

2003 DRAFTING REQUEST

Bill

Received: 10/23/2003

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Meyer (608) 266-5490**

By/Representing: **Bryan Brooks**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous
Counties - miscellaneous
Shared Revenue**

Extra Copies: **JK**

Submit via email: **YES**

Requester's email: **Sen.Meyer@legis.state.wi.us**

Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Allow counties to participate in municipal revenue sharing

Instructions:

See attached. Include "counties" in s. 66.0305

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>
/?	mshovers 12/29/2003			_____			S&L
/1		kgilfoy 01/13/2004	pgreensl 01/13/2004	_____	lemery 01/13/2004	lemery 01/29/2004	

FE Sent For:

At
Intro

<END>

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*see 95-4942/2, 1995 SB
491*

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1?	mshovers	1-1/13 King	1/13 PS	1/13 PS/af			

11 MES 12/22/03

FE Sent For:

<END>

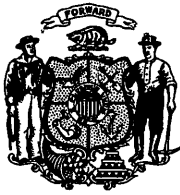
Shovers, Marc

From: Brooks, Bryan
Sent: Thursday, October 23, 2003 8:03 AM
To: Shovers, Marc

Marc-

That statutes I was trying to explain yesterday are
66.0305
Include county in the definition of municipality

*Sen Mark
Meyer*



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3851/1
MES.....

Thus A.M.

King
FMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

editor --
Date is per the
requester so it's
firm.
CMT

open

1. AN ACT ^{open} relating to: authorizing a county to participate in a municipal
2. revenue sharing agreement.

American

Analysis by the Legislative Reference Bureau

Under current law, cities, villages, and towns (municipalities) may enter into agreements to share revenues from taxes and special charges with other municipalities and with federally recognized Indian tribes or bands. No municipality may enter into an agreement with one or more municipalities unless the municipality is contiguous to at least one other municipality that enters into the agreement.

A municipal revenue sharing agreement must meet a number of conditions. It must:

1. Be for a minimum term of ~~10~~^{ten} years.
2. Describe the boundaries of the area within which the revenues are to be shared in the agreement.
3. Describe the formula or other means of determining the amount of revenues to be shared under the agreement.
4. Specify the date or dates upon which revenues agreed to be shared are to be paid to the appropriate municipality.
5. Specify how the agreement may be invalidated after the expiration of the minimum ~~10~~^{ten}-year term.

An agreement under current law may address any other necessary and proper matters, including any agreements with respect to services or agreements with respect to municipal boundaries. Current law also requires that at least 30 days

→ ten

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into

ten percent

before entering an agreement, the participating municipality must hold a public hearing on the proposed agreement (public hearing notice requirements are specified). In addition, current law provides that an advisory referendum on a proposed agreement may be called either by the governing body of the participating municipality or by the qualified electors of a participating municipality. In the latter case, a petition, signed by a number of qualified electors equal to at least 10% of the votes cast for governor in a municipality at the last gubernatorial election must be timely filed. Time limits and notice requirements are provided for the advisory referendum.

This bill modifies current law by authorizing a county to enter into a revenue sharing agreement with another county or a municipality or federally recognized American Indian tribe or band.

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. 66.0305 (title) of the statutes is amended to read:

2 66.0305 (title) **Municipal Political subdivision revenue sharing.**

History: 1995 a. 270; 1999 a. 150 s. 72; Stats. 1999 s. 66.0305; 1999 a. 182 s. 202.

3 SECTION 2. 66.0305 (1) of the statutes is amended to read:

4 66.0305 (1) DEFINITION. In this section, "municipality" "political subdivision"

5 means a city, village ~~or~~ town, or county.

History: 1995 a. 270; 1999 a. 150 s. 72; Stats. 1999 s. 66.0305; 1999 a. 182 s. 202.

6 SECTION 3. 66.0305 (2) of the statutes is amended to read:

7 66.0305 (2) **MUNICIPAL POLITICAL SUBDIVISION REVENUE SHARING AGREEMENT.**

8 Subject to the requirements of this section, any 2 or more municipalities political

9 subdivisions may, by a majority vote of a quorum of their governing bodies, enter into

10 an agreement to share all or a specified part of revenues derived from taxes and

11 special charges, as defined in s. 74.01 (4). One or more municipalities political

12 subdivisions may enter into agreements under this section with federally recognized

13 American Indian tribes or bands.

History: 1995 a. 270; 1999 a. 150 s. 72; Stats. 1999 s. 66.0305; 1999 a. 182 s. 202.

