

2001 DRAFTING REQUEST

Bill

Received: 01/06/2001

Received By: kuesejt

Wanted: Soon

Identical to LRB:

For: Administration-Budget 6-7973

By/Representing: Grinde

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters:

Subject: State Government - miscellaneous

Extra Copies: MES - 1

Pre Topic:

DOA:.....Grinde -

Topic:

Municipal boundary review funding

Instructions:

Per LRB-0389/1.

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>
/?	kuesejt 01/08/2001	gilfokm 01/08/2001		_____			State
/1			martykr 01/09/2001	_____	lrb_docadmin 01/09/2001		

FE Sent For:

<END>

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12/1	kuesejt	1/8/11-1/18/01 King	km/q	DS km/q			

FE Sent For:

<END>



**WISCONSIN DEPARTMENT OF  
ADMINISTRATION**

**TOMMY G. THOMPSON**  
GOVERNOR

**GEORGE LIGHTBOURN**  
SECRETARY

Division of Executive Budget and Finance  
Post Office Box 7864  
Madison, WI 53707-7864  
Voice (608) 266-1736  
Fax (608) 267-0372  
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**Date:** January 5, 2001

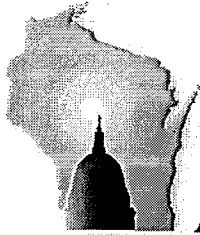
**To:** Steve Miller  
Chief, Legislative Reference Bureau

**From:** Kirsten Grinde *KMG*  
State Budget Office

**Subject:** 2001-03 Biennial Budget Statutory Language

Please convert the Municipal Boundary Review fee draft (LRB 0389) to a 2001-03 biennial budget draft. The draft creates a fee for review of municipal boundary changes and converts the existing appropriations in the Department of Administration to program revenue.

If you have any questions, please contact me at 266-7973 or [kirsten.grinde@doa.state.wi.us](mailto:kirsten.grinde@doa.state.wi.us).



**WISCONSIN DEPARTMENT OF  
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**Date:** December 19, 2000

**To:** Steve Miller  
Chief, Legislative Reference Bureau

**From:** Kirsten Grindey *mg*  
State Budget Office

**Subject:** 2001-03 Biennial Budget Statutory Language Proposal

The attached proposal is a statutory language request for the 2001-03 biennial budget. The intent of this request is to consolidate certain appropriations in the Department of Administration relating to Land Information Board and Wisconsin Land Council activities.

If you have any questions, please contact me at 266-7973 or [kirsten.grinde@doa.state.wi.us](mailto:kirsten.grinde@doa.state.wi.us).

DOA  
Statutory Language Changes

JJK ✓ 1. The appropriation under s.20.505(1)(ks) is being eliminated and the services provided under that appropriation are being combined with those provided under s.20.505.(1)(kt). Both appropriations are funded by state agency support and are administered within the Office of Land Information Services.

20.505(1)(ks)

(ks) Wisconsin land council; state agency support. All moneys received from assessments levied against state agencies under s. 16.966 for the functions of the Wisconsin land council under 16.023.

✓ Repeal this appropriation.

JJK ✓ 2. s.20.505(1)(kt) needs to be renamed to include both state agency assessments for the Wisconsin land council and soil surveys and mapping.

JJK ✓ 3. Modify s.20.505(1)(ie) to fund not only the operations of the Wisconsin Land Information Board (WLIB) but also Geographic Information Services (GIS), the WLIB contribution to the soil surveys and mapping project and a portion of the support of Municipal Boundary Review. A portion of the soil surveys and mapping project is already funded with moneys received under s.59.72(a). The State Budget Office plans to recommend to the Governor that these fees be increased to also fund GIS and a portion of Municipal Boundary Review, which is currently funded with GPR through the Department's s.20.505(1)(a) appropriation.

20.505(1)(ik)

(ik) Land information board; soil surveys and mapping. From the moneys received by the land information board; soil surveys and mapping. From the moneys received by the land information board under s.59.72(a), the amounts in the schedule to perform soil survey and mapping activities under s. 16.967(11).

✓ Repeal this appropriation.

JJK ✓ 4. Rename s.20.505(1)(ie) to include GIS services, soil surveys and mapping and the portion of Municipal Boundary Review to be funded under s.59.72(a).

5. LRB-0389/1, as currently drafted, creates a new program revenue appropriation to fund a portion of Municipal Boundary Review costs. Instead, DOA proposes modifying the language under s.20.505(1)(iu) to include any fees received as a result of s.16.53(14).

JJK ✓ 6. Repeal s.20.505(ig). This appropriation has never been used.

