

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: 03/29/2002

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus 6-9220**

By/Representing: **Engel**

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

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN7617,

Topic:

Allow the City of Bayfield to declare itself a premier resort area

Instructions:

See Attached. Same as b2722 (and -4396/1, SB 411)

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 03/29/2002	gilfokm 03/29/2002		_____			
/1			haugeca 03/29/2002	_____	lrb_docadmin 03/29/2002		

FE Sent For:

<END>

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1?	shoveme	3/29 Kmg	CH 3-29	CH 3-29 JK			
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11 MES 3/29/02

FE Sent For:

<END>

Dept. of Revenue

Allow the City of Bayfield to enact an ordinance declaring itself a premier resort area even if less than 40% of its property value is tourism related. (the provisions of SB 411 which passed the Senate unanimously and passed out of the Assembly Local Affairs Committee on a 5-1 vote.) LRB 2722 attached.

CN 7617

MES



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

62939/1
LRBb2722/T
MES:kmg:wp

For 2001-03 BUDGET - CAUCUS
SENATE AMENDMENT,
City of Bayfield Allowance to declare itself a premier resort area
Not ready for introduction
RMNR

TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

D-note

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

2 1. Page 53, line 4: after that line insert:

3 "SECTION 153s. 66.1113 (2) (a) of the statutes, as affected by 2001 Wisconsin
4 Act 16, is amended to read:

5 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds
6 vote of the members of the governing body who are present when the vote is taken,
7 may enact an ordinance or adopt a resolution declaring itself to be a premier resort
8 area if, except as provided in ~~par.~~ pars. (e) and (f), at least 40% of the equalized
9 assessed value of the taxable property within such political subdivision is used by
10 tourism-related retailers.

11 SECTION 153t. 66.1113 (2) (f) of the statutes is created to read:

1 66.1113 (2) (f) The city of Bayfield may enact an ordinance or adopt a resolution
2 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
3 equalized assessed value of the taxable property within Bayfield is used by
4 tourism-related retailers.”

5

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

62939/1/dy
LRBb2722/1dn
MES:kmg:ms

March 25, 2002

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget repair bill because the budget repair bill clearly encompasses more than one subject.

Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest." This proposal is applicable only to the City of Bayfield.

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget repair bill, you may wish to consider introducing this proposal as a separate bill.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb2939/1dn
MES:kmg:ch

March 29, 2002

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget repair bill because the budget repair bill clearly encompasses more than one subject.

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Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2939/1
MES:kmg:ch

SCC:.....Engel - CN7617, Allow the City of Bayfield to declare itself a premier resort area

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

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