14 SECTION 4. 66.0305 (3) of the statutes is amended to read:

1 66.0305 (3) PUBLIC HEARING. At least 30 days before entering into an agreement
2 under sub. (2), a ~~municipality~~ political subdivision shall hold a public hearing on the
3 proposed agreement. Notice of the hearing shall be published as a class 3 notice
4 under ch. 985.

5 History: 1995 a. 270; 1999 a. 150 s. 72; Stats. 1999 s. 66.0305; 1999 a. 182 s. 202.

5 **SECTION 5.** 66.0305 (4) (a) 4. of the statutes is amended to read:

6 66.0305 (4) (a) 4. The date upon which revenues agreed to be shared under the
7 agreement shall be paid to the appropriate ~~municipality~~ political subdivision shall
8 be specified.

9 History: 1995 a. 270; 1999 a. 150 s. 72; Stats. 1999 s. 66.0305; 1999 a. 182 s. 202.

9 **SECTION 6.** 66.0305 (5) of the statutes is amended to read:

10 66.0305 (5) CONTIGUOUS BOUNDARIES. No ~~municipality~~ political subdivision
11 may enter into an agreement under sub. (2) with one or more ~~municipalities~~ political
12 subdivisions unless the ~~municipality~~ political subdivision is contiguous to at least
13 one other ~~municipality~~ political subdivision that enters into the agreement.

plain space

14 History: 1995 a. 270; 1999 a. 150 s. 72; Stats. 1999 s. 66.0305; 1999 a. 182 s. 202.

14 **SECTION 7.** 66.0305 (6) of the statutes is amended to read:

15 66.0305 (6) ADVISORY REFERENDUM. (a) Within 30 days after the hearing under
16 sub. (3), the governing body of a participating ~~municipality~~ political subdivision may
17 adopt a resolution calling for an advisory referendum on the agreement. An advisory
18 referendum shall be held if, within 30 days after the hearing under sub. (3), a
19 petition, signed by a number of qualified electors equal to at least 10% of the votes
20 cast for governor in the ~~municipality~~ political subdivision at the last gubernatorial
21 election, is filed with the clerk of a participating ~~municipality~~ political subdivision,
22 requesting an advisory referendum on the revenue sharing plan. The petition shall
23 conform to the requirements of s. 8.40 and shall be filed as provided in s. 8.37. If an
24 advisory referendum is held, the ~~municipality's~~ political subdivision's governing

1 body may not vote to approve the agreement under sub. (2) until the report under par.
2 (d) is filed.

3 (b) The advisory referendum shall be held not less than 42 days nor more than
4 72 days after adoption of the resolution under par. (a) calling for the referendum or
5 not less than 42 days nor more than 72 days after receipt of the petition under par.
6 (a) by the municipal or county clerk. The municipal or county clerk shall give notice
7 of the referendum by publishing a notice in a newspaper of general circulation in the
8 municipality ~~municipality~~ [✓] political subdivision, both on the publication day next
9 preceding the advisory referendum election and one week prior to that publication
10 date.

11 (c) The advisory referendum shall be conducted by the ~~municipality~~ political
12 subdivision's election officials. The governing body of the ~~municipality~~ political
13 subdivision may specify the number of election officials for the referendum. The
14 ballots shall contain the words "For the revenue sharing agreement" and "Against
15 the revenue sharing agreement" and shall otherwise conform to the provisions of s.
16 5.64 (2). The election shall be conducted as are other municipal or county elections
17 in accordance with chs. 6 and 7, insofar as applicable.

18 (d) The election inspectors shall report the results of the election, showing the
19 total number of votes cast and the numbers cast for and against the revenue sharing.
20 The election inspectors shall attach their affidavit to the report and immediately file
21 the report in the office of the municipal or county clerk.

22 (e) The costs of the advisory referendum election shall be borne by the
23 municipality political subdivision that holds the election.

Emery, Lynn

From: Brooks, Bryan
Sent: Thursday, January 29, 2004 3:30 PM
To: LRB.Legal
Subject: Draft review: LRB 03-3851/1 Topic: Allow counties to participate in municipal revenue sharing

It has been requested by <Brooks, Bryan> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-3851/1 Topic: Allow counties to participate in municipal revenue sharing