By: Tara Brunner  
Agency Budget/Policy Analyst  
266-0016

2001

Date (time) needed

SOON

LRB-1839, 1

DOA BUDGET DRAFT

JTK: King & CMH

Use the appropriate components and routines developed for bills.

~~PS: Print all amended bills~~

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget. ....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text

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

SECTION #.

←183911

**2001 BILL**

1 **AN ACT** to amend 66.0203 (8) (b), 66.0203 (9) (a), 66.0203 (9) (b), 66.0203 (9) (d)  
 2 and 66.0217 (6) (a); and to create 16.53 (14) and 20.505 (1) (iL) of the statutes;  
 3 **relating to:** funding of the municipal incorporation and boundary review  
 4 functions of the department of administration and making an appropriation.

***Analysis by the Legislative Reference Bureau***

Currently, the department of administration (DOA) is required to review proposed municipal incorporations and certain municipal annexations in counties having a population of 50,000 or more, and to make findings with respect to certain matters specified by law. Currently, the cost of conducting this review is financed with general purpose revenue.

This bill permits DOA to prescribe and collect a fee for conducting this review. The fee must be paid by the person or persons filing a petition for incorporation or by the person or persons filing a notice of proposed annexation.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

5 **SECTION 1.** 16.53 (14) of the statutes is created to read:

**BILL**

1           16.53 (14) REVIEW OF PROPOSED INCORPORATIONS AND ANNEXATIONS. The  
 2 department may prescribe and collect a fee for review of any petition for  
 3 incorporation of a municipality under s. 66.0203 or any petition for annexation of  
 4 municipal territory under s. 66.0217. The fee shall be paid by the person or persons  
 5 filing the petition for incorporation or by the person or persons filing the notice of the  
 6 proposed annexation.

7           ~~SECTION 2. 20.505 (1) (iL) of the statutes is created to read:~~

8           20.505 (1) (iL) *Review of proposed incorporations and annexations.* All moneys  
 9 received from fees imposed under s. 16.53 (14) for reviews of proposed municipal  
 10 incorporations and annexations, to be used for the purpose of conducting those  
 11 reviews.

12           SECTION 3. 66.0203 (8) (b) of the statutes is amended to read:

13           66.0203 (8) (b). On the basis of the hearing the circuit court shall find if the  
 14 standards under s. 66.0205 are met. If the court finds that the standards are not met,  
 15 the court shall dismiss the petition. If the court finds that the standards are met the  
 16 court shall refer the petition to the department ~~and.~~ Upon payment of any fee  
 17 imposed under s. 16.53 (14), the department shall determine whether the standards  
 18 under s. 66.0207 are met.

19           SECTION 4. 66.0203 (9) (a) of the statutes is amended to read:

20           66.0203 (9) (a) Upon receipt of the petition from the circuit court and payment  
 21 of any fee imposed under s. 16.53 (14), the department shall make any necessary  
 22 investigation to apply the standards under s. 66.0207.

23           SECTION 5. 66.0203 (9) (b) of the statutes is amended to read:

24           66.0203 (9) (b) Within 20 days after the receipt by the department of the  
 25 petition from the circuit court and payment of any fee imposed under s. 16.53 (14),

✓  
 PMS  
 2-8



**BILL**

1 whichever is later, any party in interest may request a hearing. Upon receipt of the  
2 request, the department shall schedule a hearing at a place in or convenient to the  
3 territory sought to be incorporated.

4 **SECTION 6.** 66.0203 (9) (d) of the statutes is amended to read:

5 66.0203 (9) (d) Unless the court sets a different time limit, the department shall  
6 prepare its findings and determination, citing the supporting evidence, within 90  
7 days after receipt of the referral from the court and payment of any fee imposed under  
8 s. 16.53 (14), whichever is later. The findings and determination shall be forwarded  
9 by the department to the circuit court. Copies of the findings and determination shall  
10 be sent by certified or registered mail to the designated representative of the  
11 petitioners, and to all town and municipal clerks entitled to receive mailed notice of  
12 the petition under sub. (4).

13 **SECTION 7.** 66.0217 (6) (a) of the statutes is amended to read:

14 66.0217 (6) (a) *Annexations within populous counties.* No annexation  
15 proceeding within a county having a population of 50,000 or more is valid unless the  
16 person publishing a notice of annexation under sub. (4) mails a copy of the notice to  
17 the clerk of each municipality affected and the department, together with any fee  
18 imposed under s. 16.53 (14), within 5 days of the publication. The department may  
19 within 20 days after receipt of the notice mail to the clerk of the town within which  
20 the territory lies and to the clerk of the proposed annexing village or city a notice that  
21 in its opinion the annexation is against the public interest and that advises the clerks  
22 of the reasons the annexation is against the public interest as defined in par. (c). The  
23 annexing municipality shall review the advice before final action is taken.

