

👉 **07hr_ab0254_SC-LEUA_pt02**



Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Labor, Elections and Urban
Affairs (SC-LEUA)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Plotkin, Adam

From: Curt Witynski [witynski@lwm-info.org]
Sent: Monday, May 14, 2007 3:43 PM
To: Plotkin, Adam
Attachments: AB 254.doc; AB 255.doc

SB 134
?

Hi Adam: I've attached the memos on the bills we discussed that I distributed to the Assembly Committee on Urban and Local Affairs a few weeks ago. Let me know if you have any questions or need additional information.

See you tomorrow.

Curt Witynski
Assistant Director
League of Wisconsin Municipalities
122 West Washington Ave.
Madison, WI 53703

(608) 267-2380

To: Assembly Committee on Urban and Local Affairs

From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities

Date: April 18, 2007

Re: **Support for AB 254, Municipal Boundary Agreements**

SB 134

The League of Wisconsin Municipalities supports AB 254, which is compromise legislation making it easier for municipalities and towns to enter into boundary agreements. The bill addresses: (1) the determination of common municipal boundaries by agreement; and (2) the use of alternative dispute resolution (ADR) in annexation and other boundary disputes.

We appreciate Rep. Gottlieb's efforts last session at forging a compromise proposal that creates a process by which towns can petition a municipality to participate in mediation about boundary issues. Among other things, the bill:

- ❑ Simplifies the current cooperative boundary plan requirements of s. 66.0307, Stats., by substituting a general requirement for consistency with a comprehensive plan for the current detailed planning requirements. *(This is a League initiated change.)*
- ❑ Reduces from 120 to 60 the minimum number of days that must pass, following the last authorizing resolution by a participating municipality, before the public hearing on the proposed cooperative plan may be held. *(This is a League initiated change.)*
- ❑ Establishes a specific procedure for common municipal boundaries to be determined by agreement under s. 66.0301, Stats. In addition to determining common boundaries, an agreement under the procedure may include any other provisions municipalities are authorized to agree to under s. 66.0301 and under s. 66.0305, Stats., such as agreements to share revenues. Once an agreement expires, all provisions of the agreement expire with the exception of boundary determinations, which remain until subsequently changed. The maximum term of an agreement is 10 years. *(This is a League initiated change.)*

This is the type of compromise legislation that the legislature should advance rather than controversial and one-sided bills like the charter towns bill. We urge you to recommend passage of AB 254. Thanks for considering our comments.

To: Assembly Committee on Urban and Local Affairs

From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities

Date: April 18, 2007

Re: **Opposition to AB 255, DOA Review of Proposed Annexations** — SB 135

The League of Wisconsin Municipalities opposes AB 255, extending the department of administration's advisory review of annexations statewide and creating a new factor for the department to consider in its review of large annexations. Under current law, DOA reviews annexations in the 27 counties with populations over 50,000. This bill makes all annexations statewide subject to DOA advisory review. It also requires DOA to consider, as part of its public interest review of annexations over 20 acres in size, the annexing city's or village's estimate of the annexation's ultimate impact on the tax base of, and on real property taxes levied in, the annexing city or village and in the territory proposed to be annexed. The bill requires the annexing municipality to furnish the tax impact estimate to the department within 5 days after receiving the department's request and to publish a notice summarizing the estimate before enacting the annexation ordinance.

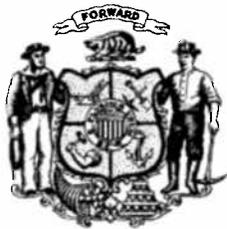
The League has consistently opposed extending DOA's role in the annexation process. We believe that annexation decisions, like other land use decisions, are best made at the local level without state interference. In our view, municipal governing bodies and their staff are best able to determine whether a particular annexation is in the public interest.

Requiring DOA review of all annexations statewide would create another potential hurdle in the annexation process. The bill increases municipal costs and staff workload and adds delays to the annexation process, especially in nonpopulous counties. Also, to be frank, we fear that the next change sought by the towns will be to prohibit annexations from proceeding if DOA finds them to be against the public interest.

We urge you to vote against recommending passage of AB 255. Thanks for considering our comments.



