

2013 DRAFTING REQUEST

Bill

Received: **12/22/2012** Received By: **jkreye**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Quinn**
May Contact: Drafter: **jkreye**
Subject: **Shared Revenue** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **joseph.kreye@legis.wisconsin.gov**

Pre Topic:

DOA:.....Quinn, BB0318 -

Topic:

Expenditure restraint intergovernmental contracting adjustment

Instructions:

See attached

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>
/?	jkreye 1/2/2013			_____			
/P1	jkreye 1/15/2013	jdyer 1/15/2013	phenry 1/15/2013	_____	sbasford 1/9/2013		State S&L
/P2				_____	sbasford 1/15/2013		State S&L

FE Sent For:

<END>

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1?	jkreye	PI / 9 jld	Jb	1/9			

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<END>

Kreye, Joseph

From: Shovers, Marc
Sent: Friday, December 21, 2012 12:34 PM
To: Kreye, Joseph
Cc: Mueller, Eric
Subject: FW: Statutory Language Drafting Request - BB0318

I never remember, but is this yours? You do ERP, right? If it's not yours, please let Eric know as he'll be drafting it if it's a municipalities draft. Thanks

Marc

From: Hanaman, Cathlene
Sent: Wednesday, December 19, 2012 5:21 PM
To: Shovers, Marc; Mueller, Eric
Subject: FW: Statutory Language Drafting Request - BB0318

From: brian.quinn@wisconsin.gov [<mailto:brian.quinn@wisconsin.gov>]
Sent: Wednesday, December 19, 2012 5:20 PM
To: Hanaman, Cathlene
Cc: Frederick, Caitlin - DOA; Quinn, Brian D - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0318

Biennial Budget: 2013-15

DOA Tracking Code: BB0318

Topic: Expenditure Restraint Intergovernmental Contracting Adjustment

SBO Team: TLGED

SBO Analyst: Quinn, Brian D - DOA
Phone: (608) 266-1923
E-mail: brian.quinn@wisconsin.gov

Agency Acronym: SRTR

Agency Number: 835

Priority: Medium

Intent:

For a municipality that contracts with another municipality to provide a service that had previously been provided by the contracting municipality, any amount paid under the contracting agreement shall continue to be included in the municipality's budget for purposes of the budget test under the Expenditure Restraint Program. The municipality providing the service on behalf of the contracting municipality will have its

*me 79.05(2)
and sub.(6)*

budget reduced by the amount of the contract payment for the same year for purposes of the budget test under the Expenditure Restraint Program.

Note: This issue originated due to Allouez contracting with the City of Green Bay to provide fire protection services and it appears that the nature of the contract did not qualify under the existing provisions for service transfers. If that existing provision could be reasonably revised to allow for this contracting issue without creating a new adjustment, that would also be acceptable.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0906/P1

JK:.....

Jld

DOA:.....Quinn, BB0318 - Expenditure restraint intergovernmental contracting adjustment

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

in 1-2-13

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1 don't gen ✓
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

LOCAL GOVERNMENT ✓

Under current law, a municipality may receive an expenditure restraint payment if its municipal budget has not increased from the previous year by more than the sum of an inflation factor and a valuation factor. ✓ The valuation factor is, generally, 60 percent of the municipality's property value. ✓ The inflation factor is the average annual percentage change in the U.S. consumer price index. ✓

Under current law, for purposes of determining a municipality's eligibility for an expenditure restraint payment, ✓ if a municipality transfers to another governmental unit responsibility for providing any service that the municipality provided in the preceding year, it may not include in its budget the cost incurred to provide that service. ✓ However, if a municipality increases the services that it provides by adding responsibility for providing a service transferred to it from another governmental unit, it may include in its budget the cost incurred to provide that service. ✓

Under this bill, if a municipality makes payments to another governmental unit for providing a service, the amount of the payments are included in the municipality's budget for purposes of determining its eligibility for an expenditure restraint payment. ✓ If a municipality receives payments from another governmental unit for providing a service, the amount of the payments are not included the

municipality's budget for purposes of determining its eligibility for an expenditure restraint payment. ✓

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:

1 SECTION 1. 79.05 (6) (a) of the statutes is amended to read: ✓

2 79.05 (6) (a) If a municipality transfers to another governmental unit
3 responsibility for providing any service that the municipality provided in the
4 preceding year, its budget for the preceding year shall be decreased to reflect the cost
5 that the municipality incurred to provide that service, as determined by the
6 department of revenue, except that if the municipality makes payments to the other
7 governmental unit for providing the service, pursuant to a contract, the amount of
8 the payments are included in its budget for the year the payments are made for the
9 purpose of determining eligibility under sub. (2) (c). ✓

History: 1989 a. 336; 1991 a. 39, 61; 1993 a. 16; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2009 a. 11, 28; 2011 a. 32, 106, 258; s. 13.92 (2) (i).

10 SECTION 2. 79.05 (6) (b) of the statutes is amended to read:

11 79.05 (6) (b) If a municipality increases the services that it provides by adding
12 responsibility for providing a service transferred to it from another governmental
13 unit in any year, its budget for the preceding year shall be increased to reflect the cost
14 of that service, as determined by the department of revenue, except that if the
15 municipality receives payments from the other governmental unit for providing the
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19 SECTION 9337. Initial applicability; Revenue.

Kreye, Joseph

From: Quinn, Brian D - DOA <Brian.Quinn@wisconsin.gov>
Sent: Monday, January 14, 2013 6:18 PM
To: Kreye, Joseph
Subject: 0906/P1 - Expenditure Restraint Budget Test Adjustment for Contracting

Joe,

For this one, DOR is requesting to make the effective date 2014 instead of 2013 due to the lag times in reporting. Other than that it should be good.

Brian Quinn
Executive Policy and Budget Analyst
Wisconsin Department of Administration
Division of Executive Budget and Finance
(608)-266-1923
Brian.quinn@wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0906/P1
JK:ld:jf

RMR

DOA:.....Quinn, BB0318 - Expenditure restraint intergovernmental contracting adjustment

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

in 1-15-13

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AN ACT ...; relating to: the budget.

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19 **SECTION 9337. Initial applicability; Revenue.**

1

(1) EXPENDITURE RESTRAINT PROGRAM. ✓ The treatment of section 79.05 (6) (a) and

2

(b) of the statutes first applies to payments made in 2013 ✓

3

(END)

2014 ✓



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0906/P2
JK:jld:ph

DOA:.....Quinn, BB0318 - Expenditure restraint intergovernmental contracting adjustment

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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