

2001 DRAFTING REQUEST

Bill

Received: 09/10/2001

Received By: jkreye

Wanted: Soon

Identical to LRB:

For: Joseph Leibham (608) 266-0656

By/Representing: dan

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters: shoveme

Subject: Shared Revenue

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Expenditure restraint: budget test changes and accumulation of budget surpluses by municipalities

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 09/10/2001	jdye 09/10/2001		_____			
/P1	jkreye 10/19/2001	csicilia 10/19/2001	pgreensl 09/10/2001	_____	lrb_docadmin 09/10/2001		
/P2	jkreye 11/01/2001	csicilia 11/01/2001	kfollet 10/19/2001	_____	lrb_docadmin 10/19/2001		S&L
/1	jkreye 11/08/2001	csicilia 11/08/2001	kfollet 11/02/2001	_____	lrb_docadmin 11/02/2001		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2			kfollet 11/08/2001	_____	lrb_docadmin 11/08/2001	lrb_docadmin 11/08/2001	

FE Sent For:

At intro.

<END>

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/P1	jkreye 10/19/2001	csicilia 10/19/2001	pgreensl 09/10/2001	_____	lrb_docadmin 09/10/2001		
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/1			kfollet 11/02/2001	_____	lrb_docadmin 11/02/2001		

1/2 jg 11/8
01
KJL 11/8
self 11/8

FE Sent For:

<END>

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Expenditure restraint: budget test changes and accumulation of budget surpluses by municipalities

Instructions:

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/?	jkreye 09/10/2001	jdyer 09/10/2001		_____			
/P1	jkreye 10/19/2001	csicilia 10/19/2001	pgreensl 09/10/2001	_____	lrb_docadmin 09/10/2001		
/P2			kfollet 10/19/2001	_____	lrb_docadmin 10/19/2001		

FE Sent For:

Handwritten notes:
 1 9/5 11/1
 01
 self
 11/2
 <END>

2001 DRAFTING REQUEST

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By/Representing: dan

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Subject: Shared Revenue

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Expenditure restraint. budget test changes and accumulation of budget surpluses by municipalities

Instructions:

See Attached

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/?	jkreye 09/10/2001	jdyer 09/10/2001					
/P1		/P2 cjs 10/19 01	pgreensl 09/10/2001			lrb_docadmin 09/10/2001	
FE Sent For:			KY 10/19	self 10/19			

<END>

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/?	jkreye	1/1 9/10 jld	9/10	9/10			
			Pg	P8/R			

FE Sent For:

<END>

9-10-01

Don

Rep Joe Kilbom

expenditure restraint

state & local group — cancer

bill to address

allow communities

↳ whatever ^{not} spent in a fiscal year

↳ to be carried over to next fiscal

sort of a "rainy day" fund

will occur — not adversely affect

expenditure restraint program



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3745/4
JK&MES:.....

PI
JKd
PM not RJd

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 9-10-01

due Friday
9-14

D-N

gen

1 AN ACT ...; relating to: the eligibility for expenditure restraint shared revenue
2 payments.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

SECTION 1. 79.05 (2) (c) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

79.05 (2) (c) Its municipal budget; exclusive of principal and interest on long-term debt and exclusive of revenue sharing payments under s. 66.0305, amounts paid from a segregated account under s. 66.0602, and recycling fee payments under s. 289.645; for the year of the statement under s. 79.015 increased over its municipal budget as adjusted under sub. (6); exclusive of principal and interest on long-term debt and exclusive of revenue sharing payments under s.

INSERT A

PROOF
w/
01 Wis Act
16

1 66.0305, amounts paid from a segregated account under s. 66.0602, and recycling fee
2 payments under s. 289.645; for the year before that year by less than the sum of the
3 inflation factor and the valuation factor, rounded to the nearest 0.10% plus 50% of
4 the difference between the municipality's allowable budget to be eligible for a
5 payment under this section, as determined in the prior year, and the municipality's
6 adopted budget, as determined in the prior year.

History: 2001 a. 16.