WISCONSIN STATE LEGISLATURE





122 W. Washington Avenue
Suite 300
Madison, Wisconsin 53703-2715

608/267-2380
800/991-5502
Fax: 608/267-0645

E-mail: league@lwm-info.org
www.lwm-info.org

To: Senate Committee on Labor, Elections and Urban Affairs
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities
Date: May 15, 2007
Re: Support for SB 134, Municipal Boundary Agreements

The League of Wisconsin Municipalities supports SB 134, which is compromise legislation making it easier for municipalities and towns to enter into boundary agreements. The bill addresses: (1) the determination of common municipal boundaries by agreement; and (2) the use of alternative dispute resolution (ADR) in annexation and other boundary disputes.

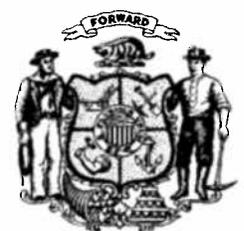
We appreciate Rep. Gottlieb's efforts last session at forging a compromise proposal that creates a process by which towns can petition a municipality to participate in mediation about boundary issues. Among other things, the bill:

- Simplifies the current cooperative boundary plan requirements of s. 66.0307, Stats., by substituting a general requirement for consistency with a comprehensive plan for the current detailed planning requirements. *(This is a League initiated change.)*
- Reduces from 120 to 60 the minimum number of days that must pass, following the last authorizing resolution by a participating municipality, before the public hearing on the proposed cooperative plan may be held. *(This is a League initiated change.)*
- Establishes a specific procedure for common municipal boundaries to be determined by agreement under s. 66.0301, Stats. In addition to determining common boundaries, an agreement under the procedure may include any other provisions municipalities are authorized to agree to under s. 66.0301 and under s. 66.0305, Stats., such as agreements to share revenues. Once an agreement expires, all provisions of the agreement expire with the exception of boundary determinations, which remain until subsequently changed. The maximum term of an agreement is 10 years. *(This is a League initiated change.)*

This is the type of compromise legislation that the legislature should advance rather than controversial and one-sided bills like the charter towns bill. We urge you to recommend passage of SB 134. Thanks for considering our comments.



WISCONSIN STATE LEGISLATURE





MARK GOTTLIEB

Speaker Pro Tempore
Wisconsin State Assembly

**Testimony by Rep. Mark Gottlieb
Senate Bills 134 and 135
Senate Committee on Labor, Elections & Urban Affairs
May 15, 2007**



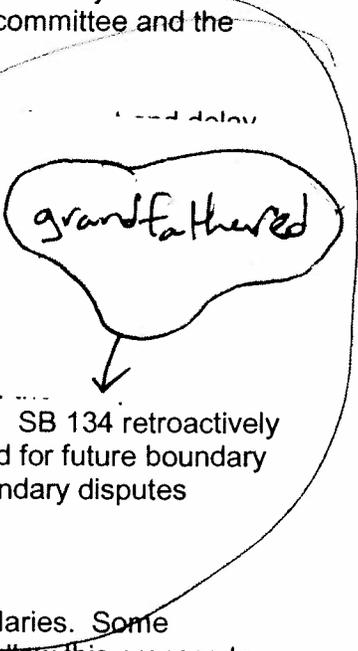
Senate Bills 134 and 135 were developed by the Legislative Council Special Study Committee on Municipal Annexation in 2004. I would like to describe the work of the committee and the resulting bills.

The principal goal of the committee was to reduce annexation disputes and the delay that they can cause. The committee attempted to achieve this goal by encouraging the development of voluntary cooperative agreements between cities, villages

Our review of current law found three specific statutes that are used for st

66.0301 – Intergovernmental Cooperation

Although this statute authorizes intergovernmental agreements, it gives authority to alter or protect boundaries. However, because of other boundary adjustment laws, it has been used for that purpose. SB 134 retroactively authorizes that practice, and specifies how the section may be used for future boundary agreements (and in doing so, provides another tool to address boundary disputes cooperatively).



66.0225 – Boundaries Fixed by Court Judgment

This statute allows communities in a lawsuit to stipulate their boundaries. Some evidence suggests that lawsuits have been commenced simply to allow this process to be used. To minimize this, SB 134 limits the application and scope of the section while specifying that boundaries in contested boundary actions, other than annexation, may be stipulated only pursuant to formal boundary agreement procedures.

