

2001 DRAFTING REQUEST

Assembly Amendment (AA-AB494)

Received: 10/15/2001

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Addl. Drafters:

Subject: **Munis - zoning**
Munis - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Limiting the authority of citics and villages to annex land

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>
/1	shoveme 10/18/2001	gilfokm 10/22/2001	pgreensl 10/23/2001	_____	lrb_docadmin 10/23/2001	lrb_docadmin 10/23/2001	
/2	shoveme 12/12/2001	gilfokm 12/13/2001	pgreensl 12/13/2001	_____	lrb_docadmin 12/13/2001	lrb_docadmin 12/13/2001	
/3	shoveme 01/10/2002	gilfokm 01/10/2002	pgreensl 01/11/2002	_____	lrb_docadmin 01/11/2002	lrb_docadmin 01/11/2002	

FE Sent For:

<END>

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FE Sent For: 1/10/2002
1/10
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<END>

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12 MESV/10/13/13
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 <END>

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/1	shoveme	11-10/22 KMG	10/23 PS	10/23 PS/KJK			
11 NCS 10/19/01							
FE Sent For:							
<END>							

city can't buy & annex land
in cnty A & use it as an
excuse to Annex land in that
other county that is owned
by some entity other than the
city

Prohibit cities & villages from selling
land to a private developer

if city or vill buys & annexes
land, if it's sold to private
person, land must revert to
town from which it was annexed



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0770/1

MES

King
RNR

ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 494

D-note
SOON

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 12: after "AUTHORITY." insert "(a)".

3 2. Page 3, line 14: after that line insert:

4 "(b) *de* If ~~on~~ or after the effective date of this paragraph [revisor inserts date],
5 a city or village acquires territory in a county in which no part of the city or village
6 was located before the effective date of this paragraph [revisor inserts date], and
7 if the city or village annexes territory in that county after acquiring territory in the
8 county as described in this paragraph, the city or village may not sell or otherwise
9 transfer the territory to a private person unless the city or village attempts to detach
10 the territory under par. (c) or unless the town from which the territory was annexed

text: treat

11 ~~does not~~ exist^s

no longer

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

LRBa0770/1dn

MES.....

kmg

Representative Gunderson:

Please review this amendment carefully to ensure that it is consistent with your intent. I believe it is consistent with the instructions ^{that} I received from Mike although, under the amendment, a city or village may not force a town to take back territory that a city or village is trying to detach. ^{upon}

Under the amendment, the city or village must enact an ordinance detaching the territory and the town must at least vote on accepting the detached territory, but if the town does not enact an ordinance accepting the territory, the city or village may conclude the sale of the territory to a private person. Is that OK, or do you want to force a town to accept detached territory that it may not want ~~before~~ ^{would} a city or village ~~may~~ ^{selling or transferring} sell or transfer the territory to a private person? Another option would be to allow the town to refuse to accept the detached territory but prevent the city or village from completing the sale of the territory to a private person if the town refuses to accept the detached territory. Please let me know if you ~~like~~ ^{would} like any changes made to the amendment.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0770/1dn
MES:kmg:pg

October 23, 2001

Representative Gunderson:

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FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0770/1dn
MES:kmg:pg

October 23, 2001

INSTRUCTIONS

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0770/1
MES:kmg:pg

ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 494

INSTRUCTIONS FROM
DON DYKE

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 3, line 12: after "AUTHORITY." insert "(a)".
- 3 2. Page 3, line 14: after that line insert:
- 4 "(b) If on or after the effective date of this paragraph [revisor inserts date],
- 5 a city or village acquires territory in a county in which no part of the city or village
- 6 was located before the effective date of this paragraph ... [revisor inserts date], and
- 7 if the city or village annexes territory ^{under s. 66.0223} in that county after acquiring territory in the
- 8 county as described in this paragraph, the city or village may not sell or otherwise
- 9 transfer the territory to a private person unless the city or village attempts to detach
- 10 the territory under par. (c) or unless the town from which the territory was annexed
- 11 no longer exists.

