February 20, 2014 – Introduced by Representatives STEINEKE, MURPHY, THIESFELDT and T. LARSON. Referred to Committee on Urban and Local Affairs.

AN ACT to repeal 66.0217 (6) (a), 66.0217 (6) (c) and 66.0307 (4m) (c) 2.; to renumber 66.0307 (4m) (c) 1.; to amend 66.0203 (9) (e) (intro.), 66.0217 (4) (b) and 66.0217 (8) (a); and to repeal and recreate 66.0217 (6) (title) of the statutes; relating to: Department of Administration review of certain annexations.

Analysis by the Legislative Reference Bureau

Under current law, no city or village may annex town territory that is located in a county with a population of at least 50,000 people unless the Department of Administration (DOA) reviews the proposed annexation and offers an opinion as to whether the annexation is in the public interest. The city or village must review DOA’s advice before taking final action on the proposed annexation. This bill repeals this provision.

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:

SECTION 1. 66.0203 (9) (e) (intro.) of the statutes is amended to read:
66.0203 (9) (e) (intro.) The determination of the board made in accordance with the standards under ss. 66.0205, and 66.0207 and 66.0217 (6) (c) shall be one of the following:

**SECTION 2.** 66.0217 (4) (b) of the statutes is amended to read:

66.0217 (4) (b) The person who has the notice published shall serve a copy of the notice, within 5 days after its publication, upon the clerk of each municipality affected, upon the clerk of each school district affected and upon each owner of land in a town if that land will be in a city or village after the annexation. Service may be either by personal service or by certified mail with return receipt requested. If required under sub. (6) (a), a copy of the notice shall be mailed to the department as provided in that paragraph.

**SECTION 3.** 66.0217 (6) (title) of the statutes is repealed and recreated to read:

66.0217 (6) (title) **DEPARTMENTAL DUTIES.**

**SECTION 4.** 66.0217 (6) (a) of the statutes is repealed.

**SECTION 5.** 66.0217 (6) (c) of the statutes is repealed.

**SECTION 6.** 66.0217 (8) (a) of the statutes, as affected by 2013 Wisconsin Act 80, is amended to read:

66.0217 (8) (a) An ordinance for the annexation of the territory described in the annexation petition under sub. (3) may be enacted by a two-thirds vote of the elected members of the governing body not less than 20 days after the publication of the notice of intention to circulate the petition and not later than 120 days after the date of filing with the city or village clerk of the petition for annexation or of the referendum election if favorable to the annexation. **If the annexation is subject to sub. (6) the governing body shall first review the reasons given by the department that the proposed annexation is against the public interest.** An ordinance under this
subsection may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance containing a temporary classification, the proposed classification shall be referred to and recommended by the plan commission. The authority to make a temporary classification is not effective when the county ordinance prevails during litigation as provided in s. 59.69 (7).

Section 7. 66.0307 (4m) (c) 1. of the statutes is renumbered 66.0307 (4m) (c).

Section 8. 66.0307 (4m) (c) 2. of the statutes is repealed.

(End)