

**2009 DRAFTING REQUEST**

**Bill**

Received: **11/03/2008**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC 6-0292**

By/Representing: **Don Dyke**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Tax, Other - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **don.dyke@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Notary requirement for assessor certification renewal

---

**Instructions:**

See attached. Eliminate Dept. of Revenue requirement that applications for renewal of assessor certifications be notarized at least 60 days before the expiration date of existing certificate.

---

**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 11/03/2008	jdye 11/04/2008		_____			
/1			phenry 11/04/2008	_____	sbasford 11/04/2008		
/2	mshovers 10/23/2009	jdye 10/26/2009	rschluet 10/26/2009	_____	mbarman 10/26/2009	mbarman 10/27/2009	

FE Sent For:

*None*

<END>

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FE Sent For:

10/23/09

10/26/09  
10/26/09  
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May Contact:

Addl. Drafters:

Subject: Tax, Other - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: don.dyke@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

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1/?	mshovers	1 11/4 jld	4 ph	1/4 ph/k			
11 MES 11/3/08							
FE Sent For:							
<END>							



# State of Wisconsin • DEPARTMENT OF REVENUE

2135 RIMROCK ROAD • Mail Stop 624A • P.O. BOX 8933 • MADISON, WISCONSIN 53708-8933 • 608-266-6466 • FAX (608) 266-5718  
<http://www.revenue.wi.gov>

*Jim Doyle*  
Governor

*Roger M. Ervin*  
Secretary of Revenue

**TO:** Terry C. Anderson, Director, Legislative Council  
Don Dyke, Chief of Legal Services, Legislative Council

**FROM:** Roger Ervin, Secretary, Department of Revenue

**RE:** Proposals for Law Revision Committee

**DATE:** October 28, 2008

Please accept the following items from the Department of Revenue as remedial proposals for review by the Law Revision Committee.

(1) **Eliminate Notary Requirement for Assessor Certification Renewal**

Amend 73.09(4)(c) to eliminate the requirement that applications for renewal of assessor certifications be notarized at least 60 days before the expiration of an existing certificate. The Department of Revenue is able to accurately evaluate whether an assessor has completed the training required for re-certification. Notarization is an unnecessary and inconvenient extra step for assessors renewing their certifications. Eliminating the requirement for notarization will have no administrative or fiscal effect on the Department of Revenue.

(2) **Repeal Obsolete Use Value Statutes**

Repeal use value assessment statutes which governed the determination of values for agricultural land from 1996-2000. Statutes prescribed a 10-year phase-in of use value assessment running through 2008. DOR set an abbreviated phase-in period by administrative rule in 2000; the final phase-in period was never observed. Statutory references to the phase-in period through 2008 are now obsolete. Eliminating these statutes will have no administrative or fiscal effect on the Department of Revenue and no impact on property tax assessment practices in Wisconsin.

Statutes which should be eliminated: s. 70.32(2r)(a) through 70.32(2r)(b)4. Also eliminate this portion of s. 70.32(2r)(c):

*For the assessment as of the January 1 after the valuation method under par.(b) no longer applies and for each assessment thereafter,*

Remaining text of s. 70.32(2r)(c) would read:

*Agricultural land shall be assessed according to the income that could be generated from its rental for agricultural use.*

Thank you for your consideration of these remedial changes to the statutes. Please contact me or Sherrie Gates-Hendrix (267-1262) of my staff if you have questions.



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0635/2

MES

2009 BILL

Handwritten initials and a circle around the name 'Frank'.

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Handwritten checkmark.

Handwritten initials 'JEM' in a circle.

1 AN ACT ...; relating to: eliminating the notary requirement for assessor  
2 certification renewal (suggested as remedial legislation by the Department of  
3 Revenue).

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Revenue (DOR) establishes the education and examination requirements for the certification of a local property assessor. An assessor may be certified at various levels and the certification period is 5 years. Individuals may be recertified by examination or by attendance at 4 of the previous 5 annual meetings held by DOR and by meeting DOR's continuing education requirement. Also under current law, recertification is contingent upon submission by the assessor of a notarized application of renewal at least 60 days before the expiration of the assessor's current certificate.

