

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 25, 1998 LR 45

SENATOR WICKERSHAM: No.

SENATOR CHAMBERS: Does it have to have a school district?

SENATOR WICKERSHAM: No.

SENATOR CHAMBERS: What then makes it a municipality?

SENATOR WICKERSHAM: What makes it a municipality is compliance with the statutes, the plating, the approval by, I believe it requires approval by a county board and recognition as a municipality through that process.

SENATOR CHAMBERS: Does there have to be any structure existing on this land in order for it to be deemed a municipality, strictly speaking?

SENATOR WICKERSHAM: Not to my recollection, but there...we've created a number of classes of municipalities, and I don't want to speak for all of them. To my recollection, it doesn't require anything above the surface of the ground.

SENATOR CHAMBERS: And this language that we're dealing with in LR 45CA could apply to land which has nothing above the surface of the ground in the way of a structure, is that true?

SENATOR WICKERSHAM: I believe that is possible.

SENATOR CHAMBERS: So you could conceivably set up a municipality with no structures, none of these things, and get a certain type of taxation, if you could persuade the Legislature to do it for you, is that true?

SENATOR WICKERSHAM: The Legislature, over the years, has exercised the abilities that it has to define what a municipality is by setting out various classes, by setting out the parameters for what constitutes a given class of municipality, giving authority to the municipalities to discharge various functions of government. We would probably have the same opportunity to define, subject to some overriding constitutional review, urbanized areas.