

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 63**

March 8, 2001 – Offered by COMMITTEE ON SENATE ORGANIZATION.

1     **AN ACT** *to repeal* 5.15 (2) (e), 62.08 (2), 66.0217 (13) and 66.0227 (6); *to*  
2     *renumber and amend* 5.15 (2) (d) and 59.10 (3) (c); *to amend* 5.15 (1) (a), 5.15  
3     (1) (b), 5.15 (1) (c), 5.15 (2) (b) 1., 5.15 (2) (b) 2., 5.15 (2) (b) 3., 5.15 (2) (b) 4., 5.15  
4     (2) (bm), 5.15 (2) (cm), 5.15 (2) (g), 5.15 (4) (a), 5.15 (4) (b), 5.15 (6) (a), 5.15 (7),  
5     5.15 (8), 59.10 (2) (a), 59.10 (3) (b) 1., 59.10 (3) (b) 2., 59.10 (3) (b) 4., 59.10 (6),  
6     62.08 (1), 66.0217 (9) (a), 66.0217 (9) (b), 66.0221, 66.0223 and 119.08 (1) (b); and  
7     **to create** 5.15 (2) (ce), 5.15 (2) (d) 1. to 5., 5.15 (2) (fm), 59.10 (3) (b) 2m. and  
8     66.0217 (9) (d) of the statutes; **relating to:** division of municipalities into  
9     wards; redistricting of supervisory and aldermanic districts; election districts  
10    in 1st class city school systems; filing of certain municipal annexations; the  
11    effective date of certain annexation and detachment actions.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

12    **SECTION 1.** 5.15 (1) (a) of the statutes is amended to read:

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

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

1           5.15 (1) (b) Except as authorized in sub. (2) (a), within 60 days after the receipt  
2 of a tentative supervisory district plan ~~and written statement, if any,~~ from the county  
3 board of each county in which a municipality is located, the governing body of the  
4 municipality shall adjust its wards according to the schedule shown in sub. (2). All  
5 territory contained within the municipality, and only the territory so contained, on  
6 ~~August 1 following the year of the federal decennial census~~ the date of adoption of  
7 a tentative supervisory district plan under s. 59.10 (2) (a) or (3) (b) 1. by the county  
8 in which the territory is located shall be contained within a ward established under  
9 the division ordinance or resolution. Except as authorized in sub. (2), each ward shall  
10 consist of whole blocks, as utilized by the U.S. bureau of the census in the most recent  
11 federal decennial census of population. To suit the convenience of the voters residing  
12 therein each ward shall, as far as practicable, be kept compact and observe the  
13 community of interest of existing neighborhoods and other settlements. All territory  
14 within a ward shall be contiguous, except for island territory as defined in sub. (2)  
15 (f) 3. Enactment or adoption of a division ordinance or resolution requires the  
16 affirmative vote of a majority of the members of the governing body.

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

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

1 unless adjusted, as a matter of statewide concern, in the enactment of legislative  
2 districts under article IV, section 3, of the constitution on the basis of the most recent  
3 federal decennial census of population. The populations of wards under each  
4 decennial ward division shall be determined on the basis of the federal decennial  
5 census of population and any official corrections to the census issued on or before the  
6 date of adoption of the ward division to reflect the correct populations of the  
7 municipality and the blocks within the municipality on April 1 of the year of the  
8 census. In this paragraph, an official correction does not include the substitution of  
9 an estimate for an actual population count.

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

11 5.15 (2) (b) 1. In any city in which the population is at least 150,000, each ward  
12 shall contain not less than ~~1,000~~ 100 nor more than 4,000 inhabitants.

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

14 5.15 (2) (b) 2. In any city in which the population is at least 39,000 but less than  
15 150,000, each ward shall contain not less than ~~800~~ 100 nor more than 3,200  
16 inhabitants.

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

18 5.15 (2) (b) 3. In any city, village or town in which the population is at least  
19 10,000 but less than 39,000, each ward shall contain not less than ~~600~~ 100 nor more  
20 than 2,100 inhabitants.

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

22 5.15 (2) (b) 4. In any city, village or town in which the population is less than  
23 10,000, each ward shall contain not less than ~~300~~ 100 nor more than 1,000  
24 inhabitants.

25 **SECTION 8.** 5.15 (2) (bm) of the statutes is amended to read:

1           5.15 (2) (bm) Every city electing the members of its common council from  
2           aldermanic districts shall assemble the blocks wholly or partially contained within  
3           the city into wards that will enable the creation of aldermanic districts that are  
4           substantially equal in population. If a block is partly contained within the city, the  
5           city shall divide the block to form a ward containing the portion of the block that lies  
6           within the city.