66.0307 – Cooperative Boundary Agreements

This is the primary boundary agreement law. It has been criticized for being overly complex, costly, and time consuming. SB 134 considerably simplifies this process and reduces the time frame for approving the cooperative plan. The committee believes these changes will result in greater use of this process. SB 134 also provides a procedure for a municipality to petition for development of a cooperative plan through a mediated process if an adjacent municipality declines to participate in negotiations when first asked to do so.

The bill also requires DOA to make available on its public website a list of persons who have identified themselves as professionals qualified to facilitate alternative dispute resolution of annexation, boundary, and land use disputes.

STATE REPRESENTATIVE • 60TH DISTRICT



MARK GOTTLIEB

Speaker Pro Tempore
Wisconsin State Assembly

**Testimony by Rep. Mark Gottlieb
Senate Bills 134 and 135
Senate Committee on Labor, Elections & Urban Affairs
May 15, 2007**

Senate Bills 134 and 135 were developed by the Legislative Council Special Study Committee on Municipal Annexation in 2004. I would like to describe the work of the committee and the resulting bills.

The principal goal of the committee was to reduce annexation disputes and the cost and delay that they can cause. The committee attempted to achieve this goal by encouraging the development of voluntary cooperative agreements between cities, villages, and towns.

Our review of current law found three specific statutes that are used for such agreements.

66.0301 – Intergovernmental Cooperation

Although this statute authorizes intergovernmental agreements, there is doubt that it gives authority to alter or protect boundaries. However, because of the complexity of the other boundary adjustment laws, it has been used for that purpose. SB 134 retroactively authorizes that practice, and specifies how the section may be used for future boundary agreements (and in doing so, provides another tool to address boundary disputes cooperatively).

66.0225 – Boundaries Fixed by Court Judgment

This statute allows communities in a lawsuit to stipulate their boundaries. Some evidence suggests that lawsuits have been commenced simply to allow this process to be used. To minimize this, SB 134 limits the application and scope of the section while specifying that boundaries in contested boundary actions, other than annexation, may be stipulated only pursuant to formal boundary agreement procedures.

66.0307 – Cooperative Boundary Agreements

This is the primary boundary agreement law. It has been criticized for being overly complex, costly, and time consuming. SB 134 considerably simplifies this process and reduces the time frame for approving the cooperative plan. The committee believes these changes will result in greater use of this process. SB 134 also provides a procedure for a municipality to petition for development of a cooperative plan through a mediated process if an adjacent municipality declines to participate in negotiations when first asked to do so.

The bill also requires DOA to make available on its public website a list of persons who have identified themselves as professionals qualified to facilitate alternative dispute resolution of annexation, boundary, and land use disputes.

STATE REPRESENTATIVE • 60TH DISTRICT

The second bill SB 135, extends the DOA advisory review of annexations initiated by electors and property owners to include those annexations commenced in any county, not only those commenced in counties with a population of 50,000 or more. Additionally, for annexations over 20 acres, it requires DOA, in making its advisory public interest determination, to consider the impact of the annexation on the tax base and property taxes of the annexing city or village.

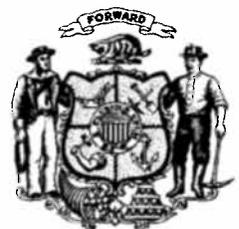
While some may have hoped for more substantive changes to annexation law, the committee believes that the recommendations included in this bill can significantly reduce the number and cost of annexation disputes.

Last session Senate Bill 134, then SB 460, unanimously passed the Senate Veterans, Homeland Security, Military Affairs, Small Business and Government Reform committee but did not make it to the floor in time for a vote. SB 135 (SB 461 last session) passed the Senate 33-0 and was referred to the Assembly Committee on Urban and Local Affairs.

Legislative Council staff is here to assist in answering any questions you may have. I hope you will give favorable consideration to these bills.



