

The Capitol Report

Lake district governance clarified and improved

Senate Bill 440, introduced by Senator Neal Kedzie and signed into law as Act 275 by Governor Doyle at the Wisconsin Lakes Convention last month offers more flexibility for citizens in lake districts and how they are governed. Provisions include changes as noted:

Meeting scheduling and notification: Under Act 275, scheduling the lake district's annual meeting (between May 22 and September 8) is explicitly the responsibility of the board. The secretary of the board is specifically responsible for preparing and sending notices of the annual meeting, any special meeting, and other meetings of the board. Notification must be 14 days prior to the meeting (up from 10 days). This notice must be sent to the mailing address on the tax bill, not the address of the property within the district.

Amending the budget: Amendments to the annual budget can now be considered and voted on at the annual meeting.

Annual meeting notice content: The notices of the annual meeting under Act 275 now must include a proposed annual budget produced by the board of commissioners with specific information on: (1) existing indebtedness, revenues, and proposed expenditures for the next year, (2) actual revenues and expenditures for the preceding year, (3) estimated and actual revenues, expenditures, and anticipated balances/surpluses for the current year. Also included must be a list of items for consideration at the meeting, including those proposed by lake property owners and resident electors, via petition (see below).

Special charge limitations: With Act 275, the amount of special charges for services provided to members of the lake district is now limited to not more than \$2.50 per \$1,000 of assessed valuation and may be collected with property taxes.

Nonlapsible funds: Now nonlapsible funds can be used for maintenance of equipment.

Getting items on the annual meeting agenda: Under the new law, items must be added to the agenda for consideration if those items (1) are within the powers of the annual meeting and (2) are supported by a petition signed by persons eligible to vote at the annual meeting equaling 20% or more of the number of parcels in the district. That petition must be submitted 30 days before the annual meeting.

Voting at annual meeting: With Act 275, no absentee ballots or proxies are permitted at the annual meeting. (Note: This is in response to concerns about inappropriate voting practices in the past).

A more detailed description of the provisions of Act 275 can be found at the WAL Website (<http://www.wisconsinlakes.org/Policy/ab440.htm>) and the entire text of the Act is on-line at: <http://www.legis.state.wi.us/2003/data/acts/03Act275.pdf>.

This report is excerpted from commentary on SB 440 by Bill O'Connor, WAL Counsel.

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