7           **SECTION 9.** 5.15 (2) (ce) of the statutes is created to read:

8           5.15 (2) (ce) If a block contains a facility that is owned or operated by this state  
9           or by the federal government and that is used to confine persons convicted of felonies  
10          or if a block contains a center for the developmentally disabled, the city, village, or  
11          town may divide the block in assembling into wards.

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

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

22          **SECTION 11.** 5.15 (2) (d) of the statutes is renumbered 5.15 (2) (d) (intro.) and  
23          amended to read:

24          5.15 (2) (d) (intro.) Every municipality shall ~~make a good faith effort to~~  
25          ~~accommodate the tentative plan submitted by the county or counties in which it is~~

1 ~~located under s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards authorized~~  
2 ~~under par. (b) in such a manner that will permit the creation of county supervisory~~  
3 ~~districts in accordance with the population requirements for the plan specified in~~  
4 ~~tentative plan submitted by the county or counties in which it is located under s.~~  
5 ~~59.10 (2) (a) or (3) (b) 1. unless the tentative plan would:~~

6 **SECTION 12.** 5.15 (2) (d) 1. to 5. of the statutes are created to read:

7 5.15 (2) (d) 1. Unduly dilute the voting strength of a racial or language minority  
8 group.

9 2. Require the creation of a ward composed of noncontiguous territory, except  
10 territory that is separated from the municipality by another municipality or by  
11 water, or both.

12 3. Require the creation of a ward composed of territory that is not as compact  
13 as practicable.

14 4. Unduly bifurcate a manifest social, economic, or political community of  
15 interest.

16 5. Unduly favor a particular individual or political party.

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

18 **SECTION 14.** 5.15 (2) (fm) of the statutes is created to read:

19 5.15 (2) (fm) If territory becomes a part of a city, village, or town after the date  
20 on which the county in which the territory is located adopts a tentative supervisory  
21 district plan under s. 59.10 (2) (a) or (3) (b) 1., the city, village, or town may designate  
22 the territory as a separate ward or may add the territory to an existing ward until  
23 the city, village, or town adopts a subsequent decennial ward plan, unless the  
24 boundaries of the ward are adjusted under sub. (1) (c).

25 **SECTION 15.** 5.15 (2) (g) of the statutes is amended to read:

1           5.15 (2) (g) If a block is affected by ~~an~~ a valid annexation or detachment which  
2 establishes a municipal boundary that subdivides the block, the municipalities in  
3 which the block is contained shall incorporate only the portion of the block contained  
4 within their boundaries in their ~~ward plans~~ division ordinances or resolutions.

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

6           5.15 (4) (a) The division ordinance or resolution shall number all wards in the  
7 municipality ~~in~~ with unique whole numbers in consecutive order, beginning with the  
8 number one, shall designate the polling place for each ward, and shall describe the  
9 boundaries of each ward consistent with the conventions set forth in s. 4.003. The  
10 ordinance or resolution shall be accompanied by a list of the block numbers used by  
11 the U.S. bureau of the census that are wholly or partly contained within each ward,  
12 with any block numbers partly contained within a ward identified, and a map of the  
13 municipality which illustrates the revised ward boundaries.

14           **SECTION 17.** 5.15 (4) (b) of the statutes is amended to read:

15           5.15 (4) (b) Within 5 days after adoption or enactment of ~~an~~ a division ordinance  
16 or resolution under this section or any amendment thereto, the municipal clerk shall  
17 ~~transmit~~ file one copy of the ordinance or resolution ~~to~~ or the amendment with the  
18 county clerk of each county in which the municipality is contained located,  
19 accompanied by the list and map specified in par. (a). ~~If the population of the~~  
20 ~~municipality exceeds 10,000, the municipal clerk shall furnish one copy to the~~  
21 ~~legislative reference bureau at the same time~~ a ward division includes territory that  
22 was annexed to the municipality after January 1 of the year of the federal decennial  
23 census of population, the municipal clerk shall identify, for each annexation, the  
24 block number or numbers and the municipality or municipalities from which the  
25 territory was detached. No later than 10 days after receipt of a copy of a division

1 ordinance or resolution, accompanied by the list and map specified in par. (a), the  
2 county clerk shall file with the legislative reference bureau one copy of the ordinance  
3 or resolution, accompanied by the list and map. Upon receipt, the legislative  
4 reference bureau shall provide the board with one copy of each ordinance or  
5 resolution received under this section, accompanied by the list and map. Each copy  
6 filed under this paragraph shall identify the name of the municipality and the county  
7 or counties in which it is located. A copy may be filed with the county clerk or the  
8 legislative reference bureau or provided to the board under this paragraph either in  
9 electronic or paper format. Each copy filed with the county clerk or the legislative  
10 reference bureau under this paragraph in electronic format shall be in a form  
11 specified by the county clerk or legislative reference bureau.