1 (c) If a city or village attempts to sell or otherwise transfer territory to a private
2 person as described in par. (b), the sale may not take effect until all of the following
3 occur:

4 1. The city or village files a petition under s. 66.0227 (1) and enacts an
5 ordinance detaching the territory under s. 66.0227 (2).

6 2. The town from which the territory was annexed votes on an ordinance to
7 accept the territory, as described under s. 66.0227 (2)."

8

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0770/2
MES:kmg/pe

ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 494

RMA

SOON

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 3, line 12: after "AUTHORITY." insert "(a)".
- 3 2. Page 3, line 14: after that line insert:
- 4 "(b) If on or after the effective date of this paragraph [revisor inserts date],
- 5 a city or village acquires territory in a county in which no part of the city or village
- 6 was located before the effective date of this paragraph [revisor inserts date], and
- 7 if the city or village annexes territory ^{under A. 66.0223} in that county after acquiring territory in the
- 8 county as described in this paragraph, the city or village may not sell or otherwise
- 9 transfer the territory to a private person unless the city or village attempts to detach
- 10 the territory under par. (c) or unless the town from which the territory was annexed
- 11 no longer exists.

1 (c) If a city or village attempts to sell or otherwise transfer territory to a private
2 person as described in par. (b), the sale may not take effect until all of the following
3 occur:

4 1. The city or village files a petition under s. 66.0227 (1) and enacts an
5 ordinance detaching the territory under s. 66.0227 (2).

6 2. The town from which the territory was annexed votes on an ordinance to
7 accept the territory, as described under s. 66.0227 (2).”

8 (END)