WISCONSIN STATE LEGISLATURE



Plotkin, Adam

From: Rep.Albers
Sent: Friday, November 23, 2007 12:52 PM
To: Sen.Coggs; Sen.Wirch; Sen.Lehman; Sen.Grothman; Sen.Lasee
Cc: Plotkin, Adam

Attachments: copy of comp planning definitions in statute.pdf; memo for Towns convention-10-22-07.pdf; Draft Boundary Agreement Map 10.9.07.pdf

Members;

Please review the attached documents and keep their content in mind as you hear testimony on AB 254. The attachments present another side of the circumstances town and county officials face in their comprehensive planning efforts.

Thank you for your consideration.

Sincerely,

Sheryl K. Albers
State Representative



copy of comp
planning definiti...



memo for Towns
convention-10-2...



Draft Boundary
Agreement Map 1...

66.1001 Comprehensive planning.

(1) DEFINITIONS. In this section:

(a) "Comprehensive plan" means:

1. For a county, a development plan that is prepared or amended under s. 59.69 (2) or (3).

2. For a city or a village, or for a town that exercises village powers under s. 66.0309, a master plan that is adopted or amended under s. 62.23 (2) or (3).

3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0309 (8), (9) or (10).

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) "Political subdivision" means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

(3) THE COUNTY DEVELOPMENT PLAN. (a) The county zoning agency may direct the preparation of a county development plan or parts of the plan for the physical development of the unincorporated territory within the county and areas within incorporated jurisdictions whose governing bodies by resolution agree to having their areas included in the county's development plan. The plan may be adopted in whole or in part and may be amended by the board and endorsed by the governing bodies of incorporated jurisdictions included in the plan. The county development plan, in whole or in part, in its original form or as amended, is hereafter referred to as the development plan. Beginning on January 1, 2010, if the county engages in any program or action described in s. 66.1001 (3), the development plan shall contain at least all of the elements specified in s. 66.1001 (2).

(b) The development plan shall include the master plan, if any, of any city or village, that was adopted under s. 62.23 (2) or (3) and the official map, if any, of such city or village, that was adopted under s. 62.23 (6) in the county, without change.

(c) The development plan may be in the form of descriptive material, reports, charts, diagrams or maps. Each element of the development plan shall describe its relationship to other elements of the plan and to statements of goals, objectives, principles, policies or standards.

(d) The county zoning agency shall hold a public hearing on the development plan before approving it. After approval of the plan the county zoning agency shall submit the plan to the board for its approval and adoption. The plan shall be adopted by resolution and when adopted it shall be certified as provided in sub. (2).

(e) The development plan shall serve as a guide for public and private actions and decisions to assure the development of public and private property in appropriate relationships.

(f) A master plan adopted under s. 62.23 (2) and (3) and an official map that is established under s. 62.23 (6) shall control in unincorporated territory in a county affected thereby, whether or not such action occurs before the adoption of a development plan.

66.1001 Comprehensive planning.

(1) DEFINITIONS. In this section:

(a) "Comprehensive plan" means:

1. For a county, a development plan that is prepared or amended under s. 59.69(2) or (3).

2. For a city or a village, or for a town that exercises village powers under s. 66.0309, a master plan that is adopted or amended under s. 62.23(2) or (3).

3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0309(8), (9) or (10).

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) "Political subdivision" means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

(3) THE COUNTY DEVELOPMENT PLAN. (a) The county zoning agency may direct the preparation of a county development plan or parts of the plan for the physical development of the unincorporated territory within the county and areas within incorporated jurisdictions whose governing bodies by resolution agree to having their areas included in the county's development plan. The plan may be adopted in whole or in part and may be amended by the board and endorsed by the governing bodies of incorporated jurisdictions included in the plan. The county development plan, in whole or in part, in its original form or as amended, is hereafter referred to as the development plan. Beginning on January 1, 2010, if the county engages in any program or action described in s. 66.1001(3), the development plan shall contain at least all of the elements specified in s. 66.1001(2).

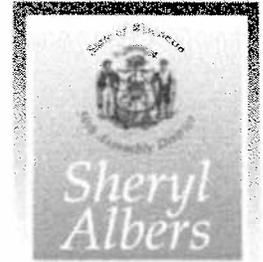
(b) The development plan shall include the master plan, if any, of any city or village, that was adopted under s. 62.23(2) or (3) and the official map, if any, of such city or village, that was adopted under s. 62.23(6) in the county, without change.