12 **SECTION 18.** 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 to correlate with  
16 the results of the census, but no ward line adjustment may cross the boundary of an  
17 assembly district. The municipal clerk shall ~~transmit~~ file copies of the ordinance or  
18 resolution in compliance with sub. (4) (b).

19 **SECTION 19.** 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



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

3 **SECTION 20.** 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 21.** 59.10 (2) (a) of the statutes is amended to read:

8 59.10 (2) (a) *Composition; supervisory districts.* Within 60 days after the  
9 population count by census block, established in the decennial federal census of  
10 population, and maps showing the location and numbering of census blocks become  
11 available in printed form from the federal government or are published for  
12 distribution by an agency of this state, but no later than July 1 following the year of  
13 each decennial census, the board shall adopt and transmit to the governing body of  
14 each city and village wholly or partially contained within the county a tentative  
15 county supervisory district plan to be considered by the cities and villages when  
16 dividing into wards. ~~The tentative plan shall specify the number of supervisors to~~  
17 ~~be elected and shall~~ divide the county into a number of districts equal to the number  
18 of supervisors, with each district substantially equal in population ~~and consisting of~~  
19 ~~contiguous whole wards.~~ Except as otherwise provided in this paragraph, the board  
20 shall develop and adopt the tentative plan in accordance with sub. (3) (b) 1. The  
21 tentative plan shall not include provision for division of any census block, as utilized  
22 by the U.S. bureau of the census in the most recent federal decennial census of  
23 population, unless the block is bisected by a municipal boundary or unless a division  
24 is required to enable creation of supervisory districts that are substantially equal in  
25 population. The board shall adopt a final plan by enacting an ordinance in

1 accordance with sub. (3) (b) 2. to 4. Changes to the final plan shall be governed by  
2 sub. (3) (c).

3 **SECTION 22.** 59.10 (3) (b) 1. of the statutes is amended to read:

4 59.10 (3) (b) 1. Within 60 days after the population count by census block,  
5 established in the decennial federal census of population, and maps showing the  
6 location and numbering of census blocks become available in printed form from the  
7 federal government or are published for distribution by an agency of this state, but  
8 no later than July 1 following the year of each decennial census, each board shall  
9 propose a tentative county supervisory district plan setting forth the number of  
10 supervisory districts proposed by the board and tentative boundaries ~~or a description~~  
11 ~~of boundary requirements~~, hold a public hearing on the proposed plan and adopt a  
12 tentative plan. The proposed plan may be amended after the public hearing. The  
13 tentative plan shall divide the county into a number of districts equal to the number  
14 of supervisors, with each district being substantially equal in population. The board  
15 shall solicit suggestions from municipalities concerning the development of an  
16 appropriate plan. ~~The board shall transmit to each municipal governing body in the~~  
17 ~~county the tentative plan that is adopted. Each district shall consist of whole wards~~  
18 ~~or municipalities. Each district shall be designated to be represented by one~~  
19 ~~supervisor, and all districts shall be substantially equal in population and shall~~  
20 attempt to incorporate the suggestions to the extent feasible. Territory within each  
21 proposed supervisory district under the plan shall be contiguous, except that island  
22 territory, as defined in s. 5.15 (2) (f) 3., may be combined with noncontiguous territory  
23 within the same municipality to form a supervisory district. In the tentative plan,  
24 the board shall, whenever possible, place whole contiguous municipalities or  
25 contiguous parts of the same municipality within the same district. ~~If the division~~

1 ~~of a municipality is sought by the board, the board shall provide with the plan a~~  
2 ~~written statement to the municipality affected by each proposed division specifying~~  
3 ~~the approximate location of the territory from which a ward is sought to be created~~  
4 ~~for contiguity purposes and the approximate population of the ward proposed to~~  
5 ~~effectuate the division~~ The tentative plan shall not include provision for division of  
6 any census block unless the block is bisected by a municipal boundary or unless a  
7 division is required to enable creation of supervisory districts that are substantially  
8 equal in population. The board shall transmit to each municipal governing body in  
9 the county a copy of the tentative plan that is adopted.