7

(END)

INSERT B

ARC:.....Jefferson - AM60, Expenditure restraint, budget test changes,
accumulation of budget surpluses by municipalities

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

INSERT A

1 ~~At the locations indicated, amend the substitute amendment as follows:~~

2 ~~1. Page 680, line 5: after that line insert:~~

3 ~~SECTION 2023h.~~ [#] ~~66.0602~~ ^X of the statutes is created to read:

4 **66.0602 Accumulation of reserves for specified purposes.** (1) Any city,
5 village, or town may accumulate cash or other liquid assets in nonlapsing reserve
6 funds for any of the purposes specified in sub. (2) if the reserve funds are kept in
7 segregated accounts in the municipal treasury. Each reserve fund must have a
8 designated, specific purpose for which the cash or other assets are being
9 accumulated, and may be spent only for the specified purpose.

INSERT
A

1 (2) Cash or other liquid assets in reserve funds may be accumulated for any of
2 the following purposes:

3 (a) The purchase of a capital asset that is expected to last at least several years.

4 (b) The construction or repair of public infrastructure.

5 (c) The payment or financing of recovery or rebuilding costs that are
6 necessitated by a natural disaster.

END OF INSERT A

7 ~~2. Page 854, line 3: after that line insert.~~

8 ~~SECTION 2285m. 79.05 (2) (c) of the statutes is amended to read:~~

9 ~~79.05 (2) (c) Its municipal budget, exclusive of, excluding principal and interest~~
10 ~~on long-term debt and exclusive of payments of the, revenue sharing payments paid~~
11 ~~by the municipality under s. 66.0305, as provided by rule by the department of~~
12 ~~revenue, amounts paid from a segregated account under s. 66.0602, and recycling fee~~
13 ~~payments under s. 289.645; for the year of the statement under s. 79.015 increased~~
14 ~~over its municipal budget as adjusted under sub. (6), exclusive of, excluding principal~~
15 ~~and interest on long-term debt and exclusive of payments of the, revenue sharing~~
16 ~~payments paid by the municipality under s. 66.0305, as provided by rule by the~~
17 ~~department of revenue, amounts paid from a segregated account under s. 66.0602,~~
18 ~~and recycling fee payments under s. 289.645; for the year before that year by less~~
19 ~~than the sum of the inflation factor and the valuation factor, rounded to the nearest~~
20 ~~0.10% plus 50% of the difference between the municipality's allowable budget to be~~
21 ~~eligible for a payment under this section, as determined in the prior year, and the~~
22 ~~municipality's adopted budget, as determined in the prior year.~~

23 ~~3. Page 1406, line 9: after that line insert.~~

1
2
3

~~900~~ #

~~EXPENDITURE RESTRAINT PROGRAM~~, The treatment of section 79.05 (2) (c) of the statutes first applies to the eligibility for a payment in 2003.

(END)

→ Sec #, initial applicability.

↑
INSERT B

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3745⁰¹dn
JK&MES:.....
Jld

Representative Leibham:

Please review this ^{bill} ~~draft~~ carefully to ensure that it is consistent with your intent. This bill is based on the Assembly Republican Caucus amendment LRBb1575/3. I suggest having Rick Olin at the Legislative Fiscal Bureau review the bill. If you have any questions, please contact me.

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3745/P1dn

JK:jld:pg

September 10, 2001

Representative Leibham:

Please review this bill carefully to ensure that it is consistent with your intent. This bill is based on the Assembly Republican Caucus amendment LRBB1575/3. I suggest having Rick Olin at the Legislative Fiscal Bureau review the bill. If you have any questions, please contact me.

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us

10-19-01

Patrick — Joe Lelham — talk with ellene
of cities

3745/P1

before preparing final draft

3745/P2

25% (from 50%)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3745/F1
JK&MES:jld.pg

12

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

js

in 10-19-01
Today

Re
Gen

1 AN ACT to amend 79.05 (2) (c); and to create 66.0602 of the statutes; relating
2 to: the eligibility for expenditure restraint shared revenue payments.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

SECTION 1. 66.0602 of the statutes is created to read:

66.0602 Accumulation of reserves for specified purposes. (1) Any city, village, or town may accumulate cash or other liquid assets in nonlapsing reserve funds for any of the purposes specified in sub. (2) if the reserve funds are kept in segregated accounts in the municipal treasury. Each reserve fund must have a designated, specific purpose for which the cash or other assets are being accumulated, and may be spent only for the specified purpose.

(2) Cash or other liquid assets in reserve funds may be accumulated for any of the following purposes:

- 1 (a) The purchase of a capital asset that is expected to last at least several years.
- 2 (b) The construction or repair of public infrastructure.
- 3 (c) The payment or financing of recovery or rebuilding costs that are
- 4 necessitated by a natural disaster.