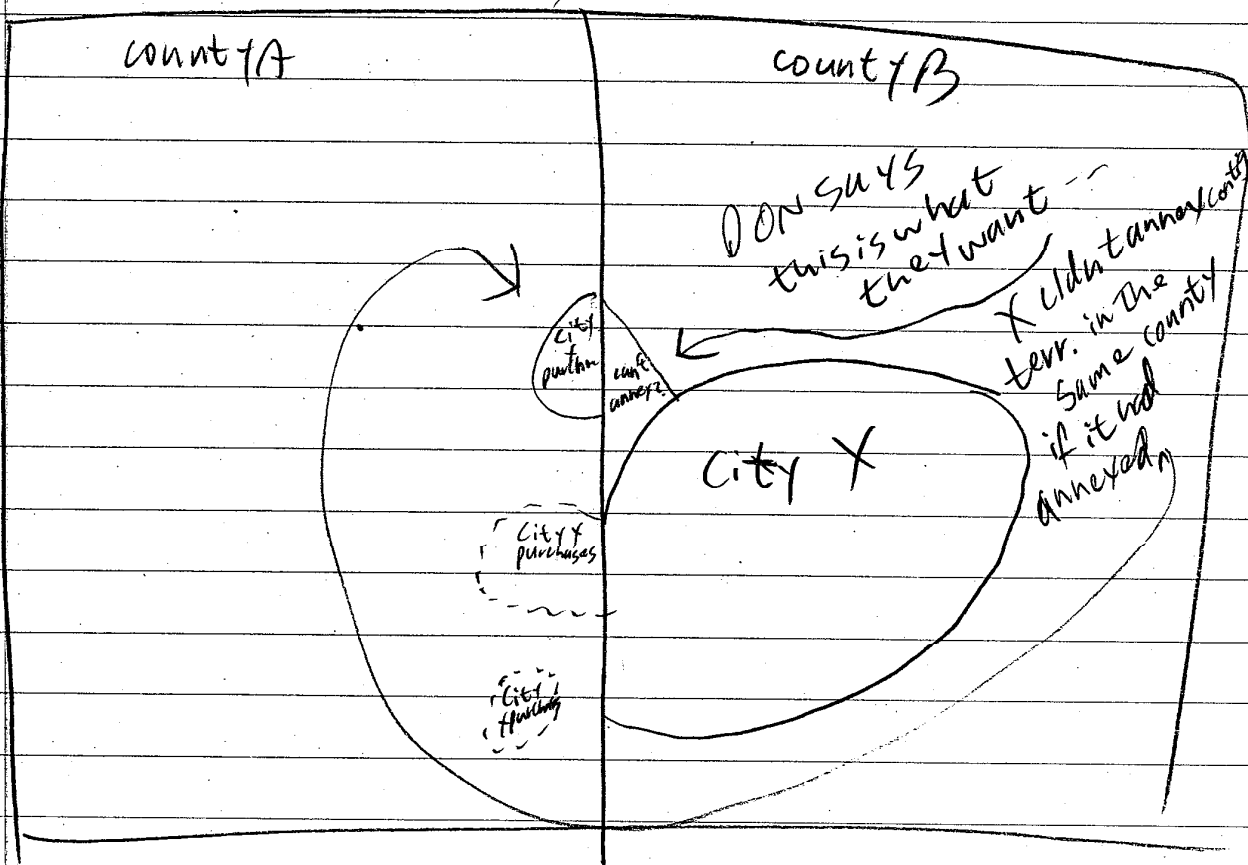
1/8/02

Marc -

Plz draft a "task 3"
for LRBA 0770/2 (stripes attached),
based on WLC: 0242/1, attached.

Thanks,

Don Dyke
6-0292



**ASSEMBLY AMENDMENT ,
TO 2001 ASSEMBLY BILL 494**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 12: after "AUTHORITY." insert "(a)".

3 **2.** Page 3, line 14: after that line insert:

4 "(b) If on or after the effective date of this paragraph [revisor inserts date], a city or
5 village acquires territory in a county in which no part of the city or village was located before

6 the effective date of this paragraph [revisor inserts date], and if the city or village annexes
7 territory under s. 66.0223 in that county after acquiring territory in the county as described in

8 this paragraph, the city or village may not do any of the following:

9 **1.** Annex any town territory adjacent or contiguous to the territory annexed under s.
10 66.0223.

11 **2.** Sell or otherwise transfer the territory to a private person unless the city or village
12 attempts to detach the territory under par. (c) or unless the town from which the territory was
13 annexed no longer exists.

14 (c) If a city or village attempts to sell or otherwise transfer territory to a private person
15 as described in par. (b), the sale may not take effect until all of the following occur:

16 **1.** The city or village files a petition under s. 66.0227 (1) and enacts an ordinance
17 detaching the territory under s. 66.0227 (2).



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0770/2
MES:kmg:pg

fmr

ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 494

SDN

do any of the following:

¶ 1. Annex any town territory ^{that is} adjacent or contiguous to the territory ~~annexed~~ ^{that was} under s. 66.0223.

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 12: after "AUTHORITY." insert "(a)".

3 2. Page 3, line 14: after that line insert:

4 "(b) If on or after the effective date of this paragraph [revisor inserts date],
5 a city or village acquires territory in a county in which no part of the city or village
6 was located before the effective date of this paragraph [revisor inserts date], and

7 if the city or village annexes territory under s. 66.0223 in that county after acquiring

8 territory in the county as described in this paragraph, the city or village may not ~~sell~~ ^{#2.}

9 or otherwise transfer the territory to a private person unless the city or village

10 attempts to detach the territory under par. (c) or unless the town from which the

11 territory was annexed no longer exists.

LPS: DO NOT DELETE

1
2
3
4
5
6
7
8

(c) If a city or village attempts to sell or otherwise transfer territory to a private person as described in par. (b), the sale may not take effect until all of the following occur:

1. The city or village files a petition under s. 66.0227 (1) and enacts an ordinance detaching the territory under s. 66.0227 (2).
2. The town from which the territory was annexed votes on an ordinance to accept the territory, as described under s. 66.0227 (2)."

(END)

