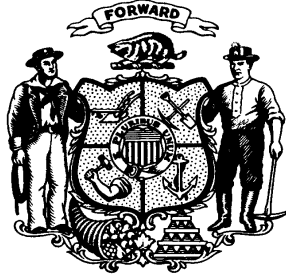


State of Wisconsin
JOINT LEGISLATIVE COUNCIL

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Terry C. Anderson

Director

Laura D. Rose

Deputy Director

TO: MEMBERS OF THE JOINT LEGISLATIVE COUNCIL

FROM: Terry C. Anderson, Director

RE: Reintroduction of 2005 Study Committee Recommendations

DATE: March 7, 2007

For at least 30 years, the Joint Legislative Council has started each biennium by considering the reintroduction of study committee bills that did not pass the previous biennium. Typically, the Council does this out of respect for the vast amount of time devoted by the study committees in crafting these recommendations. Frequently, these bills entered the legislative process late and adequate time was not available for proper consideration.

The following bills were approved for introduction by the previous members of the Joint Legislative Council by a vote of Ayes, 17; Noes, 0; and Absent, 5. Both bills were introduced as Senate bills and received a public hearing relatively late in the session. Both bills received a unanimous favorable recommendation by the Senate Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform. Only Senate Bill 461 was scheduled for floor action; it passed the Senate 33-0. It was then referred to an Assembly committee but received no further action.

The chair of the Special Committee on Municipal Annexation has been consulted and is requesting the reintroduction. The Council may authorize the reintroductions with one motion to reintroduce these two measures or the question may be divided in any manner to expedite the voting.

In order to assist you in deciding whether or not to reintroduce these measures, the following staff summaries are provided:

MUNICIPAL ANNEXATION

2007 Senate Bill 460, Relating to Municipal Boundary Agreements and the Use of Alternative Dispute Resolution in Municipal Boundary Disputes

Senate Bill 460:

- Simplifies the current plan requirements for boundary agreements by a cooperative plan (s. 66.0307, Stats.) and reduces the minimum time period for developing a cooperative plan.
- Provides a procedure for a municipality to petition for development of a cooperative plan through mediation if an adjacent municipality declines to participate in the current procedure to develop a cooperative plan.
- Establishes a specific procedure for common municipal boundaries to be determined by agreement under s. 66.0301, Stats. (the general intergovernmental agreement statute).
- Limits the application of s. 66.0225, Stats. (boundaries fixed by court judgment) to contested annexations and limits the scope of a boundary determination under that procedure to that portion of the boundary “that is the subject of the annexation.”
- Encourages the court and the parties to a contested annexation proceeding to consider the applicability of the current alternative dispute resolution (ADR) statute, s. 802.12, Stats.
- Requires the Department of Administration (DOA) to make available on its public website a list of persons who have identified themselves as professionals qualified to facilitate ADR of annexation, boundary, and land use disputes.

2005 Senate Bill 461, Relating to Department of Administration Advisory Review of Certain Annexations

Senate Bill 461:

- Extends the DOA advisory review of annexations commenced under s. 66.0217, Stats. (annexations initiated by electors and property owners) to include such annexations commenced in any county, not only those commenced in counties with a population of 50,000 or more.
- For annexations of more than 20 acres, requires the DOA in making its advisory public interest determination to consider the impact of the annexation on the tax base and property taxes.

Please bring this material to the Council meeting as additional copies will not be provided at the meeting.*

Please contact me if you desire additional material on the reintroduction process to be considered at the March 14 meeting.

TCA:wu

**Copies of the bills are available upon request.*