5 **SECTION 2.** 79.05 (2) (c) of the statutes, as affected by 2001 Wisconsin Act 16,
6 is amended to read:

7 79.05 (2) (c) Its municipal budget; exclusive of principal and interest on
8 long-term debt and exclusive of revenue sharing payments under s. 66.0305,
9 amounts paid from a segregated account under s. 66.0602, and recycling fee
10 payments under s. 289.645; for the year of the statement under s. 79.015 increased
11 over its municipal budget as adjusted under sub. (6); exclusive of principal and
12 interest on long-term debt and exclusive of revenue sharing payments under s.
13 66.0305, amounts paid from a segregated account under s. 66.0602, and recycling fee
14 payments under s. 289.645; for the year before that year by less than the sum of the
15 inflation factor and the valuation factor, rounded to the nearest 0.10% ~~plus~~ ^{25%} ~~of~~
16 the difference between the municipality's allowable budget to be eligible for a
17 payment under this section, as determined in the prior year, and the municipality's
18 adopted budget, as determined in the prior year.

19 **SECTION 3. Initial applicability.**

- 20 (1) The treatment of section 79.05 (2) (c) of the statutes first applies to the
- 21 eligibility for a payment in 2003.

22 (END)

1101-01

3745/P2 - draft or sketch 1 or is

add analysis



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3745/P2
JK&MES;jld&cjs:kjf

1
stays

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

INSERT A

in 11-1
due Friday
11-2

leg

1 AN ACT to amend 79.05 (2) (c); and to create 66.0602 of the statutes; relating
2 to: the eligibility for expenditure restraint shared revenue payments.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

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

3 SECTION 1. 66.0602 of the statutes is created to read:

4 **66.0602 Accumulation of reserves for specified purposes.** (1) Any city,
5 village, or town may accumulate cash or other liquid assets in nonlapsing reserve
6 funds for any of the purposes specified in sub. (2) if the reserve funds are kept in
7 segregated accounts in the municipal treasury. Each reserve fund must have a
8 designated, specific purpose for which the cash or other assets are being
9 accumulated, and may be spent only for the specified purpose.

10 (2) Cash or other liquid assets in reserve funds may be accumulated for any of
11 the following purposes:

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2 (b) The construction or repair of public infrastructure.

3 (c) The payment or financing of recovery or rebuilding costs that are
4 necessitated by a natural disaster.

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6 is amended to read:

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14 payments under s. 289.645; for the year before that year by less than the sum of the
15 inflation factor and the valuation factor, rounded to the nearest 0.10% plus 25% of
16 the difference between the municipality's allowable budget to be eligible for a
17 payment under this section, as determined in the prior year, and the municipality's
18 adopted budget, as determined in the prior year.

19 **SECTION 3. Initial applicability.**

20 (1) The treatment of section 79.05 (2) (c) of the statutes first applies to the
21 eligibility for a payment in 2003.

22 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3745/P2ins
JK:jld&cjs:kjf

Insert A

Under current law, a municipality that imposes a property tax levy rate of more than five mills receives a payment under the expenditure restraint program, if any increase in the municipality's budget for the year; less principal and interest on long-term debt, shared revenue payments, and recycling fee payments; as compared to its budget for the previous year; less principal and interest on long-term debt, shared revenue payments, and recycling fee payments; is no more than the allowable increase under the program. The allowable increase is based, generally, on the property value in the municipality and the inflation rate.

Under this bill, a municipality may create a segregated reserve fund to be used to purchase a capital asset that is expected to last several years, to construct or repair public infrastructure, or to pay or finance recovery or rebuilding costs that are necessitated by a natural disaster. Under the bill, a municipality that imposes a property tax levy rate of more than five mills receives a payment under the expenditure restraint program, if any increase in the municipality's budget for the year; less principal and interest on long-term debt, shared revenue payments, recycling fee payments, and amounts paid from a segregated reserve fund; as compared to its budget for the previous year; less principal and interest on long-term debt, shared revenue payments, recycling fee payments, and amounts paid from a segregated reserve fund; is no more than the allowable increase under the program, plus 25% of the difference between the municipality's allowable budget to be eligible for a payment under the program and its adopted budget.