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

11 59.10 (3) (b) 2. Within 60 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. Except as required to  
20 reflect a change authorized under s. 5.15 (2) (d) in a municipal ward division and  
21 except as required under subd. 2m., the final plan shall not be inconsistent with the  
22 tentative plan.

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

24 59.10 (3) (b) 2m. The populations of supervisory districts under the tentative  
25 plan shall be determined on the basis of the federal decennial census of population

1 and any official corrections to the census issued on or before the date that the  
2 tentative plan is adopted to reflect the correct population of the county and  
3 municipalities and blocks within the county on April 1 of the year of the census. The  
4 populations of supervisory districts under the final plan shall be determined on the  
5 basis of the federal decennial census of population and any official corrections to the  
6 census to reflect the correct populations of the county and the municipalities and  
7 blocks within the county on April 1 of the year of the census, if the corrections as they  
8 affect any municipality are issued prior to division of the municipality into wards  
9 under s. 5.15, or if a municipality is not divided into wards, prior to adoption of the  
10 final plan. In this subdivision, an official correction does not include the substitution  
11 of an estimate for an actual population count.

12 **SECTION 25.** 59.10 (3) (b) 4. of the statutes is amended to read:

13 59.10 (3) (b) 4. The chairperson of the board shall file a certified copy of the final  
14 districting plan with the secretary of state. Upon receipt, the secretary of state shall  
15 provide the legislative reference bureau with one copy of each final districting plan  
16 received under this subdivision. Upon receipt, the legislative reference bureau shall  
17 provide the state elections board with one copy of each final districting plan received  
18 under this subdivision. A copy may be filed with the secretary of state or provided  
19 to the legislative reference bureau or the state elections board under this subdivision  
20 either in electronic or paper format. A copy that is filed with the secretary of state  
21 under this subdivision in electronic format shall be in a form specified by the  
22 secretary of state and authenticated in a manner specified by the secretary of state.  
23 Unless otherwise ordered under sub. (6), a plan enacted and filed with the secretary  
24 of state under this paragraph, together with any amendment enacted and filed under  
25 par. (c), remains in effect until the plan is superseded by a subsequent plan enacted

1 under this paragraph and a certified copy of that plan is filed with the secretary of  
2 state.

3 **SECTION 26.** 59.10 (3) (c) of the statutes is renumbered 59.10 (3) (c) 1. and  
4 amended to read:

5 59.10 (3) (c) 1. After the enactment of a plan of supervisory districts under par.  
6 (b), the board may amend the plan to reflect a municipal incorporation, annexation,  
7 detachment or consolidation may serve as a basis for altering between federal  
8 decennial censuses the boundaries of supervisory districts, in the discretion of the  
9 board. The number of supervisory districts in the county shall not be changed by any  
10 action under this paragraph. Any plan of county supervisory districts enacted under  
11 par. (b) may be amended under this paragraph but shall remain in effect as amended  
12 until superseded by another plan enacted by the board under par. (b) and filed  
13 subdivision.

14 2. The chairperson of the board shall file a certified copy of any amended plan  
15 under this paragraph with the secretary of state. Upon receipt, the secretary of state  
16 shall provide the legislative reference bureau with one copy of the amended plan.  
17 Upon receipt, the legislative reference bureau shall provide the state elections board  
18 with one copy of the amended plan. A copy may be filed with the secretary of state  
19 or provided to the legislative reference bureau or state elections board under this  
20 subdivision either in electronic or paper format. A copy that is filed with the  
21 secretary of state under this subdivision in electronic format shall be in a form  
22 specified by the secretary of state and authenticated in a manner specified by the  
23 secretary of state.

24 **SECTION 27.** 59.10 (6) of the statutes is amended to read:

1           **59.10 (6) ENFORCEMENT OF DIVISION REQUIREMENT.** If a county fails to comply  
2 with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the  
3 county or any elector of the county may submit to the circuit court for the county  
4 within 14 days from the expiration of either 60–day period under sub. (2) (a) or (3)  
5 (b) a proposed tentative supervisory district plan or a final plan for creation of  
6 supervisory districts in compliance with this section. If the court finds that the  
7 existing division of the county into supervisory districts fails to comply with this  
8 section, it shall review the plan submitted by the petitioner and after reasonable  
9 notice to the county may promulgate the plan, or any other plan in compliance with  
10 this section, ~~as a temporary supervisory district~~ and the plan shall be in effect until  
11 superseded by a ~~districting~~ plan adopted by the board in compliance with this  
12 section.