(c) The development plan may be in the form of descriptive material, reports, charts, diagrams or maps. Each element of the development plan shall describe its relationship to other elements of the plan and to statements of goals, objectives, principles, policies or standards.

(d) The county zoning agency shall hold a public hearing on the development plan before approving it. After approval of the plan the county zoning agency shall submit the plan to the board for its approval and adoption. The plan shall be adopted by resolution and when adopted it shall be certified as provided in sub. (2)

(f) The development plan shall serve as a guide for public and private actions and decisions to assure the development of public and private property in appropriate relationships.

(e) A master plan adopted under s. 62.23(2) and (3) and an official map that is established under s. 62.23(6) shall control in unincorporated territory in a county affected thereby, whether or not such action occurs before the adoption of a development plan.



DATE: October 21, 2007
TO: Interested Parties
FROM: State Representative Sheryl Albers
RE: Inconsistencies in town and county zoning laws

Among the many budget issues debated is whether levy limits should be imposed, and if so, what limit. Levy limits impact growth and opportunities that units of government might otherwise consider. Under a 2% levy limit, each unit of government will face increased reliance on growth in its equalized value -- just to cover basic needs-type expenditures.

Town growth is frequently stymied when conflicts arise between a town's master/comprehensive plan and their county's plan, or between a town's plan and the plan of an abutting city or village. Cities and villages which devise 30-40 years plans for their extraterritorial area (the 1.5 mile and 3 mile provision) more often than not results in denials of requests to develop in a township; however, denial is usually by the city/village/or county planning body (usually board of adjustment) even though the town supported and approved the proposed development, and even though the proposed development was consistent with the town's plan. Perhaps you wonder, as I do, why this is happening!

To make my point, attached for your review is a map recently presented by the village of Cottage Grove to the Town of Cottage Grove. As you can see from this map, the town is afforded no areas for future commercial development. All commercial areas are either subject to City of Madison or Village of Cottage Grove extraterritorial jurisdiction (3 miles and 1.5 mile jurisdictions respectively). Less than 200 acres is designated for future residential construction. Village planners contend that all commercial growth must be linked up to their city/village sewer and water, and if that isn't the case, it should be denied. If cities and villages are allowed to usurp town authority through extraterritorial jurisdiction, and annexation, soon town's will have no control over their own destiny and plans will likewise be rendered useless.

Unfortunately, current state statutes create an unlevel playing field for towns, because confusing and unclear language, has legal experts differing on the issue of which unit of government has ultimate decision making authority.

If one looks to what occurred in the town of Burke in Dane County, where town officials felt they had little negotiating power under current law (i.e. extraterritorial jurisdiction of City of Madison and City of Sun Prairie) a large section of town property is now subject to dual control of the cities as to all future decisions regarding development within the township.

I believe that for negotiations to be fair when developing joint planning agreements of multiple units of government, there must be a level playing field going into such negotiations. That is not now the case.

In the Town of Pleasant Springs in Dane County, a landowner's parcel was given two (2) classifications under the town's initially adopted plan (I.C-1 to accommodate a tree trimming business and RH-3 because the owner resides on the same property), however, today that same landowner faces a charge of non-compliance from the county because the county plan allows only one (1) classification per parcel. The town told the property owner that even if the town were to modify the town's master plan -- which is considered only once a year at year-end, the county may veto the town's proposed plan modification. The property owner though unable to obtain assurance from either unit of government as to compliance, retained services of a surveyor and had plans devised creating two separate distinct parcels of what is now one parcel with two classifications.

In Sauk County a property owner applied for and received permits from the county to build a shed for his pinball machine business and for a third driveway access onto a County highway. The property already had two driveways -- which serve the residence and apply orchard also situated on the same property. Similar to the Pleasant Springs situation, the Sauk County property owner, the property served multiple uses, though here there were two distinct businesses, the pinball business will allegedly subsidize the orchard operation. The Town's attorney issued a letter of non-compliance to the property owner, demanding the third driveway be removed. Please review the attached Legislative Council Memo, which notes the county has authority to control access to a county highway. However, the town in issuing its order looks to its own plan which limits access to one driveway per parcel. Here, it is not clear whether a town has authority to limit access to a county highway.

