that no annexation of town lands by a city or village may occur without the approval of the town board if:

- a. The land to be annexed has been owned by the town for at least five years before the proposed annexation;
- b. The land has been zoned for agricultural use for at least five years before the proposed annexation; or
- c. The land has been assessed as agricultural use value land for at least five years before the proposed annexation.

The bill also limits the ability of a city, village or town to extend sewer connections or water lines through property in another municipality unless the extension is approved by the governing body of the municipality on whose property the proposed extension is to be located. Under current law, such approval is required, but if it is not received, the Public Service Commission (PSC) is authorized to grant approval. Under the bill, the PSC is removed from the process.

Also, under the bill, if a city or village annexes land that is adjacent to a town highway, the annexation must extend to the center of the highway.

Currently, a city or village may annex land that it owns in a town if the land is located near, but not necessarily contiguous to, the city or village and if the proposed use by the city or village does not violate any town or county zoning law. Senate Bill 228 requires approval by the town board before the annexation could take place.

Finally, under current law, a city or village may, by annexation, create a portion of a town which is completely surrounded by the city or village, e.g., a "town island." Under Senate Bill 228, no city or village may use its annexation powers to create a "town island" where no portion is contiguous with the original town.

II. POSSIBLE ISSUES RAISED BY SENATE BILL 228

Proponents of Senate Bill 228 (and Assembly Bill 450), primarily the Wisconsin Towns Association and town officials, contend that current annexation law favors the interests of cities and villages and makes it too easy for them to annex lands in unincorporated towns. As a result, the bill is needed to "level the playing field" and give towns the checks and balances they need to block proposed annexations that are inappropriate or otherwise harmful to towns.

On the other hand, opponents of Senate Bill 228, primarily the League of Wisconsin Municipalities, the Wisconsin Alliance of Cities and certain city officials, claim that passage of the bill would:

a. Give towns the ability to create a "legal wall" around cities and villages, thereby isolating those municipalities and dividing the greater community.

b. Prohibit sewer and water utility extensions through towns even if a city or village owned the land in question, which could defeat the establishment of regional business parks, other forms of planned development, and the extension of needed utility services to other communities. Furthermore, removal of the PSC from the dispute resolution process would give towns unilateral veto power in these matters.

c. Unduly restrict the rights of property owners by allowing towns to veto the wishes of the majority of owners in affected areas when the town owns the land in question or the land has been zoned or assessed as agricultural land.

RESOLUTION #99-16

Resolution Supporting 1999 Senate Bill #228

WHEREAS, 1999 Senate Bill #228 is An Act to renumber and amend 61.34 (3), 62.22 (1) and 66.025; to amend 27.08 (2) (b), 27.08 (2) (c), 28.20, 30.21 (1), 62.22 (1e), 66.021 (2) (intro.) 66.021 (15), 66.024 (7), 66.065 (1), 66.076 (1) (a), 66.077 (1), 114.11 (1), 114.12 and 196.58 (7); and to create, 60.625, 61.34 (3) (b), 62.22 (1) (b), 66.021 (1) (ae), 66.021 (2e) and 66.025 (2) of the statutes; **relating to:** requiring town board approval for, and setting conditions on, certain annexation actions and prohibiting the creation of town islands.

WHEREAS, currently, town territory that is contiguous to any city or village may be annexed to that city or village under several methods. Three of the methods are: 1) direct annexation, under which a petition for annexation that was signed by the required number of electors and landowners is filed with the city or village clerk; 2) annexation by referendum, under which a petition for referendum that was signed by the required number of electors and landowners is filed with the city or village clerk and a referendum is held and passes in the town; and 3) annexation by referendum and court order, under which the governing body of a city or village adopts a resolution declaring its intention to apply to the circuit court for an order for an annexation referendum. If the city or village submits the resolution and the proper supporting documents and if no petition of protest is filed with the court or if the petition is found by the court to be insufficient, the court shall order the referendum to be held. If the referendum passes in the town, the annexation occurs.

WHEREAS, this bill places a number of limits and conditions on the authority of a city or village to annex town land. Under the bill, if a city or village annex land that is adjacent to a town highway, the annexation must extend to the center of the highway. Also under the bill, no annexation of certain land in the town may occur without the approval of the town board if any of the following conditions exists:

- 1). The land has been owned by the town for at least five years before the proposed annexation.
- 2). The land has been zoned for agricultural use for at least five years before proposed annexation.
- 3). The land has been assessed as agricultural use value land for at least five years before the proposed annexation.

WHEREAS, generally, under current law, a city may acquire real or personal property within or outside the city, by gift, purchase or condemnation, and a village may also acquire real or personal property within or outside the village. The property may be acquired for any public purpose, such as parks, recreation, water systems, sewage or waste disposal, airports, cemeteries or vehicle parking areas. This bill grants similar property acquisition rights to the town, for real

and personal property within or outside of the town.