This bill eliminates the requirement that the application for renewal must be notarized.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

INSERT  
A

LAW REVISION COMMITTEE PREFATORY NOTE: (This bill is a remedial legislation proposal, requested by the Department of Revenue and introduced by the Law Revision



9

Committee under s. 13.83 (1) (c) 1. and 5., as a result of the Legislative Reference Bureau's case and opinion review under s. 13.92 (2) (b), states: (This bill is introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., states: After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 SECTION 1. 73.09 (4) (c) of the statutes is amended to read:

2 73.09 (4) (c) Recertification is contingent upon submission of a notarized an ✓  
 3 application for renewal, at least 60 days before the expiration date of the current  
 4 certificate, attesting to the completion of the requirements specified in par. (b).  
 5 Persons applying for renewal on the basis of attendance at the meetings called by the  
 6 department under s. 73.06 (1) and by meeting continuing education requirements  
 7 shall submit a \$20 recertification fee with their applications.

History: 1979 c. 221; 1981 c. 20 s. 1039; 1983 a. 27 ss. 1264v, 2200 (15); 1985 a. 120; 1991 a. 39, 316; 1997 a. 237; 2003 a. 33 ss. 1626, 1627, 9160.

8 → Sec #, Initial applicability. ✓

9 → 74 (#) ~~over~~ This act first applies to an application for renewal that is submitted  
 10 on the effective date of this subsection. ✓

11 (END)

asky CPS:  
 My components  
 wouldn't work -  
 please fix  
 component

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0635/?ins  
MES.....

INSERT A

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Revenue and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

(end ins)

**2009 BILL**

Marc -  
P/S. prepare a "1/2".

Thanks,  
Jon Dyke

1 AN ACT *to amend* 73.09 (4) (c) of the statutes; **relating to:** eliminating the notary  
2 requirement for assessor certification renewal (suggested as remedial  
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For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Revenue and introduced by the Law Revision

**BILL**

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**SECTION 2. Initial applicability.**

(1) This act first applies to an application for renewal that is submitted on the effective date of this subsection.

(END)



*insert A*

22 lrh - UNSUBS - dr

Remedial Legislation Drafts

LRB-0635/1 - Insert A

**NOTE:** The Department of Revenue indicates that it is able to accurately evaluate whether an assessor has completed the training required for re-certification and, therefore, notarization is an unnecessary and inconvenient extra step for assessors renewing their certification. The department further indicates that eliminating the notarization requirement will have no administrative or fiscal effect on the department.

LRB-0637/P1 - Insert A

**NOTE:** Repeals obsolete provisions governing the determination of assessed values for agricultural land during the phase-in period for use value assessment. The repealed provisions contemplated a 10-year phase-in of use value assessment through 2008 (an abbreviated phase-in period was established by administrative rule in 2000). Statutory references to the phase-in period through 2008 are thus now obsolete. The Department of Revenue indicates elimination of these provisions will have no administrative or fiscal effect on the department and no affect on property tax assessments practices in Wisconsin.

Insert B

See the Note to SECTION 1, above.



RMR

2009 BILL

SOON

repeal

X

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8 **SECTION 2. Initial applicability.**

9 (1) This act first applies to an application for renewal that is submitted on the  
10 effective date of this subsection.

11 (END)

Handwritten notes: "IN" with a checkmark and "2-8" with an arrow pointing to Section 2.

ANS 2-8

Remedial Legislation Drafts

LRB-0635/1 - Insert A

\*

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(end ins 2-8)

note: std

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Insert B

See the Note to SECTION 1, above.



**Barman, Mike**

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**From:** Dyke, Don  
**Sent:** Tuesday, October 27, 2009 8:56 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0635/2 Topic: Notary requirement for assessor certification renewal

Please Jacket LRB 09-0635/2 for the ASSEMBLY.  
Thanks,  
Don Dyke