

2011 DRAFTING REQUEST

Bill

Received: 03/29/2011

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Alvin Ott (608) 266-5831

By/Representing: Erin

May Contact:

Drafter: mshovers

Subject: Local Gov't - misc

Addl. Drafters:

Extra Copies: EVM

Submit via email: YES

Requester's email: Rep.Ott@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow towns to challenge in court direct annexation by unanimous approval

Instructions:

See attached. Repeal s. 66.0217 (11) (c)

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>
/?				_____			S&L
/1	mshovers 03/29/2011	edt_sbasford 04/15/2011	rschluet 04/15/2011	_____	mbarman 04/15/2011	sbasford 06/10/2011	

FE Sent For:

*at intro
6/13*

<END>

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1/2	mshovers	11 SBB 4/4	9 4/5/11	_____			
1/1 N/S	3/29/11	1/4 1/11/11		_____			
FE Sent For:							

<END>

Shovers, Marc

From: Ruby, Erin
Sent: Monday, March 28, 2011 10:52 AM
To: Shovers, Marc; Mueller, Eric
Subject: Drafting Request

Good morning!

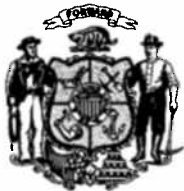
Rep. Ott (AI) would like a bill drafted to delete s. 66.0217 (11)(c) in order to give towns the ability to legally challenge annexations under s. 66.0217 (2) - "Direct Annexation by Unanimous Approval."

Feel free to contact me with any questions.

Thank you!

Sincerely,

Erin Ruby
Research Assistant
Office of State Representative AI Ott
608.266.5831
erin.ruby@legis.wi.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1797?
MES.....

2011 Bill

+ JLD SBB

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

LX

gen

1 AN ACT ...; relating to: authorizing towns to challenge certain city or village
2 annexation procedures. ✓

Analysis by the Legislative Reference Bureau

Currently, town territory that is contiguous to any city or village ✓ may be annexed to that city or village under several methods if, in general, some of the city's or village's territory is in the same county as the territory to be annexed, unless both the town and county boards approve of the proposed annexation, and the city or village agrees to make limited payments to the town based on property taxes that the town levied on the annexed territory. ✓

One of the methods of annexation is direct annexation ✓ by unanimous approval. If a petition for direct annexation by unanimous approval signed by all of the electors residing in the territory and the owners of all of the real property in the territory ✓ is filed with the city or village clerk and the town clerk of all of the involved towns, along with a scale map and legal description of the property to be annexed, the governing body of the city or village may, generally, annex the property by a two-thirds vote of the body. Such an annexation, however, is subject to Department of Administration advisory review as if the annexation petition were for direct, but not unanimous, annexation or annexation by referendum. In addition, such an annexation is limited under current law to town land that is contiguous to the annexing city or village. ✓

Under current law, a town may not challenge in court, on any grounds, any direct annexation by unanimous approval ✓ as well as several other types of annexations. ✓ This bill changes current law by repealing the provision which ✓ prohibits a town from challenging in court direct annexation by unanimous approval. ✓ that

For further information see the *state and local* 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:

Handwritten circled text: "SINS 2-1" with an arrow pointing to line 1.

1
2
3
4
5

SECTION 1. 66.0217 (11) (c) of the statutes is repealed.

SECTION 2. Initial applicability.

(1) This act first applies to any annexation that commences on the effective date of this subsection.

(END)

INS
2-1

x (intro.)

Section #. 66.0307 (4m) (c) 2 of the statutes is amended to read:

(intro.)

66.0307 (4m) (c) 2. If a nonpetitioning city or village refuses under par. (b) to engage in mediation, an annexation of territory of the petitioning town to the nonpetitioning city or village that is commenced during the shorter of the following periods shall be reviewed by the department in the manner described under s. 66.0217 (6), regardless of the population of the county in which the annexation proceeding is commenced, and, notwithstanding s. 66.0217 (11) (c), may be contested by the town if the department determines that the annexation is not in the public interest:

~~a. The period of 270 days beginning after the city or village refuses under par. (b) to engage in mediation.~~

~~b. The period on the date the city or village refuses under par. (b) to engage in mediation and ending on the date the city or village agrees to engage in mediation.~~

~~**History:** 1991 a. 269; 1993 a. 213, 301, 329, 399; 1995 a. 35, 201, 216, 227; 1997 a. 27, 35; 1999 a. 150 s. 67; Stats. 1999 s. 66.0307; 1999 a. 182 s. 199; 2001 a. 30; 2007 a. 43; 2009 a. 28.~~

(end ins)

Basford, Sarah

From: Ruby, Erin
Sent: Friday, June 10, 2011 7:55 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-1797/1 Topic: Allow towns to challenge in court direct annexation by unanimous approval

Please Jacket LRB 11-1797/1 for the ASSEMBLY.