WHEREAS, under this bill, a city, village or town (municipality) may not acquire real property that is located in another municipality, and that is not contiguous to that municipality, by gift, purchase or condemnation unless the governing body of the municipality in which the real property is located approves the proposed acquisition. The bill also limits the right of a municipality to extend sewer or water lines through property in another municipality unless the extension is approved by the governing body of the municipality on whose property the proposed extension is to be located.

WHEREAS, under the bill, before a municipality's governing body may disapprove a proposed acquisition of property or deny a request for a sewer or water line extension, the municipality is required to hold a public hearing on the proposed acquisition or extension and to provide written reasons to the requesting municipality for the governing body's disapproval or denial.

WHEREAS, also under current law, if a municipality operating a water system seeks to serve consumers in another part of that municipality and in the same county, but to serve such consumers it is necessary to economically prudent to install the pipes through another municipality, such installation may not occur unless the municipality through which the installation is to run approves. If that municipality does not approve, the municipality that seeks to install the pipes may ask the public service commission (PSC) to approve the installation, which the PSC may do.

WHEREAS, this bill removes PSC Authority to approve such installations. Such a proposed installation is subject to the same approval and hearing requirements that the bill applies to any other proposal of a municipality to acquire property or extend sewer or water lines in another municipality.

WHEREAS, under current law, a city or village may annex land that it owns in a town if the land is lying near but not necessarily contiguous to the city or village and if the use of the territory by the city or village is not contrary to any town or county zoning regulations.

WHEREAS, under the bill, no city or village may annex territory that it owns in a town if the territory lies near but is not contiguous to the city or village unless the proposed annexation is approved by the town board of the town in which the owned territory is located.

WHEREAS, under current annexation law no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

WHEREAS, this bill prohibits the creation of town islands by specifying that no city or village may, by annexation, create a town area where no part of the land remaining after

WHEREAS, this bill prohibits the creation of town islands by specifying that no city or village may, by annexation, create a town area where no part of the land remaining after annexation is contiguous with the town from which the annexation occurred.

NOW, THEREFORE, BE IT RESOLVED, that the Hallie Town Board supports the 1999 Senate Bill #228, An Act to renumber and amend, to create statues; relating to: requiring town board approval for and setting conditions on, certain annexation actions and prohibiting the creation of town islands, which will help protect the Townships and the Town of Hallie.

Dated this 15th day of November, 1999.

TOWN OF HALLIE

Gary C. Misfeldt
 Gary C. Misfeldt - Chairman

Eugene Enger
 Eugene Enger - Supervisor

Daniel Erickson
 Daniel Erickson - Supervisor

Michael Ralston
 Michael Ralston - Supervisor

Shirley Sippel
 Shirley Sippel - Supervisor

ATTEST:

Trisha Meyer
 Trisha I. Meyer - Clerk/Treasurer



ALGOMA, WI

NOV 10 1999

CITY OF ALGOMA
A GREAT LAKES COMMUNITY

November 8, 1999

Senator Robert Wirch
P. O. Box 7882
Madison WI 53707-7882

SUBJ: ~~SENATE BILL 224~~ - PUBLIC HEARING NOVEMBER 16

Dear Senator Wirch,

I write in opposition to the subject Bill. This letter mirrors my opposition to Assembly Bill 450 voiced to the Representatives in September.

The proposed Bill is restrictive to municipalities and does nothing to enhance the relationship between the bordering townships and the municipality. In fact these Bills appear to discourage cooperation and, in cases where sewer and water are involved, create problems that do not exist at present. The Bill also protects town territory without requiring town government to provide services in urbanized areas.

Please apply great consideration and care when reviewing and hearing this Bill.

Thank you for your attention to this matter.

Sincerely,

Wayne R. Schmidt, Mayor
CITY OF ALGOMA

| | |
|---------------|----------|
| Agenda Item # | 70 |
| Meeting Date | 11-15-99 |

Resolution 99-15

Resolution in Opposition to Senate Bill 228

Whereas, Senate Bill 228 limits the authority of cities and villages to annex territory by requiring town board approval in certain instances; and

Whereas, the bill also limits the ability of a municipality to extend sewer or water lines to serve a part of the community, if the lines must extend through another municipality; and

Whereas, the bill broadens the current prohibition on creating town islands through annexation by providing that no city or village may, by annexation, create a town area where no part of the land remaining is contiguous with the original town; and

Whereas, these changes to current annexation law would discourage cooperation between governmental units; and

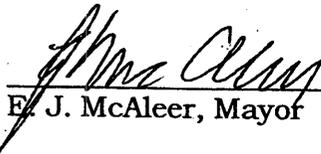
Whereas, Senate Bill 228, if enacted, protects town territory for development but does not require town government to be responsible for providing services in urbanizing areas;

Now, Therefore, Be It Resolved, that the City of Delafield opposes Senate Bill 228;

Be It Further Resolved, that a copy of this resolution be sent to each member of the legislative delegation and the League of Wisconsin Municipalities.