I have enclosed a third attachment that highlights the section of the statutes dealing with comprehensive planning, specifically Chapter 59.69(3) Wis. Stats. This statute provides that a county board may develop a development plan which would plan for the "physical development of the unincorporated territory within the county and areas within incorporated jurisdictions whose governing bodies by resolution agree to have their areas included in the county's development plan." Such county development plans were intended to meet the general and universal objectives also established for cities, villages and towns which have adopted village powers. When a city or village does not voluntarily permit its jurisdiction to fall to county planning and, instead, adopts its own master plan under Chapter 62.23, then the county plan "shall incorporate their master plan." Chapter 59.69(3) (b) Wis. Stats:

*"The [county] **development plan** shall include the **master plan**, if any, of any city or village, that was adopted under section 62.23(2) or (3) and the official map, if any, of such city or village, that was adopted under section 62.23(6) in the county, without change."*

Attorneys recognized as land use experts disagree as to whether this mandatory inclusion applies to plans adopted by towns exercising village powers. I believe the language in 59.69(3)(e) is controlling:

"A master plan adopted under 62.23(2) and (3) and an official map that is established under 62.23(6) shall control in unincorporated territory in a county affected thereby, whether or not such action occurs before the adoption of a development plan."

Nonetheless, many towns are misinformed by the county zoning offices, county corporate counsels, and by town counsel that their town "master or comprehensive plan is not controlling. Many towns which adopted village powers likewise maintain the false belief that their county (board of adjustment) has the final say on master plan modifications, variances, rezoning classifications, and parcels divisions of property classified as multiple-use.

It is my contention that confusing terminology is contained in the statutes, which fails to make the essential distinction between "master" plan and "development" plan. If the distinction were clear, county authority for planning would be limited to shoreland/wetland zoning and devising a "development" plan for only those areas not encompassed by a "master" plan of each town each city, each village, or which is encompassed by a joint planning agreement. Were this concept embraced by all, no county committee would have authority to revise, reject, or override a decision made by a town planning body – if the town has adopted village powers. If a town desires to change their master plan, such changes should be accepted by the county, and not subject to veto or other imposed condition by a county committee.

If you have similar experiences in your area please reduce the circumstances to writing and send to my office. It is my goal to draft clarifying legislation that will make sense of the law to all legal counsel so that all giving legal advise will sing the same song, be on the same page and ultimately give sound advise not subject to further court interpretation.

Your help would be appreciated.

SKA:kms:tsg

Village of Cottage Grove
 Town of Cottage Grove
 City of Madison
 Future Development Areas

- Minor Roads
- Major Roads
- Planned Roads
- Highways
- Glacial Drumlin State Trail
- Long-Term City & Village Municipal Boundary Limits
- Cottage Grove Extra Territorial Jurisdiction
- Madison Extra Territorial Jurisdiction
- Vilas Hope Road Preliminary Lift Station Service Area as of April 11, 2007
- Current Municipal Boundaries
- Water
- Environmental Corridors
- Contours (10-foot intervals)
- Current Development
- Consensus Development Areas I - XI
- Possible Future Development Areas or Preservation Areas 1-6
- Town Subdivision Development Areas
- Preservation Area (Sending Areas)

CONCEPTUAL
 DRAFT

- Northwest
- Northeast
- Southwest
- Southeast
- Environmental Corridor

Type	Inside EC	Outside EC	Total
Current Development	271	2,799	3,070
Consensus Area I	6	913	919
Consensus Area II	315	1,222	1,537
Consensus Area III	3	285	288
Consensus Area IV	0	123	123
Consensus Area V	1	399	400
Consensus Area VI	1	121	122
Consensus Area VII	2	231	233
Consensus Area VIII	9	795	804
Consensus Area IX	3	125	128
Consensus Area X	65	114	179
Consensus Area XI	52	24	76
Preservation Area	1,557	1,224	2,781
Northeast Preservation Area	1,281	1,659	2,940
Southeast Preservation Area	123	429	552
Possible Future 1	0	156	156
Possible Future 2	1	15	16
Possible Future 3	0	79	79
Possible Future 4	1	506	507
Possible Future 5	0	101	101
Possible Future 6	1	36	37
Possible Future 7	1	664	665
Possible Future 8	1	2,049	2,050
Total	4,788	17,156	21,944
Total Developable Area	3,148		
Total Preservation Area	12,495		

