

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: **Munis - miscellaneous**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN9509,

Topic:

Repeal authorization for certain towns to petition to become 4th class cities

Instructions:

See Attached. Repeal authorization for town of Madison to become a 4th class city; repeal b0639/1

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>
/1	shoveme 06/16/2001	jdyer 06/16/2001	haugeca 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Sent For:

<END>

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11MES 6/15/01

FE Sent For:

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DEPARTMENT OF ADMINISTRATION

Eliminate JFC motion #1541 (Welch)

CN9509

MES

See b0639/1

ADMINISTRATION

Petition for Incorporation as a Fourth Class City

Motion:

Move to authorize residents of towns with a population of at least 6,000 to petition for incorporation as a 4th class city, if all of the following conditions are met: (1) the population of the county in which the town is located exceeds 400,000; (2) the town has an equalized valuation in excess of \$100,000,000; (3) the incorporation petition is signed by 100 or more persons, each an elector and taxpayer of the town, and contains the signatures of at least 50% of the owners of real estate in the town; and (4) the petition is filed with the town clerk and requests submission of the question to the electors of the town.

Note:

Under current law a town with a resident population of at least 5,000 may petition to become a 4th class city only if the town is adjacent to a 1st class city (Milwaukee). The petition must be signed by at least 100 people who are taxpayers and electors of the town. The total signatures must include at least 50% of the owners of real estate in the town requesting submission of the question to the electors of the town.

Under current law, once the petition is filed, a circuit court must determine (among other things) if the proposed municipal boundary is within 10 miles of a 1st, 2nd or 3rd class city, whether the proposed new city is at least 6 square miles in size. Following the court's review, the petition is referred to the Department of Administration, which may approve the proposed incorporation only if it meets the following criteria: (1) the characteristics of the territory are relatively homogenous and compact; and (2) outlying areas of the incorporated area must meet minimum housing unit density of 30 units per quarter section.

In addition, the Department must determine that the incorporation is in the public's interest

after reviewing: (1) whether the present and potential sources of tax revenue are sufficient to defray anticipated governmental costs; (2) the level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality; (3) the impact, financial and otherwise, upon the remainder of the town from which the territory is to be incorporated; (4) the effect upon the future governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. DOA is required to make an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

DOA must schedule a hearing, if requested by any interested party, on the issue of incorporation. The Department must prepare its findings and determination within 90 days of the court's referral of the petition and must either grant or dismiss the petition. This finding must then be forwarded to the court, which shall dismiss or accept the petition based on the DOA's findings.

This motion would allow residents of the Town of Madison to petition to become a 4th class city.

LFB:.....Renner – Authorize certain towns to petition for incorporation as a 4th class city

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

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

2 **1.** Page 908, line 18: after that line insert:

3 “**SECTION 2018p.** 66.0215 (title) of the statutes is amended to read:

4 **66.0215 (title) Incorporation of certain towns adjacent to 1st class**
5 **cities or located in counties with a population greater than 400,000.**

6 **SECTION 2018q.** 66.0215 (1) of the statutes is renumbered 66.0215 (1) (a).

7 **SECTION 2018r.** 66.0215 (1) (b) of the statutes is created to read:

8 66.0215 (1) (b) If all of the following conditions are met, the procedure for
9 becoming a 4th class city is initiated:



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb0975/1

MES.....

LPS - Update request sheet

JLd

↓
SDC:.....keckhaver - CN9509, Repeal authorization for certain towns to petition to become 4th class cities ✓

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ~~ARB~~ ^{SENATE} AMENDMENT

TO SSA 1

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

①

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

substitute amendment

2
3
4
5

1. Page ⁶⁷⁷ ~~8~~, line ¹⁹ ~~4~~: delete the material beginning with ~~that~~ and ending with ~~that~~

⁶⁷⁸ page ~~7~~, line ¹⁰ ~~4~~

2. Page ~~?~~, line ~~?~~: delete lines ~~??~~ to ~~??~~

(END)