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

Kreye, Joseph

To: Leibham, Joseph
Cc: Lindstedt, Daniel
Subject: Analysis for LRB-3745

Please review the following revision to the 2nd paragraph of the analysis for LRB-3745:

"Under this bill, a municipality may create a segregated reserve fund ~~account~~ ^{fund} to be used to purchase a capital asset that is expected to last several years, to construct or repair public infrastructure, or to pay or finance recovery or rebuilding costs that are necessitated by a natural disaster. Amounts paid from such an ~~account~~ are not considered in the calculation of payments under the expenditure restraint program. Also, under the bill, if the increase in a municipality's adopted budget for the year is less than the allowable increase under the expenditure restraint program, the municipality may increase its budget in the following year by an amount equal to the allowable increase, plus 25% of the difference between its adopted budget in the previous year and the allowable increase in the previous year, and still be eligible for a payment under the expenditure restraint program."

Please respond with your comments at your earliest convenience.

Joseph T. Kreye
Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

Joe Leibham
-11-8-01-
Q = segregated reserve fund
6-0656



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3745/1
JK&MES:jld&cjs:kjf

2

RM not R

2001 BILL

in 11-8-01
Today

- 1 AN ACT ^{Repeal} to amend 79.05 (2) (c); and to create 66.0602 of the statutes; relating
- 2 to: the eligibility for expenditure restraint shared revenue payments.

Analysis by the Legislative Reference Bureau

Under current law, a municipality that imposes a property tax levy rate of more than five mills receives a payment under the expenditure restraint program, if any increase in the municipality's budget for the year; less principal and interest on long-term debt, shared revenue payments, and recycling fee payments; as compared to its budget for the previous year; less principal and interest on long-term debt, shared revenue payments, and recycling fee payments; is no more than the allowable increase under the program. The allowable increase is based, generally, on the property value in the municipality and the inflation rate.

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INSERT A

BILL

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.** 66.0602 of the statutes is created to read:

2 **66.0602 Accumulation of reserves for specified purposes.** (1) Any city,
3 village, or town may accumulate cash or other liquid assets in nonlapsing reserve
4 funds for any of the purposes specified in sub. (2) if the reserve funds are kept in
5 segregated accounts in the municipal treasury. Each reserve fund must have a
6 designated, specific purpose for which the cash or other assets are being
7 accumulated, and may be spent only for the specified purpose.

8 (2) Cash or other liquid assets in reserve funds may be accumulated for any of
9 the following purposes:

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12 (c) The payment or financing of recovery or rebuilding costs that are
13 necessitated by a natural disaster.

14 **SECTION 2.** 79.05 (2) (c) of the statutes, as affected by 2001 Wisconsin Act 16,
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16 79.05 (2) (c) Its municipal budget; exclusive of principal and interest on
17 long-term debt and exclusive of revenue sharing payments under s. 66.0305,
18 amounts paid from a segregated account under s. 66.0602, and recycling fee
19 payments under s. 289.645; for the year of the statement under s. 79.015 increased
20 over its municipal budget as adjusted under sub. (6); exclusive of principal and
21 interest on long-term debt and exclusive of revenue sharing payments under s.

BILL

1 66.0305, amounts paid from a segregated account under s. 66.0602, and recycling fee
2 payments under s. 289.645; for the year before that year by less than the sum of the
3 inflation factor and the valuation factor, rounded to the nearest 0.10% plus 25% of
4 the difference between the municipality's allowable budget to be eligible for a
5 payment under this section, as determined in the prior year, and the municipality's
6 adopted budget, as determined in the prior year.

SECTION 3. Initial applicability.

8 (1) The treatment of section 79.05 (2) (c) of the statutes first applies to the
9 eligibility for a payment in 2003.

(END)

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3745/lins
JK&MES:jld&ejs:kjf

Insert A

MS 97
Amounts paid from such a fund are not considered in the calculation of payments under the expenditure restraint program. Also, under the bill, if the increase in a municipality's adopted budget for the year is less than the allowable increase under the expenditure restraint program, the municipality may increase its budget in the following year by an amount equal to the allowable increase, plus 25% of the difference between its adopted budget in the previous year and the allowable increase in the previous year, and still be eligible for a payment under the expenditure restraint program.

End of Insert A



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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

STEPHEN R. MILLER
CHIEF

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

November 8, 2001

MEMORANDUM

To: Representative Leibham

From: Joseph T. Kreye, Legislative Attorney

Re: LRB-3745/2 Expenditure restraint: budget test changes and accumulation of budget surpluses by municipalities

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) 266-2263 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.