

**2013 DRAFTING REQUEST**

**Bill**

Received: 1/22/2014 Received By: jkreyc  
Wanted: Soon Same as LRB: -3807  
For: Mary Lazich (608) 266-5400 By/Representing: zach  
May Contact: Drafter: jkreyc  
Subject: Elections - miscellaneous Addl. Drafters: mshovers  
Local Gov't - counties  
Local Gov't - munis generally Extra Copies: EVM

Submit via email: YES  
Requester's email: Sen.Lazich@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

The information contained in referendum questions to authorize exceeding county levy limits

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**Instructions:**

Require all referenda to be scheduled in conformity with s. 8.37, stats. Delete use of the spring primary as a permissible date for a referendum to be held. Permit question to quote the relevant information for the latest available fiscal year on the date that the question is submitted instead of "the next fiscal year" (which information may not be available on the date the question is submitted). New instructions from Crystal, 12/19/13: levy limit ref. may be held only at partisan primary or general election because at spring election, locals/DOR won't know the levy limit for the next year, so the referendum would be meaningless.

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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>
/1	jkreyc 1/22/2014	scalvin 1/22/2014	jfrantze 1/23/2014	_____	mbarman 1/23/2014	sbasford 1/23/2014	

FE Sent For:

**<END>**

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*Please jacket  
short!*

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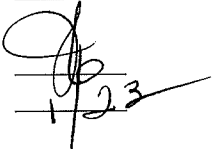
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/1	jkreye	/1 sac 01/22/2014	/1 sac 01/22/2014				

**Kreye, Joseph**

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**From:** Potts, Crystal  
**Sent:** Wednesday, January 22, 2014 3:31 PM  
**To:** Kreye, Joseph  
**Cc:** Bemis, Zach  
**Subject:** LRB 3807

Joe:

I hope all is well with you.

Please release LRB 3807 to Senator Lazich's office.

Thanks,

***Crystal Potts***

Research Assistant  
Committee Clerk, Assembly Committee on Ways & Means  
Office of State Representative Howard Marklein  
51<sup>st</sup> Assembly District  
(608) 266-7502  
[Crystal.Potts@legis.wi.gov](mailto:Crystal.Potts@legis.wi.gov)

FE Sent For:

**<END>**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3807/5  
JK&MES:sac:ts

stays

2013 ASSEMBLY BILL 645

4077/1

PF

January 21, 2014 - Introduced by Representatives MARKLEIN, RINGHAND and BERNIER. Referred to Committee on Campaigns and Elections.

no changes

due thru F 23  
D-N

- 1 AN ACT *to amend* 66.0602 (4) (c) of the statutes; **relating to:** the information
- 2 contained in referendum questions to authorize exceeding county levy limits.

***Analysis by the Legislative Reference Bureau***

Generally, under current law, and subject to a number of exceptions, a city, village, town, or county (political subdivision) may not increase its levy in any year by a percentage that exceeds its "valuation factor," which is defined as the greater of either zero percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed. The base amount of a political subdivision's levy, on which the levy limit is imposed, is the actual levy for the immediately preceding year.

Under one of the current law exceptions, a political subdivision may exceed the levy limits that otherwise apply if the political subdivision's governing body adopts a resolution to that effect and the resolution is approved in a referendum.

Under current law, the wording in the referendum question that appears on the ballot must include information relating to the maximum allowable levy rate increase for the next year and the total levy for the next year. However, the information that is necessary to prepare the question is not available to the political subdivision in time to put the question on the ballot for the spring primary or election or partisan primary. The bill requires that in preparing the ballot question for a referendum at a partisan primary in 2014, a county with a population of at least 30,000, but no more than 40,000, that is adjacent to a county with a population



**ASSEMBLY BILL 645**

exceeding 450,000, must use the most recent data that it has and the most recent data from the Department of Revenue.

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

1           **SECTION 1.** 66.0602 (4) (c) of the statutes is amended to read:

2           66.0602 (4) (c) The referendum shall be held in accordance with chs. 5 to 12.

3           The political subdivision shall provide the election officials with all necessary

4           election supplies. The form of the ballot shall correspond substantially with the

5           standard form for referendum ballots prescribed by the elections board under ss. 5.64

6           (2) and 7.08 (1) (a). The question shall be submitted as follows: “Under state law,

7           the increase in the levy of the .... (name of political subdivision) for the tax to be

8           imposed for the next fiscal year, .... (year), is limited to ....%, which results in a levy

9           of \$.... Shall the .... (name of political subdivision) be allowed to exceed this limit and

10          increase the levy for the next fiscal year, .... (year), by a total of ....%, which results

11          in a levy of \$....?”. In preparing the ballot question for a referendum held at a partisan

12          primary in 2014, as it relates to the allowable amount of levy rate increase and the

13          total amount of a levy, a county with a population of at least 30,000, but no more than

14          40,000, that is adjacent to a county with a population exceeding 450,000, shall use

15          the most recent data that it has and the most recent data that is available from the

16          department of revenue.

(END)

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

LRB-4077/1dn  
JK&MES:sac:js

- date -

Senator Lazich:

This draft is the same as LRB-3807/5, 2013 Assembly Bill 645.

Joseph T. Kreye  
Senior Legislative Attorney  
Phone: (608) 266-2263  
E-mail: joseph.kreye@legis.wisconsin.gov

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

LRB-4077/1dn  
JK&MES:sac:jf

January 23, 2014

Senator Lazich:

This draft is the same as LRB-3807/5, 2013 Assembly Bill 645.

Joseph T. Kreye  
Senior Legislative Attorney  
Phone: (608) 266-2263  
E-mail: [joseph.kreye@legis.wisconsin.gov](mailto:joseph.kreye@legis.wisconsin.gov)

**Barman, Mike**

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**From:** LRB.Legal  
**To:** Sen.Lazich  
**Subject:** Draft review: LRB -4077/1 Topic: The information contained in referendum questions to authorize exceeding county levy limits  
**Attachments:** 13-4077/1; DraftersNote1

**State of Wisconsin - Legislative Reference Bureau**  
**One East Main Street - Suite 200 - Madison**

**The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent.** If you have any questions concerning the draft or would like to have it redrafted, please contact Joseph T. Kreye, Senior Attorney, at (608) 266-2263, at [joseph.kreye@legis.wisconsin.gov](mailto:joseph.kreye@legis.wisconsin.gov), or at One East Main Street, Suite 200.

If you wish to introduce this draft in both houses please contact the drafting attorney to have a companion bill drafted.

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**Per instructions from the drafting attorney ... we will jacket this draft for the Senate and send it (by page) to your office.**

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If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at [LRB.Legal@legis.wisconsin.gov](mailto:LRB.Legal@legis.wisconsin.gov) or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

**Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.**