

2013 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB513)

Received: 2/7/2014 Received By: jkreye
Wanted: As time permits Same as LRB:
For: Mark Miller (608) 266-9170 By/Representing:
May Contact: Drafter: jkreye
Subject: Elections - miscellaneous Addl. Drafters:
Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Referendums to authorize exceeding levy limits and using most current data

Instructions:

See attached

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>
/?	jkreye 2/7/2014	scalvin 2/7/2014		_____			
/P1	jkreye 2/11/2014		jfrantze 2/7/2014	_____	srose 2/7/2014		
/1		scalvin 2/11/2014	jfrantze 2/11/2014	_____	sbasford 2/11/2014	sbasford 2/11/2014	

FE Sent For:

<END>

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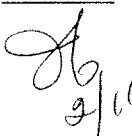
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/?	jkreye 2/7/2014	scalvin 2/7/2014		_____			
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FE Sent For:		11 sac 02/11/2014	11 sac 02/11/2014				

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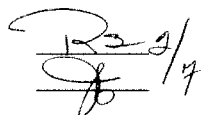
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1/?	jkreye	1/PI SAC 02/07/2014	1/PI SAC 02/07/2014				

FE Sent For:

<END>

Kreye, Joseph

From: Miller, Mark
Sent: Friday, February 07, 2014 11:21 AM
To: Kreye, Joseph
Cc: Esser, Bridget; Bier, Beth; Shovers, Marc; Bender-Olson, Katie
Subject: SB 513 SSA request

Joseph,

Please draft a substitute amendment to SB513 that will allow any jurisdiction that offers a referendum to increase levy limits to use the most recent data that it has and the most recent date from DOR [provided that the data is within one year of the referendum].

My understanding from testimony provided in committee is that in even number years current statutes allow a jurisdiction to schedule such a levy increase referendum only on any regularly scheduled election, but that the statutorily required referendum language effectively limits the date to fall elections. The provision in brackets [] may not be necessary, except for greater political acceptance.

Mark Miller

Sen. Mark Miller

16 Senate District
PO Box 7882, Madison, WI 53707
608-266-9170
608-266-5087 (fax)
Sen.Miller@legis.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4077/1

JK&MES:sac

Stays

50273/P1

SSA to

2013 SENATE BILL 513

in 2-7-14
Wolby

D-N

January 23, 2014 - Introduced by Senator LAZICH, cosponsored by Representatives MARKLEIN, RINGHAND and BERNIER. Referred to Elections and Urban Affairs.

- 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

SENATE BILL 513

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

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

spring primary or election or

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)

if the data is no more than 1 year old
one

political subdivision

50273/P1
JK: sec:

D-N
date

Miller
Senator Miller:

<intent component>

JVC

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

LRBs0273/P1dn
JK:sac:jf

February 7, 2014

Senator Miller:

Please review this draft carefully to ensure that it is consistent with your intent.

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



RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

**SENATE SUBSTITUTE AMENDMENT,
TO SENATE BILL 513**

NOW

2-11-14

gen cat

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

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

3 SECTION 1. 66.0602 (4) (c) of the statutes is amended to read:
4 66.0602 (4) (c) The referendum shall be held in accordance with chs. 5 to 12.
5 The political subdivision shall provide the election officials with all necessary
6 election supplies. The form of the ballot shall correspond substantially with the
7 standard form for referendum ballots prescribed by the elections board under ss. 5.64
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9 the increase in the levy of the (name of political subdivision) for the tax to be
10 imposed for the next fiscal year, (year), is limited to%, which results in a levy

1 of \$.... Shall the (name of political subdivision) be allowed to exceed this limit and
2 increase the levy for the next fiscal year, (year), by a total of%, which results
3 in a levy of \$....?”. In preparing the ballot question for a referendum held at a spring
4 primary or election or partisan primary, as it relates to the allowable amount of levy
5 rate increase and the total amount of a levy, a political subdivision shall use the most
6 recent data that it has and the most recent data that is available from the
7 department of revenue, if the data is no more than one year old.

8

(END)