



RESOLUTION # 15-6/10

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS

ITEM # 6/9

BOARD ACTION

Adopted:
For: 27
Against: 7
Abstain: 1
Abs/Excd: 1
Vote Req: _____
Other Action: _____

LEGISLATIVE COMMITTEE ACTION

Adopted:
For: 4
Against: 1
Abstain: 1
Abs/Excd: 3

EXECUTIVE COMMITTEE ACTION

Adopted:
For: 6
Against: 1
Abstain: 1
Abs/Excd: 3

RE: SUPPORT FOR RESTORING FAIRNESS BY CORRECTING THE DISPARATE IMPACT OF THE TAX RATE LIMIT AT A TIME OF DECLINING PROPERTY VALUES

WHEREAS, Counties are subject to two separate levy constraints, the 3% "levy freeze cap" Wis Stats 66.0602 and the "tax levy rate limit" Wis Stats 59.605(2); and,

WHEREAS, the "levy freeze cap" permits all Counties to increase the operating tax levy by up to 3%, and the "tax rate limit" establishes the 1992 operating levy rate for each County as the maximum ceiling, not permitting the County to exceed this 1992 rate unless approved by a referendum; and

WHEREAS, the Operating Levy Tax Rate is a function of the Levy divided by the Total Equalized Value, so that in a time of declining property values, some Counties will quickly reach the 1992 operating rate limit and would not be able to increase their operating tax levy by the 3% permitted for all Counties to meet the rising costs of underfunded mandated programs; and,

WHEREAS, La Crosse County has the 15th lowest tax rate and 5th lowest Tax Levy per capita of all 72 Wisconsin Counties and has over \$2.25 million of unused tax levy authority under the levy freeze cap, yet would be unable to increase the operating tax levy by 3% if the Total Equalized Value declines by more than 2%, while other Counties with higher tax rates and a higher levy per capita would be permitted to increase their operating levy by up to 3%; and

WHEREAS, using the 3% allowable increase of 66.0602 (1)(d) as the controlling factor to take precedence over the 1992 rate limit, could create a second option to a referendum for a County to exceed the 1992 rate limit, while still restricting the rise in a County tax levy so that all Counties would be permitted the same 3% limit.

NOW THEREFORE BE IT RESOLVED, that the La Crosse County Board of Supervisors urge the Wisconsin Counties Association to support legislation in it's legislative platform to correct the disparate impact on some Wisconsin Counties of the tax rate limit at a time of declining property values by adding the following exception for a County to exceed the 1992 rate limit in addition to the referendum option:

s. 59.605(3) TAX BASE: if a county's allowable levy under s. 66.0602 (1) (d) is greater than the allowable levy under s. 59.605(2) then the county is exempt from the limit under 59.0605(2) in that tax year, and the Department of Revenue shall modify the Operating Levy Rate for subsequent years to this new rate.

FISCAL NOTE: If the Wisconsin Counties Association is successful in gaining this legislative change, all Counties would be subject to the same 3% limit, regardless of decline in property values because of the recession.

Date: June 7, 2010

[Signature]
LEGISLATIVE COMMITTEE CHAIR

[Signature]
RECORDING CLERK

Date: 6-9-10

[Signature]
EXECUTIVE COMMITTEE CHAIR

[Signature]
RECORDING CLERK

Co.Admin.	_____	<u>SO</u>	_____
Fin. Director	_____	<u>OT</u>	_____
Corp.Counsel	<u>WAS</u>	_____	_____
Bd. Chair	<u>SD/ME</u>	_____	_____

Not Recommended

Requested By: Steve O'Malley
Date Requested: June 2, 2010
Drafted By: Steve O'Malley

Adopted by the La Crosse County Board this 17th Day of JUNE, 2010

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, Deputy County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 17th day of June, 2010.

[Signature]
Ginny Dankmeyer, La Crosse Deputy County Clerk