13           **SECTION 28.** 62.08 (1) of the statutes is amended to read:

14           **62.08 (1)** Within 60 days after the wards have been readjusted under s. 5.15  
15 (1) and (2) the common council of every city, including any every 1st class city of the  
16 ~~first class~~, shall redistrict the boundaries of its aldermanic districts, by an ordinance  
17 introduced at a regular meeting of the council, published as a class 2 notice, under  
18 ch. 985, and thereafter adopted by a majority vote of all the members of the council,  
19 so that all aldermanic districts are as compact in area as possible and contain, as  
20 nearly as practicable by combining contiguous whole wards, an equal number of  
21 inhabitants according to the most recent decennial federal census of population. The  
22 populations of the aldermanic districts shall be determined on the basis of the federal  
23 decennial census of population and any official corrections to the census to reflect the  
24 correct populations of the municipality and the census blocks within the  
25 municipality on April 1 of the year of the census, if the corrections are issued prior

1 to division of the municipality into wards under s. 5.15. In this subsection, an official  
2 correction does not include the substitution of an estimate for an actual population  
3 count.

4 **SECTION 29.** 62.08 (2) of the statutes is repealed.

5 **SECTION 30.** 66.0217 (9) (a) of the statutes is amended to read:

6 66.0217 (9) (a) The clerk of a city or village which has annexed territory shall  
7 file immediately with the secretary of state a certified copy of the ordinance,  
8 certificate and plat, and shall send one copy to each company that provides any  
9 utility service in the area that is annexed. The clerk shall record the ordinance with  
10 the register of deeds and file a signed copy of the ordinance with the clerk of any  
11 affected school district. Failure to file, record or send does not invalidate the  
12 annexation and the duty to file, record or send is a continuing one. The ordinance  
13 that is filed, recorded or sent under this paragraph shall describe the annexed  
14 territory and the associated population, and shall identify the census block number  
15 or numbers of the annexed territory and the municipality or municipalities from  
16 which the annexed territory was detached. If an annexation of territory establishes  
17 a municipal boundary that subdivides a census block, the clerk of the city or village  
18 to which the territory is annexed shall file with the secretary of state, along with the  
19 certified copy of the ordinance, certificate, and plat required under this paragraph,  
20 a certified estimate of the population of the territory on the effective date of the  
21 annexation, based upon the latest federal decennial census of population. The  
22 information filed with the secretary of state shall be utilized in making  
23 recommendations for adjustments to entitlements ~~under the federal revenue~~  
24 ~~sharing program and~~ for distribution of funds under ch. 79. The clerk shall certify  
25 annually to the secretary of state and record with the register of deeds a legal

1 description of the total boundaries of the municipality as those boundaries existed  
2 on December 1, unless there has been no change in the 12 months preceding.

3 **SECTION 31.** 66.0217 (9) (b) of the statutes is amended to read:

4 66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat,  
5 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to  
6 the department of transportation, ~~one copy to the department of administration,~~ one  
7 copy to the department of revenue, one copy to the department of public instruction,  
8 one copy to the department, one copy to the department of natural resources, one  
9 copy to the department of agriculture, trade and consumer protection, one copy to the  
10 legislative reference bureau, and 2 copies to the clerk of the municipality from which  
11 the territory was annexed. The secretary of state shall provide the legislative  
12 reference bureau with one copy of any certified estimate of population received under  
13 par. (a), along with any copies required under this paragraph.

14 **SECTION 32.** 66.0217 (9) (d) of the statutes is created to read:

15 66.0217 (9) (d) A copy may be filed with the secretary of state under par. (a) or  
16 provided to a person specified under par. (b) either in electronic or paper format. A  
17 copy that is filed with the secretary of state under par. (a) in electronic format shall  
18 be in a form specified by the secretary of state and authenticated in a manner  
19 specified by the secretary of state.

20 **SECTION 33.** 66.0217 (13) of the statutes is repealed.

