

2001 DRAFTING REQUEST

Bill

Received: 03/05/2001

Received By: **shoveme**

Wanted: As time permits

Identical to LRB:

For: **Gregg Underheim (608) 266-2254**

By/Representing: **Shaun Haas**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Special charges for municipal services

Instructions:

See Attached. Same as 01-1870/1.

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>
/?	shoveme 03/05/2001	gilfokm 03/05/2001		_____			Local
/1			jfrantze 03/06/2001	_____	lrb_docadmin 03/06/2001	lrb_docadmin 03/07/2001	

FE Sent For:

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1?	shoveme	11-3/15-01 Krug	2/3/6	3/6			

11 MES 3/5/01

FE Sent For:

<END>

Shovers, Marc

From: Kreye, Joseph
Sent: Thursday, March 01, 2001 4:46 PM
To: Shovers, Marc; Champagne, Rick; Kuesel, Jeffery; Nelson, Robert P.
Subject: Kettl Commission recommendations

Hello all. I received a call today from Shaun Haas at leg.council. He is assigned to Rep. Underheim's Assembly Committee on State and Local Finance. Rep. Underheim has requested that the budget drafts related to the Kettl Commission recommendations be drafted as separate bills for consideration by his committee. Rick Olin at LFB has identified the following drafts as drafts that should be turned into bills for Rep. Underheim:

1. 1744/3 JK
2. 2118/3 JK
3. 1911/3 JK&MES
4. 1922/1 MES
5. 1870/2 MES
6. 1940/3 RAC
7. 2059/3 JTK
8. 1923/1 MES
9. 1895/2 RPN

Please enter all requests as requests for Underheim. The Committee will probably meet at the end of March, so Underheim is looking to distribute the drafts around March 21 or 22. Please let me know if you have any questions or need some assistance with the drafts. If there are other drafts that are related to Kettl that are not listed above, let me know that as well. Thanks.

Joe

Joseph T. Kreye, Legislative Attorney
Legislative Reference Bureau
(608) 266-2263
joseph.kreye@legis.state.wi.us

-2737/1
LRB-1870/2
MES:kmg:ts
↑
RMNR

DOA.....Ziegler - Special charges for municipal services

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

2001 BILL

Wanted
3/19

gen

1 AN ACT ...; relating to: the imposition of special charges by a city, village, or town.

Analysis by the Legislative Reference Bureau

~~LOCAL GOVERNMENT~~

~~OTHER LOCAL GOVERNMENT~~

Under current law, a municipality (a city, village, or town) is authorized to impose a special charge against real property for current services rendered by allocating all or part of the cost of the service to the property served. Also under current law, a municipality may impose a special charge against real property in an adjacent municipality for current services rendered by the municipality imposing the special charge, if the municipality in which the property is located approves the imposition. A "service" under current law includes snow and ice removal, weed elimination, repair of sidewalks or curb and gutter, garbage and refuse disposal, recycling, storm water management, tree care, and other similar services that are not specified in the definition. Special charges are not payable in installments. If a special charge is not paid within the time specified by the municipality, the special charge is delinquent and becomes a lien on the property against which it is imposed.

A recent court of appeals decision, *Town of Janesville v. Rock County*, 153 Wis. 2d 538, 546-547 (1989), interpreted current law to mean that special charges may be imposed "only for services which are actually performed" and that the statute limits a municipality to "charging only for services actually provided and not for services that may be available but not utilized."

Under this bill, special charges may be imposed for services that are available, without regard to whether the services are actually rendered, and may be allocated

to the property that is served or that is eligible to be served. This change also applies to special charges imposed against real property in an adjacent municipality, under the same terms and conditions that exist under current law.

For further information see the *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. 66.0627 (title) of the statutes is amended to read:

2 **66.0627 (title) Special charges for ~~current~~ services.**

3 SECTION 2. 66.0627 (2) of the statutes is amended to read:

4 66.0627 (2) Except as provided in sub. (5), the governing body of a city, village
5 or town may impose a special charge against real property for ~~current~~ services that
6 are available, regardless of whether the services are actually rendered, by allocating
7 all or part of the cost of the service to the property that is served or that is eligible
8 to be served. The authority under this section is in addition to any other method
9 provided by law.

10 SECTION 3. 66.0707 (2) of the statutes is amended to read:

11 66.0707 (2) A city, village or town may impose a special charge under s. 66.0627
12 against real property in an adjacent city, village or town that is served by ~~current~~
13 services that are available, regardless of whether the services are actually rendered
14 by the municipality imposing the special charge if the municipality in which the
15 property is located approves the imposition by resolution. The owner of the property
16 is entitled to the use and enjoyment of the service for which the special charge is
17 imposed on the same conditions as the owner of property within the city, village or
18 town.

19 SECTION 9359. Initial applicability ~~of the~~



1
2
3
4

(1) ~~SPECIAL CHARGES FOR MUNICIPAL SERVICES~~ The treatment of sections 66.0627
(2) and 66.0707 (2) of the statutes first applies to special charges that are imposed
on the effective date of this subsection.

(END)

RESOLUTION REQUESTING LEGISLATION
FOR THE CREATION OF A
PROFESSIONAL SPORTS DEVELOPMENT AREA

February 19, 2001

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council of the City of Green Bay wishes to pursue the creation of a "Professional Sports Development Area" to assist in funding the renovation of Lambeau Field; and

WHEREAS, the Green Bay Packers are valued by citizens throughout the State, and the renovation of Lambeau Field is a public project with significant statewide benefit; and

WHEREAS, the State of Indiana has passed legislation authorizing the creation of a "Professional Sports Development Area" whereby certain tax revenues, including state income, sales and use taxes which are generated from within a specified area, are allocated to help finance the construction and equipping of a facility used for professional sporting events; and

WHEREAS, the creation of a "Professional Sports Development Area" has successfully enabled the development of modern sports facilities in Indiana and could serve as a model for the financing of such facilities in the State of Wisconsin; and

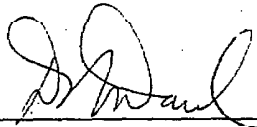
WHEREAS, Lambeau Field and surrounding businesses generate substantial tax revenues for the State of Wisconsin, including income taxes from team players, coaches and staff, as well as income, sales and use taxes from businesses that surround the stadium and directly benefit from its success; and

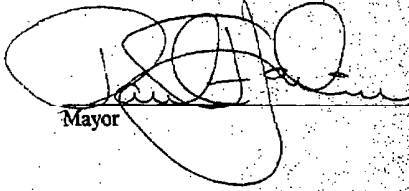
WHEREAS, it is fair and appropriate that some of the tax revenues from those businesses and individuals who benefit the most from the renovation or construction of a sports facility be allocated to help fund the public cost of the project.

NOW, THEREFORE, BE IT RESOLVED that the City of Green Bay hereby requests that the State of Wisconsin create legislation to allow for the creation of Professional Sports Development Areas.

Adopted 2/19/01

Approved 2/20/01


Clerk


Mayor

DN:bc



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

March 6, 2001

MEMORANDUM

To: Representative Underheim

From: Marc E. Shovers, Senior Legislative Attorney

Re: LRB-2737 Special charges for municipal services

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0129 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.