24 (END)

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1839/lins  
JTK.....

INSERT 2-7:

SECTION 1. 20.505 (1) (iu) of the statutes is amended to read:

20.505 (1) (iu) <sup>A</sup> *Plat* ~~and proposed incorporation and annexation review~~. All moneys received from service fees for plat review, and from fees imposed under s. 16.53 (14) for reviews of proposed municipal incorporations and annexations, to be used for the purposes of providing plat review services under s. 70.27 and ch. 236 and conducting reviews of proposed municipal incorporations and annexations.

✓  
\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1839/1  
JTK:kmg&cmh:km

DOA:.....Grinde – Municipal boundary review funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1     **AN ACT ...; relating to:** funding of the municipal incorporation and boundary  
2         review functions of the department of administration and making an  
3         appropriation.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Currently, DOA is required to review proposed municipal incorporations and certain municipal annexations in counties having a population of 50,000 or more, and to make findings with respect to certain matters specified by law. Currently, the cost of conducting this review is financed with general purpose revenue.

This bill permits DOA to prescribe and collect a fee for conducting this review. The fee must be paid by the person or persons filing a petition for incorporation or by the person or persons filing a notice of proposed annexation.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 16.53 (14) of the statutes is created to read:

2           **16.53 (14) REVIEW OF PROPOSED INCORPORATIONS AND ANNEXATIONS.** The  
3 department may prescribe and collect a fee for review of any petition for  
4 incorporation of a municipality under s. 66.0203 or any petition for annexation of  
5 municipal territory under s. 66.0217. The fee shall be paid by the person or persons  
6 filing the petition for incorporation or by the person or persons filing the notice of the  
7 proposed annexation.

8           **SECTION 2.** 20.505 (1) (iu) of the statutes is amended to read:

9           20.505 (1) (iu) *Plat and proposed incorporation and annexation review.* All  
10 moneys received from service fees for plat review, and from fees imposed under s.  
11 16.53 (14) for reviews of proposed municipal incorporations and annexations, to be  
12 used for the purposes of providing plat review services under s. 70.27 and ch. 236 and  
13 conducting reviews of proposed municipal incorporations and annexations.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

14           **SECTION 3.** 66.0203 (8) (b) of the statutes is amended to read:

15           66.0203 (8) (b) On the basis of the hearing the circuit court shall find if the  
16 standards under s. 66.0205 are met. If the court finds that the standards are not met,  
17 the court shall dismiss the petition. If the court finds that the standards are met the  
18 court shall refer the petition to the department and. Upon payment of any fee  
19 imposed under s. 16.53 (14), the department shall determine whether the standards  
20 under s. 66.0207 are met.

21           **SECTION 4.** 66.0203 (9) (a) of the statutes is amended to read:

1           66.0203 (9) (a) Upon receipt of the petition from the circuit court and payment  
2           of any fee imposed under s. 16.53 (14), the department shall make any necessary  
3           investigation to apply the standards under s. 66.0207.

4           **SECTION 5.** 66.0203 (9) (b) of the statutes is amended to read:

5           66.0203 (9) (b) Within 20 days after the receipt by the department of the  
6           petition from the circuit court and payment of any fee imposed under s. 16.53 (14),  
7           whichever is later, any party in interest may request a hearing. Upon receipt of the  
8           request, the department shall schedule a hearing at a place in or convenient to the  
9           territory sought to be incorporated.

10          **SECTION 6.** 66.0203 (9) (d) of the statutes is amended to read:

11          66.0203 (9) (d) Unless the court sets a different time limit, the department shall  
12          prepare its findings and determination, citing the supporting evidence, within 90  
13          days after receipt of the referral from the court and payment of any fee imposed under  
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22          person publishing a notice of annexation under sub. (4) mails a copy of the notice to  
23          the clerk of each municipality affected and the department, together with any fee  
24          imposed under s. 16.53 (14), within 5 days of the publication. The department may  
25          within 20 days after receipt of the notice mail to the clerk of the town within which

1 the territory lies and to the clerk of the proposed annexing village or city a notice that  
2 in its opinion the annexation is against the public interest and that advises the clerks  
3 of the reasons the annexation is against the public interest as defined in par. (c). The  
4 annexing municipality shall review the advice before final action is taken.

5 (END)