21 **SECTION 34.** 66.0221 of the statutes is amended to read:

22 **66.0221 Annexation of and creation of town islands.** Upon its own  
23 motion, a city or village by a two-thirds vote of the entire membership of its  
24 governing body may enact an ordinance annexing territory which comprises a  
25 portion of a town or towns and which was completely surrounded by territory of the



1 city or village on December 2, 1973. The ordinance shall include all surrounded town  
2 areas except those exempt by mutual agreement of all of the governing bodies  
3 involved. The annexation ordinance shall contain a legal description of the territory  
4 and the name of the town or towns from which the territory is detached and shall  
5 identify the census block number or numbers of the territory. Upon enactment of the  
6 ordinance, the city or village clerk immediately shall file ~~6 certified copies~~ a certified  
7 copy of the ordinance in the office of the secretary of state, together with ~~6 copies of~~  
8 a scale map. The secretary of state shall forward 2 copies of the ordinance and scale  
9 map to the department of transportation, one copy to the department of natural  
10 resources, one copy to the department of revenue ~~and~~, one copy to the department  
11 of administration, one copy to the department of agriculture, trade and consumer  
12 protection, one copy to the department of public instruction, and one copy to the  
13 legislative reference bureau. A copy may be filed with the secretary of state or  
14 provided to a person specified under this section in either electronic or paper format.  
15 A copy that is filed with the secretary of state under this section in electronic format  
16 shall be in a form specified by the secretary of state and authenticated in a manner  
17 specified by the secretary of state. This section does not apply if the town island was  
18 created only by the annexation of a railroad right-of-way or drainage ditch. This  
19 section does not apply to land owned by a town government which has existing town  
20 government buildings located on the land. No town island may be annexed under  
21 this section if the island consists of over 65 acres or contains over 100 residents.  
22 Section 66.0217 (11) applies to annexations under this section. After December 2,  
23 1973, no city or village may, by annexation, create a town area which is completely  
24 surrounded by the city or village.

25 **SECTION 35.** 66.0223 of the statutes is amended to read:

1           **66.0223 Annexation of territory owned by a city or village.** In addition  
2 to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7),  
3 territory owned by and lying near but not necessarily contiguous to a village or city  
4 may be annexed to a village or city by ordinance enacted by the board of trustees of  
5 the village or the common council of the city, provided that in the case of  
6 noncontiguous territory the use of the territory by the city or village is not contrary  
7 to any town or county zoning regulation. The ordinance shall contain the exact  
8 description of the ~~territory annexed~~ territory and the ~~names of the towns~~ name of  
9 each town from which the territory was detached, and shall identify the census block  
10 number or numbers of the annexed territory. The ordinance attaches the territory  
11 to the village or city upon the filing of ~~7 certified copies~~ a certified copy of the  
12 ordinance in the office of the secretary of state, together with ~~7 copies~~ of a plat  
13 showing the boundaries of the territory attached and any information concerning the  
14 population of the territory required under s. 66.0217 (9) (a). Two copies of the  
15 ordinance and plat shall be forwarded by the secretary of state to the department of  
16 transportation, one copy to the department of administration, one copy to the  
17 department of natural resources, one copy to the department of revenue ~~and~~, one  
18 copy to the department of public instruction, one copy to the department of  
19 agriculture, trade and consumer protection, and one copy to the legislative reference  
20 bureau. Copies may be filed with the secretary of state or provided to a person  
21 specified under this section in either electronic or paper format. A copy that is filed  
22 with the secretary of state under this section in electronic format shall be in a form  
23 specified by the secretary of state and authenticated in a manner specified by the  
24 secretary of state. Within 10 days of filing the certified copies, a copy of the ordinance

1 and plat shall be mailed or delivered to the clerk of the county in which the annexed  
2 territory is located. Section 66.0217 (11) applies to annexations under this section.

3 **SECTION 36.** 66.0227 (6) of the statutes is repealed.

4 **SECTION 37.** 119.08 (1) (b) of the statutes is amended to read:

5 119.08 (1) (b) Within 60 days after the common council of the city enacts an  
6 ordinance ~~determining the boundaries of the aldermanic districts in the city or~~  
7 adopts a resolution under s. 5.15 (1) (b) dividing the city into wards following the  
8 federal decennial census ~~under s. 62.08 (1)~~, the board shall, by vote of a majority of  
9 the membership of the board, adopt an election district apportionment plan for the  
10 election of board members which shall be effective until the city enacts a new  
11 ordinance or adopts a new resolution under s. ~~62.08 (1)~~ redetermining the  
12 aldermanic district 5.15 prescribing revised ward boundaries.

13 **SECTION 38. Effective date.**

14 (1) This act takes effect on the April 1 following publication.

15 (END)