



## 2005 SENATE BILL 531

January 31, 2006 - Introduced by Senators A. LASEE and REYNOLDS, cosponsored by Representatives BIES, SUDER, F. LASEE, MUSSER, LOTHIAN and PETTIS. Referred to Committee on Labor and Election Process Reform.

1     **AN ACT** *to create* 38.17 of the statutes; **relating to:** establishing a levy limit for  
2             technical college districts.

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***Analysis by the Legislative Reference Bureau***

Beginning with the 2007 property tax levy, this bill prohibits a technical college district from increasing its levy over the previous year's levy. The district's levy for debt service is exempt from the limit. In addition, the bill provides an adjustment for the transfer of services. The levy limit may be exceeded if a district's resolution to do so is approved at a referendum.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3             **SECTION 1.** 38.17 of the statutes is created to read:

4             **38.17 Levy limit.** (1) **LIMIT.** Except as provided in subs. (2) and (3), beginning  
5             in 2007 no district board may increase its levy for any fiscal year to an amount that  
6             exceeds its levy for the previous fiscal year.

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1           **(2) ADJUSTMENTS.** (a) 1. If a district board transfers to another governmental  
2 unit responsibility for providing any service that it provided in the preceding fiscal  
3 year, the limit otherwise applicable under sub. (1) for the current fiscal year is  
4 decreased by the cost that it would have incurred to provide that service, as  
5 determined by the board.

6           2. If a district board increases the services that it provides by adding  
7 responsibility for providing a service transferred to it from another governmental  
8 unit that provided the service in the previous fiscal year, the limit otherwise  
9 applicable under sub. (1) for the current fiscal year is increased by the cost of that  
10 service, as determined by the board.

11           (b) The limit otherwise applicable under sub. (1) for the current fiscal year is  
12 increased by an amount equal to the amount needed for the payment of any general  
13 obligation debt service, including debt service on debt issued or reissued to fund or  
14 refund outstanding municipal obligations, interest on outstanding municipal  
15 obligations, or the payment of related issuance costs or redemption premiums.

16           **(3) REFERENDUM.** (a) 1. A district board may exceed the levy limit under sub.  
17 (1) if it adopts a resolution to that effect and the resolution is approved in a  
18 referendum. The resolution shall specify the proposed amount of increase in the levy  
19 beyond the amount that is allowed under sub. (1).

20           2. The district board shall call a special referendum for the purpose of  
21 submitting the resolution to the electors of the district for approval or rejection. In  
22 lieu of a special referendum, the district board may specify that the referendum be  
23 held at the next succeeding spring primary or election or September primary or  
24 general election, if such election is to be held not sooner than 42 days after the filing  
25 of the resolution.

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1 (b) The district board shall publish type A, B, C, D, and E notices of the  
2 referendum under s. 10.01 (2). Section 5.01 (1) applies in the event of failure to  
3 comply with the notice requirements of this paragraph.

4 (c) The referendum shall be held in accordance with chs. 5 to 12. The district  
5 board shall provide the election officials with all necessary election supplies. The  
6 form of the ballot shall correspond substantially with the standard form for  
7 referendum ballots prescribed by the elections board under ss. 5.64 (2) and 7.08 (1)

8 (a). The question shall be submitted as follows: "Under state law, the levy of the ....  
9 (name of district) for the next fiscal year, .... (year), is limited to \$..... Shall the ....  
10 (name of district) be allowed to exceed this limit for the next fiscal year, .... (year), by  
11 \$.... , resulting in a levy of \$....?"

12 (d) Within 14 days after the referendum, the district board shall certify the  
13 results of the referendum to the department of revenue. The limit otherwise  
14 applicable to the district under sub. (1) is increased for the next fiscal year by the  
15 amount approved by a majority of those voting on the question.

16 (END)