Date: October 9, 2007
 Scale: 1" = 1,000' 2000
 Source: Dore CO LLC, MSA
 Feet





WISCONSIN STATE LEGISLATURE



Plotkin, Adam

From: Rep. Albers
Sent: Wednesday, November 28, 2007 9:46 AM
To: Sen. Lasee; Sen. Grothman; Sen. Coggs; Sen. Lehman; Sen. Wirch
Cc: Plotkin, Adam
Subject: Amendment to AB 254

Importance: High

Attachments: 07a09131 Amendment to AB 254.pdf

Committee Members,

The attached amendment to AB 254 is for your consideration during committee today. This amendment was being drafted as AB 254 was up on the floor in the assembly and I was not able to offer it because the vote was taken before drafting was complete.

I am unable to be in attendance at your committee hearing on AB 254 today due to another bill of mine being heard at the same time in the assembly. Senator Schultz is also unavailable today.

This amendment is supported by the Towns Association. Rick Stadelman, if he is in attendance at the hearing, will be able to explain the rationale for making this change.

Thank you for your consideration.

Sincerely,

Sheryl Albers



07a09131
endment to AB 254.

exec began at
10a w/ Lasee
on phone
↓

Plotkin, Adam

From: Rep.Albers
Sent: Wednesday, November 28, 2007 9:46 AM
To: Sen.Lasee; Sen.Grothman; Sen.Coggs; Sen.Lehman; Sen.Wirch
Cc: Plotkin, Adam
Subject: Amendment to AB 254

Importance: High

Attachments: 07a09131 Amendment to AB 254.pdf

Committee Members,

The attached amendment to AB 254 is for your consideration during committee today. This amendment was being drafted as AB 254 was up on the floor in the assembly and I was not able to offer it because the vote was taken before drafting was complete.

I am unable to be in attendance at your committee hearing on AB 254 today due to another bill of mine being heard at the same time in the assembly. Senator Schultz is also unavailable today.

This amendment is supported by the Towns Association. Rick Stadelman, if he is in attendance at the hearing, will be able to explain the rationale for making this change.

Thank you for your consideration.

Sincerely,

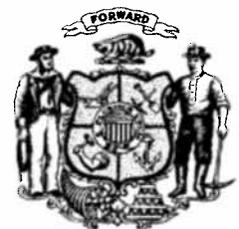
Sheryl Albers

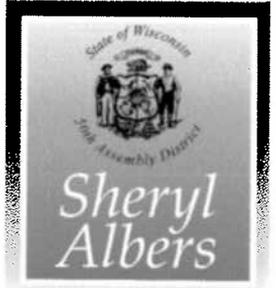


07a09131
endment to AB 254.



WISCONSIN STATE LEGISLATURE





November 28, 2007

Members, Senate Committee on Labor, Elections and Urban Affairs

RE: AB 254

LRBa0913/1

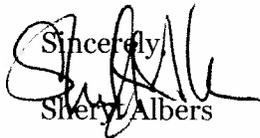
Committee Members,

The attached amendment to AB 254 is for your consideration during committee today. This amendment was being drafted as AB 254 was up on the floor in the assembly and I was not able to offer it because the vote was taken before drafting was complete.

I am unable to be in attendance at your committee hearing on AB 254 today due to another bill of mine being heard at the same time in the assembly. Senator Schultz is also unavailable today.

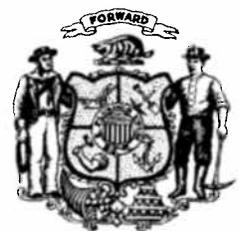
This amendment is supported by the Towns Association. Rick Stadelman, if he is in attendance at the hearing, will be able to explain the rationale for making this change.

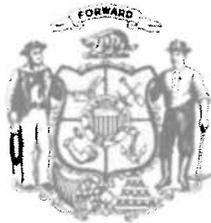
Thank you for your consideration.

