



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 510

Assembly Amendment 1

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2003 Assembly Bill 510 authorizes cities, villages, and towns (or those portions of towns) located within urbanized areas of the state to create a metropolitan services district to provide governmental services to member municipalities. Urbanized areas of the state are designated under the bill by regional planning commissions or, in a county not served by or that does not contract with a commission, by the county zoning agency. A service district is a separate unit of government, independent of the state and member municipalities. A service district is governed by an elected commission and has broad authority to carry out its governmental service functions.

Assembly Amendment 1 addresses specific aspects of the bill, as summarized below.

PERIOD FOR INITIAL OPT-OUT OF DISTRICT

Under Assembly Bill 510, if at least two municipalities within an urbanized area adopt an enabling resolution to create a metropolitan service district, each municipality in that urbanized area becomes a part of the district unless the municipality adopts a resolution, not later than 60 days after the adoption of the most recent enabling resolution, stating that it does not wish to become part of the district. The amendment increases the period for adopting an opt-out resolution from 60 days to 90 days.

WITHDRAWAL FROM DISTRICT

Assembly Bill 510 authorizes a municipality that is part of a metropolitan service district to withdraw from the district if all other member municipalities adopt a resolution approving the withdrawal.

The amendment provides an alternative withdrawal procedure. Under the amendment, if a municipality has been in a district for at least 25 years, it may withdraw from the district without the approval of any other member municipality if the municipality adopts a resolution declaring its intention

to withdraw. If the municipality adopts a resolution, the resolution may not take effect earlier than three years after the resolution is adopted.

REQUIRED APPROVAL FOR OPTING BACK INTO DISTRICT

Under Assembly Bill 510, a municipality that opts out of becoming a member of a metropolitan service district when the district is formed may later become a member of the district if the district commission and all member municipalities approve.

The amendment revises the approval requirement to require approval of 50% of the member municipalities, rather than 100%.

SCHOOL AND PARK LAND DEDICATION FEES

Assembly Bill 510 authorizes a service district to impose impact fees, under current statutory provisions relating to impact fees, if the fee is for a purpose related to a service provided by the district. A member municipality may not itself impose an impact fee in connection with a service provided by the district to that municipality.

The amendment provides that no municipality may impose a school and park land dedication fee under s. 236.45, Stats. (local subdivision regulation), if a district imposes an impact fee for a similar purpose.

LIBRARY SERVICES

Under current law, a municipality or school district may qualify for an exemption from the county tax levy for library services if the municipality or district provides support for its own public library at least equivalent to its share of the county levy for library services. Section 43.64 (2), Stats. The amendment clarifies that municipalities that are members of a metropolitan service district operating a public library are exempt from the county library tax levy if the district provides support for its public library at least equivalent to its share of the county levy for library services.

The amendment further authorizes a metropolitan service district to directly provide library services by establishing a metropolitan service district public library (as an alternative to operating a municipal or joint public library). Consistent with the authority to establish a metropolitan service district library, the amendment contains specific provisions regarding the membership and appointment of a library board for such a library.

Assembly Amendment 1 was offered by the Assembly Committee on Urban and Local Affairs. The committee recommended adoption of the amendment by a vote of Ayes, 8; Noes, 0.

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