

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus 6-2257

By/Representing: keckhaver

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Addl. Drafters:

Subject: Counties - miscellaneous
State Government - miscellaneous

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN1100,

Topic:

Delete JFC motion # 1217, requiring DOA review of annexations in populous counties

Instructions:

See Attached. Delete JCF freestanding motion 1217, based on AB 364.

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 06/16/2001	gilfokm 06/17/2001	haugeca 06/17/2001	_____	lrb docadmin 06/17/2001		

FE Sent For:

<END>

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/1	shoveme	1-6/Kmg /17-01	6H 6-17	6H 6-17			

11 MES 6/15/01

FE Sent For:

<END>

IN

Delete Freestanding Motion 1217, which would move to incorporate into the budget the provisions of 2001 Assembly Bill 364, relating to requiring DOA to review annexations in counties with a population of at least 50,000 and to provide an opinion on whether the annexation is for or against the public interest (\$23,800 PR in 2001-2002 and \$23,000 PR in 2002-2003, 0.5 PR position under DOA).

CM1100

ADMINISTRATION -- LAND INFORMATION

Required DOA Review of Annexations in Populous Counties

Motion:

Move to incorporate into the budget the provisions of 2001 Assembly Bill 364, relating to requiring DOA to review annexations in counties with a population of at least 50,000 and to provide an opinion on whether the annexation is for or against the public interest.

Provide \$23,800 PR in 2001-02 and \$23,000 PR in 2002-03 and authorize 0.5 PR position under DOA for reviewing and preparing written explanations of the agency's opinion on such proposed annexations.

Note:

Under current law, no annexation within a county with a population of 50,000 or more is valid unless the person publishing a notice of the annexation sends a copy of the notice to the clerk of each affected municipality and to DOA within five days of publication. DOA has 20 days from receipt of the notice during which it may issue an opinion to all affected municipalities stating that the annexation is against the public interest, and the rationale for the recommendation. The annexing municipality is required to take this advice into consideration before final action is taken.

This motion would newly require the Department to issue an opinion in each instance where the annexation would occur in a county with a population of 50,000 or more and to send a notice within 20 days to the affected municipalities stating whether in its opinion the annexation is in the public interest or is against the public interest. The notice would have to include an explanation of the reasons for DOA's opinion. As under current law, the annexing municipality would be required review DOA's opinion before taking final action.

The motion would provide DOA's annexation and boundary review function (being converted from GPR to PR funding under the bill) with an additional 0.5 FTE position and associated funding. The position would be funded from assessments of municipalities for the costs of the reviews.

[Change to Bill: \$46,800 PR and 0.5 PR position]

SENATE BILL 55

SECTION 2016

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 2017.** 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 2018.** 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
14 s. 16.53 (14), whichever is later. The findings and determination shall be forwarded
15 by the department to the circuit court. Copies of the findings and determination shall
16 be sent by certified or registered mail to the designated representative of the
17 petitioners, and to all town and municipal clerks entitled to receive mailed notice of
18 the petition under sub. (4).

19 **SECTION 2019.** 66.0217 (6) (a) of the statutes is amended to read:

20 66.0217 (6) (a) *Annexations within populous counties.* No annexation
21 proceeding within a county having a population of 50,000 or more is valid unless the
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

SENATE BILL 55

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 **SECTION 2020.** 66.0309 (8m) of the statutes is created to read:

6 **66.0309 (8m) AUTHORITY TO ACQUIRE REAL PROPERTY.** A regional planning
7 commission may acquire and hold real property for public use and may convey and
8 dispose of the property.

9 **SECTION 2021.** 66.0627 (title) of the statutes is amended to read:

10 **66.0627 (title) Special charges for current services.**

11 **SECTION 2022.** 66.0627 (2) of the statutes is amended to read:

12 **66.0627 (2)** Except as provided in sub. (5), the governing body of a city, village
13 or town may impose a special charge against real property for ~~current services~~ that
14 are available, regardless of whether the services are actually rendered, by allocating
15 all or part of the cost of the service to the property that is served or that is eligible
16 to be served. The authority under this section is in addition to any other method
17 provided by law.

18 **SECTION 2023.** 66.0707 (2) of the statutes is amended to read:

19 **66.0707 (2)** A city, village or town may impose a special charge under s. 66.0627
20 against real property in an adjacent city, village or town that is served by ~~current~~
21 ~~services~~ that are available, regardless of whether the services are actually rendered
22 by the municipality imposing the special charge if the municipality in which the
23 property is located approves the imposition by resolution. The owner of the property
24 is entitled to the use and enjoyment of the service for which the special charge is



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb0808/1

MES.....

kmj

✓
SDC:.....keckhaver – CN1100, Delete JFC motion # 1217, requiring DOA
review of annexations in populous counties

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ~~LPB~~ AMENDMENT

Senate

to J. Sub. Amndt.

TO 2001 SENATE BILL 55 AND ~~2001 ASSEMBLY BILL 144~~

Sub Amndt.

1

At the locations indicated, amend the bill as follows:

2

~~(END)~~



LFB:.....Renner - Requiring department of administration review of certain annexations of town territory

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

against

#. Page 678, line 20: delete "is" and substitute "against".
#. Page 678, line 17: delete "shall".

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page ⁶⁷⁸ 208, line ¹⁶ 24: delete ^{"may"} "may" and substitute ^{"shall"} "shall".
- 3 2. Page ⁶⁷⁸ 209, line ¹⁹ 1: after "that" insert ^{delete} "states whether".
- 4 3. Page ⁶⁷⁸ 209, line ¹⁹ 2: after "annexation is" insert ^{delete} "in the public interest or ~~is~~".
- 5 4. Page ⁶⁷⁸ 209, line ²¹ 3: after "annexation is" insert ^{delete} "in or".
- 6 5. Page ¹³⁹³ 209, line ²⁴ 20: after that line insert ^{delete lines 24 and 25} "delete lines 24 and 25".

"(2mk) REVIEW OF ANNEXATIONS WITHIN POPULOUS COUNTIES. The treatment of section 66.0217 (6) (a) of the statutes, with regard to the department of

#. Page 1394, line 1: delete lines 1 and 2.



1 ~~administration's review of annexations, first applies to annexation proceedings that~~
2 ~~are commenced on the effective date of this subsection."~~

3

(END)

SDC:.....Keckhaver – CN1100, Delete JFC motion # 1217, requiring DOA
review of annexations in populous counties

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 678, line 16: delete “~~may~~” and substitute “may”.

3 **2.** Page 678, line 17: delete “shall”.

4 **3.** Page 678, line 19: delete “states whether”.

5 **4.** Page 678, line 19: delete “in the public interest or”.

6 **5.** Page 678, line 20: delete “is against” and substitute “against”.

7 **6.** Page 678, line 21: delete “in or”.

8 **7.** Page 1393, line 24: delete lines 24 and 25.