Sincerely,

Sheryl Albers



WISCONSIN STATE LEGISLATURE





NOV 30 2007

1st Senate District

State Capitol • PO Box 7882
Madison, Wisconsin 53707-7882

Alan Lasee
State Senator

Telephone: 608 266 3512
Fax: 608 267 6792

Email: Sen.Lasee@legis.wisconsin.gov
Web: www.legis.wi.gov/senate/sen01/news/

November 30, 2007

Senator Spencer Coggs
Room 123 South
State Capitol
Madison, WI 53707-7882

Dear Senator Coggs:

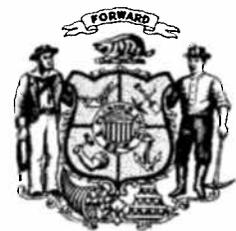
I want to thank you for holding an Executive Session on Assembly Bill 254 in the Senate Committee on Labor, Elections and Urban Affairs. This bill is the product of a great deal of work by the Legislative Council Special Study Committee on Municipal Annexation. Again, my sincerest appreciation for your efforts to move this bill forward.

Sincerely,

ALAN J. LASEE
State Senator
1st Senate District



WISCONSIN STATE LEGISLATURE



Plotkin, Adam

From: Curt Witynski [witynski@lwm-info.org]
Sent: Monday, December 10, 2007 2:45 PM
Subject: Senate Amendment 1 to AB 254

To: Wisconsin State Senate
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities
Date: December 10, 2007
Re: Senate Amendment 1 to AB 254

I distributed a memo earlier today urging the Senate to pass AB 254, which is scheduled for a floor vote tomorrow. The bill makes it easier for communities to enter into boundary agreements. I've subsequently learned that Sen. Schultz has introduced an amendment to AB 254. The League of Wisconsin Municipalities opposes the amendment for the following reasons:

- ◆ AB 254 is the product of a Legislative Council Study Committee. It represents a delicate compromise between municipalities, towns and developer groups. The amendment favors towns at the expense of other stakeholders that helped craft the bill.
- ◆ Neither the Wisconsin Towns Association nor any other groups sought this or any other changes to AB 254 at the committee level or when the Assembly passed the bill by a vote of 96-1. It is too late in the process for making changes of this nature to the bill.

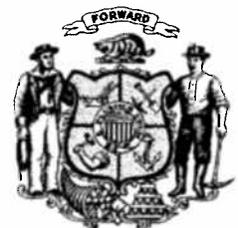
We urge rejection of Senate Amendment 1 to AB 254. Thanks for considering our comments.

Curt Witynski
Assistant Director
League of Wisconsin Municipalities
122 West Washington Ave.
Madison, WI 53703

(608) 267-2380



WISCONSIN STATE LEGISLATURE





122 W. Washington Avenue
Suite 300
Madison, Wisconsin 53703-2715

608/267-2380
800/991-5502
Fax: 608/267-0645

E-mail: league@lwm-info.org
www.lwm-info.org

To: Wisconsin State Senate
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities
Date: December 10, 2007
Re: Support for AB 254, Municipal Boundary Agreements

The League of Wisconsin Municipalities supports AB 254, which is compromise legislation making it easier for municipalities and towns to enter into boundary agreements. The bill is scheduled for a floor vote tomorrow.

The bill addresses: (1) the determination of common municipal boundaries by agreement; and (2) the use of alternative dispute resolution (ADR) in annexation and other boundary disputes.

AB 254 creates a process by which towns can petition a municipality to participate in mediation about boundary issues.

In addition, the bill:

- ❑ Simplifies the current cooperative boundary plan requirements of s. 66.0307, Stats., by substituting a general requirement for consistency with a comprehensive plan for the current detailed planning requirements.
- ❑ Reduces from 120 to 60 the minimum number of days that must pass, following the last authorizing resolution by a participating municipality, before the public hearing on a proposed cooperative plan may be held.
- ❑ Establishes a specific procedure for common municipal boundaries to be determined by agreement under s. 66.0301, Stats. In addition to determining common boundaries, an agreement under the procedure may include any other provisions municipalities are authorized to agree to under s. 66.0301 and under s. 66.0305, Stats., such as agreements to share revenues. Once an agreement expires, all provisions of the agreement expire with the exception of boundary determinations, which remain until subsequently changed. The maximum term of an agreement is 10 years.

This is the type of compromise legislation that the Legislature should be advancing. AB 254 passed the Assembly in October by a vote of 95-1. We urge the Senate to do the same. Thanks for considering our comments.