

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/11/2002

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-7845**

By/Representing: **Ammerman**

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

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Ammerman -

Topic:

Modify provisions relating to consolidation of cities, villages, and towns

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 03/12/2002	gilfokm 03/12/2002	kfollet 03/12/2002	_____	lrb_docadmin 03/13/2002		
/2	shoveme 03/13/2002	chanaman 03/13/2002	chanaman 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

<END>

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12 MES 3/13/02
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/1	shoveme	1-3/12	sl	lg/lrs			
11	NE	3/12/02	3/12	3/12			

FE Sent For:

<END>

effect, as is required for similar agreements under current law. [This is identical to AB 791.]

Modify current law provisions regarding consolidation of a town, village or city with a contiguous town, village or city in cases where two or more towns seek to consolidate as a town or where a town or towns seek to consolidate with a village or city as a town. In these cases, exempt the proposed consolidation from the current law provisions that require DOA and the circuit court to find that the consolidation is in the public interest and that the circuit court refer the consolidation to DOA for review. Retain the current law provisions requiring a two-thirds vote of all members of each board or council and a ratification of the proposed consolidation in a referendum held in each municipality.



State of Wisconsin
 2001 - 2002 LEGISLATURE
 January 2002 Special Session

LRBb2458/1

MES.

King
RMR

LFB:.....Ammerman – Modify provisions relating to consolidation of cities, villages, and towns

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 49, line 18: after that line insert:

3 "SECTION 151j. 66.0229[✓] of the statutes is renumbered 66.0229 (1) and amended

4 to read:

, village, or town

5 66.0229 (1) ~~Consolidation~~ Subject to s. 66.0307 (7), a ~~town, village or city,~~

6 may be consolidated with a contiguous ~~town, village or city,~~ village, or town, by ordinance, passed by

7 a two-thirds vote of all ^{of} ~~the~~ members of each board or council, fixing the terms of the

8 consolidation and ratified by the electors at a referendum held in each municipality.

9 The ballots shall bear the words, "for consolidation", and "against consolidation", and

10 if a majority of the votes cast in each municipality are for consolidation, the

1 ordinances shall take effect and have the force of a contract. The ordinance and the
2 result of the referendum shall be certified as provided in s. 66.0211 (5); if a town the
3 certification shall be preserved as provided in ss. 66.0211 (5) and 66.0235,
4 respectively. Consolidation does not affect the preexisting rights or liabilities of any
5 municipality and actions on those rights or liabilities may be commenced or
6 completed as if there were no consolidation. ~~A consolidation ordinance proposing the~~
7 ~~consolidation of a town and another municipality shall, within 10 days after its~~
8 ~~adoption and prior to its submission to the voters for ratification at a referendum, be~~
9 ~~submitted to the circuit court and the department of administration for a~~
10 ~~determination whether the proposed consolidation is in the public interest. The~~
11 ~~circuit court shall determine whether the proposed ordinance meets the formal~~
12 ~~requirements of this section and shall then refer the matter to the department of~~
13 ~~administration, which shall find as prescribed in s. 66.0203 whether the proposed~~
14 ~~consolidation is in the public interest in accordance with the standards in s. 66.0207.~~
15 ~~The department's findings have the same status as incorporation findings under ss.~~
16 ~~66.0203 to 66.0213.~~

History: 1977 c. 29; 1979 c. 361 s. 112; 1983 a. 532 s. 36; 1991 a. 39, 269; 1995 a. 27, ss. 3307 and 9116 (5); 1995 a. 216; 1997 a. 27; 1999 a. 150 s. 42; Stats. 1999 s. 66.0229.

17 **SECTION 151jb.** 66.0229 (2) of the statutes is created to read:

18 66.0229 (2) (a) A consolidation ordinance proposing the consolidation of a town
19 and another municipality shall, within 10 days after its adoption and prior to its
20 submission to the voters for ratification at a referendum, be submitted to the circuit
21 court and the department of administration for a determination ^{of} whether the
22 proposed consolidation is in the public interest. The circuit court shall determine
23 whether the proposed ordinance meets the formal requirements ^{sub. (1)} of ~~this section~~ and
24 shall then refer the matter to the department of administration, which shall find as

1 prescribed in s. 66.0203 whether the proposed consolidation is in the public interest
2 in accordance with the standards in s. 66.0207. The department's findings have the
3 same status as incorporation findings under ss. 66.0203 to 66.0213. ✓

4 (b) Except as provided in par. (c), the provisions of par. (a) do not apply if ~~two~~ 2
5 or more towns seek to consolidate as a town or if one or more towns seek to
6 consolidate, with one or more cities or villages, as a town.

7 (c) With regard to a consolidation described under par. (b), the circuit court
8 shall determine ² within 10 days after the adoption of the consolidation ordinance and
9 prior to its submission to the voters for ratification at a referendum ² whether the
10 proposed ordinance meets the formal requirements of ^{sub. (1)} ~~this section~~ ".
11

(END)



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 13 March 2002

DELIVER TO:

Marc Shovers

Addressee Fax #:

LFB

Addressee Phone #: _____

of Pages, Including Cover:

2

Sender's Initials: _____

From: _____

Message:

Fick Olin

Marc - Ass. Rep. staff have asked us to exclude cities from the proposed consolidation draft. I think a change to page 3, line 5 is all that is needed. Thanks

2001 - 2002 Legislature
Jan. 2002 Spec. Sess.

- 3 -

LRBb2458/1
MES:kmg:kjf

1 in accordance with the standards in s. 66.0207. The department's findings have the
2 same status as incorporation findings under ss. 66.0203 to 66.0213.

3 (b) Except as provided in par. (c), the provisions of par. (a) do not apply if 2 or
4 more towns seek to consolidate as a town or if one or more towns seek to consolidate,
5 with one or more ~~cities~~ villages, as a town.

6 (c) With regard to a consolidation described under par. (b), the circuit court
7 shall determine, within 10 days after the adoption of the consolidation ordinance and
8 prior to its submission to the voters for ratification at a referendum, whether the
9 proposed ordinance meets the formal requirements of sub. (1)."

10 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2458/2
MES:kmg:klj

RNF

LFB:.....Ammerman – Modify provisions relating to consolidation of cities,
villages, and towns

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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6 be consolidated with a contiguous ~~town, village or city, village, or town~~, by ordinance,
7 passed by a two-thirds vote of all of the members of each board or council, fixing the
8 terms of the consolidation and ratified by the electors at a referendum held in each
9 municipality. The ballots shall bear the words, "for consolidation", and "against
10 consolidation", and if a majority of the votes cast in each municipality are for

1 consolidation, the ordinances shall take effect and have the force of a contract. The
2 ordinance and the result of the referendum shall be certified as provided in s. 66.0211
3 (5); if a town the certification shall be preserved as provided in ss. 66.0211 (5) and
4 66.0235, respectively. Consolidation does not affect the preexisting rights or
5 liabilities of any municipality and actions on those rights or liabilities may be
6 commenced or completed as if there were no consolidation. ~~A consolidation
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stet / no change

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3 (b) Except as provided in par. (c), the provisions of par. (a) do not apply if 2 or
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5 with one or more ~~towns~~ villages, as a town.

6 (c) With regard to a consolidation described under par. (b), the circuit court
7 shall determine, within 10 days after the adoption of the consolidation ordinance and
8 prior to its submission to the voters for ratification at a referendum, whether the
9 proposed ordinance meets the formal requirements of sub. (1).".

10

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2458/2
MES:kmg:kjf

LFB:.....Ammerman – Modify provisions relating to consolidation of cities,
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10

(END)