



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1641/1  
MES:kjf:ph

**ASSEMBLY AMENDMENT 2,  
TO 2009 ASSEMBLY BILL 260**

February 23, 2010 – Offered by Representatives BERCEAU and MOLEPSKE JR..

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

2 **1.** Page 1, line 2: after “use” insert “and creating a procedure for cities and  
villages to annex town peninsulas unilaterally”.

3 **2.** Page 2, line 1: before that line insert:

4 “SECTION 1. 66.0218 of the statutes is created to read:

5 **66.0218 Direct annexation of town peninsulas. (1) DEFINITIONS.** In this  
6 section:

7 (a) “Legal description” has the meaning given in s. 66.0217 (1) (c).

8 (b) “Members–elect” has the meaning given in s. 59.001 (2m).

9 (c) “Municipality” means a city, village, or town.

10 (d) “Peninsula” means town territory, the boundary of which is not completely  
11 surrounded by a city or village but is contiguous to one or more cities or villages for  
12 at least 75 percent of its length, excluding areas that border on water, or on land

1 whose condition prohibits development, except that such excluded areas of the  
2 border may not exceed 33 percent of the length of the boundary of the territory that  
3 is sought to be annexed.

4 (e) “Public services” includes police and fire protection; sewer and water  
5 treatment; storm water treatment; building, health, and fire prevention inspections;  
6 planning; and public works services.

7 (f) “Scale map” has the meaning given in s. 66.0217 (1) (g).

8 **(2) CITY, VILLAGE ORDINANCES.** (a) *Enactment.* The governing body of a city or  
9 village may, by a two-thirds vote of its members-elect, enact an ordinance to annex  
10 a peninsula if all of the following apply:

11 1. The annexing city or village is contiguous to more than 50 percent of the  
12 peninsula’s length.

13 2. The annexing city or village is capable of providing public services to the  
14 territory in the peninsula at a level that at least equals the level of service that is  
15 being provided by the town.

16 3. The annexation of the peninsula will reduce any existing problems of  
17 duplicative public services being provided within the same area by more than one  
18 municipality.

19 (b) *Requirements.* The annexation ordinance shall contain a legal description  
20 of the territory annexed and the name of the town from which the territory is  
21 annexed. Upon enactment of the ordinance under par. (a), the city or village clerk  
22 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a  
23 scale map, and 8 copies of a plat that shows the boundaries of the city or village,  
24 including the annexed territory.

1 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale  
2 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale  
3 map, and plat to the department of transportation, one copy to the department of  
4 administration, one copy to the department of natural resources, one copy to the  
5 department of revenue, one copy to the department of public instruction, and one  
6 copy to the clerk of the town from which the territory was annexed.

7 (d) *Action to contest annexation.* Section 66.0217 (11), as it applies to  
8 annexations under that section, applies to annexations under this section.

9 (3) EFFECTIVENESS OF ANNEXATION ORDINANCE. An ordinance enacted under sub.  
10 (2) takes effect on the first day of the 2nd month beginning after enactment.”.

11 **3.** Page 2, line 1: delete “SECTION 1” and substitute “SECTION 1m”.

12 (END)