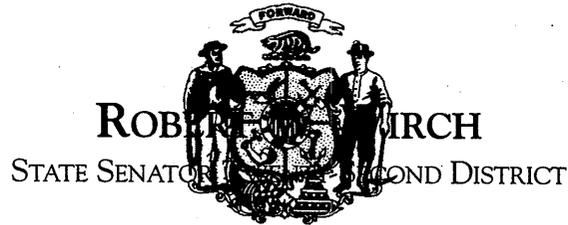
Dated this 15th day of November 1999.

CITY OF DELAFIELD


E. J. McAleer, Mayor

ATTEST:


Marilyn Czubkowski, City Clerk



SB-228

To: Bob
From: Beth
Date: November 15, 1999
Re: Brewers Baseball Park Board – Questions for Appointees

1. Is the Board working to determine a sunset date for the sales and use tax, or will the tax continue in perpetuity in order to finance, for example, stadium renovations that may be needed 15 years from now?
 2. If the insurance carrier eventually determines that some accident-related expenses are ineligible for reimbursement, how will these costs be paid for? The sales and use tax?
 3. Will insurance funds cover all expenses related to the recent issuance of the \$30 million in additional bonds, such as bond counsel and legal fees?
 4. What will happen if there is inadequate insurance for the losses the Brewers may suffer this upcoming season? Will the District's annual maintenance and repair contribution for the completed stadium be increased above the current \$3.85 million stipulated in various agreements?
 5. Which efforts have been taken to provide support to minority and women-owned businesses, given that the Board has determined that all accident-related work is not subject to the statutory participation percentages and given that these businesses may have suffered financially as a result of disruption in their work?
-

Assembly Bill 186

* The late fee for filing late manufacturing self-reporting forms is "absurdly high". The Department of Revenue agrees that the fee is too high, and believes AB 186 would remedy that situation. Under the bill, a filed objection to a manufacturing property assessment must specify the reasons for the objection, the property owner's estimate of the correct assessment and the basis for that assessment.

State Capitol, P.O. Box 7882, Madison, Wisconsin 53707-7882 • 608-267-8979

Toll-Free Office Hotline: 1-888-769-4724

Email: Sen.Wirch@legis.state.wi.us • Website: www.legis.state.wi.us/senate/sen22/sen22.html • Fax: (608) 267-0984

Home: 3007 Springbrook Road, Pleasant Prairie, Wisconsin 53158 • (262) 694-7379

Assembly Bill 226

- Current law requires the county treasurer to publish a Class 3 notice stating all names and addresses of persons for whom the officer or clerk holds money or security that has not been claimed for at least one year.
- AB 226 provides that the county treasurer must only include names and addresses of owners of money or security that has a value of \$10 or more. If no claims are made within six months of publication, the money or security valued at less than \$10 shall be turned over to the county treasurer.

Senate Bill 251

- This bill requires that a WHEDA loan may not exceed 97 % of the purchase price of the property, thereby removing the requirement that the property be appraised.
- WHEDA says this allows flexibility and reduces some exposure to loss. Property value insurance can be substituted for actual property appraisals.
- The Substitute Amendment to this bill provides that for each property for which a loan is made under the program, there must be either an independent appraisal or a property value insurance policy written on the property. This gives consumers the OPTION.

Senate Bill 252

- ?
- SB 252 repeals the exclusion of unimproved county lands from the annual county appropriation. As a result, the county board may appropriate money to a municipality and school district in an amount that equals the amount which would have been paid in municipal and school taxes on unimproved county-owned lands if those lands had been privately owned.

Senate Bill 228

- ?
- Provides that no annexation of town lands by a city or village may occur without the approval of the town board if:
 - The land to be annexed has been owned by the town for a least five years before the proposed annexation.
 - The land has been zoned for agricultural use for at least five years before the proposed annexation, or
 - The land has been assessed as agricultural use value land for at least five years before the proposed annexation
 - The bill also limits the ability of a city, village or town to extend sewer connections or water lines through property in another municipality unless the extension is approved by the governing body of the municipality on whose property the proposed extension is to be located.
 - Current law requires the PSC to authorize approval for this process. The bill removes the PSC from the process.

- Those opposing the bill (cities and villages) feel SB 228 gives towns the ability to create a “legal wall” around cities and villages, thereby isolating those municipalities and dividing the greater community.
- They also say it prohibits sewer and water utility extensions through towns even if a city or village owns the land in question. This could defeat the establishment of regional business parks, other forms of planned development, and the extension of needed utility services to other communities.
- Opponents also feel it would unduly restrict the rights of property owners by allowing towns to veto the wishes of the majority of owners in affected areas when the town owns the land in question.