

**2005 DRAFTING REQUEST**

**Bill**

Received: 02/09/2005

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Dan Kapanke (608) 266-5490

By/Representing: Missy

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Local Gov't - counties  
Local Gov't - munis generally

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Authorized counties to participate in municipal revenue sharing agreements

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**Instructions:**

Redraft 2003 SB 458 / AB 901

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**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 02/10/2005	jdye 02/10/2005		_____			S&L
/1			pgreensl 02/10/2005	_____	lnorthro 02/10/2005	mbarman 03/28/2005	

FE Sent For:

<END>

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1?	mshovers	1 2/10 jld	2/10 p8	2/10 self			
11	MS 2/9/05						

FE Sent For:

<END>

2005 BILL



1 AN ACT *to amend* 66.0305 (title), 66.0305 (1), 66.0305 (2), 66.0305 (3), 66.0305  
2 (4) (a) 4., 66.0305 (5) and 66.0305 (6) of the statutes; **relating to:** authorizing  
3 a county to participate in a municipal revenue sharing agreement.

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***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 American 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 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 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

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respect to municipal boundaries. Current law also requires that at least 30 days before entering into 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 percent 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.

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*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.**

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.

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.

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

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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           **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           **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.

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

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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 political subdivision, both on the publication day next preceding the  
9 advisory referendum election and one week prior to that publication date.

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

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

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

23 (END)

## **Basford, Sarah**

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**From:** Gilbert, Melissa  
**Sent:** Monday, March 28, 2005 11:23 AM  
**To:** LRB.Legal  
**Subject:** Please jacket LRB 2053/1

Sorry, we appear to have deleted the e-mail draft, but we would like the bill jacketed. LRB 2053/1 is relating to: authorizing a county to participate in a municipal revenue sharing agreement. Thanks!

***Melissa L. Gilbert***  
***Chief of Staff***  
***Office of Sen. Dan Kapanke***  
***608-266-5490***