

6/28/99 6:19:05 PM

Page: 1

1999 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/26/99

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: John Steinbrink (608) 266-0455

By/Representing: Geoff

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters: shoveme

Subject: Education - school finance
Munis - tax incrmntal financing

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

Capital improvement fund; TIF districts

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>
/?	grantpr 06/26/99	chanaman 06/27/99		_____			
/1			mclark 06/27/99	_____	lrb_docadmin 06/28/99	lrb_docadmin 06/28/99	
/2	grantpr 06/28/99	chanaman 06/28/99	jfrantze 06/28/99	_____	lrb_docadmin 06/28/99	lrb_docadmin 06/28/99	
/3	grantpr 06/28/99	chanaman 06/28/99	mclark 06/28/99	_____	lrb_docadmin 06/28/99	lrb_docadmin 06/28/99	

6/28/99 6:19:07 PM

Page 2

FE Sent For:

<END>

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/1			mclark 06/27/99	_____	lrb_docadmin 06/28/99	lrb_docadmin 06/28/99	
/2	grantpr 06/28/99	chanaman 06/28/99	jfrantze 06/28/99	_____	lrb_docadmin 06/28/99	lrb_docadmin 06/28/99	

FE Sent For:

cmH
6/28
/3

cmH/wls
6/28
<END>

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/?	grantpr 06/26/99	chanaman 06/27/99		_____			
/1		<i>cmh</i> 6/28	mclark 06/27/99	_____	lrb_docadmin 06/28/99	lrb_docadmin 06/28/99	
FE Sent For:		<i>12</i>	<i>6/28</i>	<i>6/28</i> <END>			

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1?	grantpr	cmh 6/27	MRC 6/27	MRC/KJF 6/27			

FE Sent For:

<END>



JOHN P. STEINBRINK

STATE REPRESENTATIVE ■ SIXTY-FIFTH ASSEMBLY DISTRICT

Date: June 24, 1999

To: Peter Grant, LRB

From: Geoff, Rep. Steinbrink's office

RE: Budget amendment draft for Steinbrink, Porter, Kreuser, M. Lehman, Olson

Peter:

This is the memo I spoke with about.

The only change to the memo we would like is permissive language ("up to" and "could") where noted.

Also, if "TIF/TID" would be more appropriate than "TID" to clarify Tax Incremental Financing Districts, that is fine.

Please call with any questions.

Again, I apologize for the notice, but this is time-sensitive.

Thanks

Geoff
Steinbrink's office
6-0455

*Speaker's office has
requested we have an LRB
draft prepared*



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 24, 1999

(Samantha)

TO: Representative Cloyd Porter
Room 309 North, State Capitol

FROM: Dave Loppnow, Program Supervisor

SUBJECT: Proposal Relating to Termination of Tax Incremental Districts

TIF/TID?

At your request, I am providing a summary of a proposal relating to tax incremental districts (TID).

Under this proposal, a school district could create a school construction fund to finance the cost of acquiring and improving sites, constructing school facilities, major maintenance of or remodeling, renovating and improving of school facilities. This fund could only receive monies if a TID that is located in a school district is terminated before the maximum number of years that it could have existed. In this case, in each year until the year after the year in which the TID would have been required to terminate, the school district would have to deposit in the fund either two-thirds or 100% of the school district's portion of the positive tax increment of the TID. Under the proposal, the Department of Revenue would calculate this increment as if the TID had not terminated.

For a school district with a TID where the value increment exceeds \$300 million, 100% of the school district's portion of the positive tax increment of the TID would have to be deposited in the school construction fund. For a school district with a TID with a value increment under \$300 million, two-thirds of the school district's portion of the positive tax increment of the TID would be deposited in the fund and ~~one-third~~ ^{the remainder} would be used to offset a portion of the school property tax levy that otherwise would apply.

The proposal would specify that a school district's revenue limit for any year would be increased by the amount deposited in the school construction fund in that school year. This revenue limit increase would be excluded from partial school revenues in calculating the costs of state two-thirds funding. Any expenditures from the school construction fund would be excluded from shared costs for purposes of calculating equalization aid. The proposal would include the increase in value of the TID in the school district's equalized value for purposes of the equalization aid formula.

The proposal would require a two-thirds vote of the school district's school board to establish a school construction fund, and an annual two-thirds vote of the board to place any monies into the fund. The initial vote of the board would have to occur within six months of the effective date of the legislation including this proposal. The school board would be required to mail information to district voters describing the proposed fund and its impact, at least two weeks before the board's initial vote.

The proposal would require approval by the voters in the school district of a stand-alone referendum describing the specific amounts and purposes of any spending from the fund would be required before monies could be expended from the school construction fund.

Each school district taking action to establish a school construction fund would be required to report to the Governor and to the Joint Committee on Finance, by January 1 of each odd-numbered year, relating to the impact and results of the use of monies under this proposal.

I hope that this information is helpful. Please contact me if you have questions.

DL/sas

1999

Date (time) needed

50m

LRB b 1328,1

BUDGET AMENDMENT

PL & MES: cmm

See form AMENDMENTS — COMPONENTS & ITEMS.

A S AMENDMENT TO ASAI
TO 1999 AB 133 OR 1999 SB 45

At the locations indicated, amend the bill as follows:

#. Page , line :

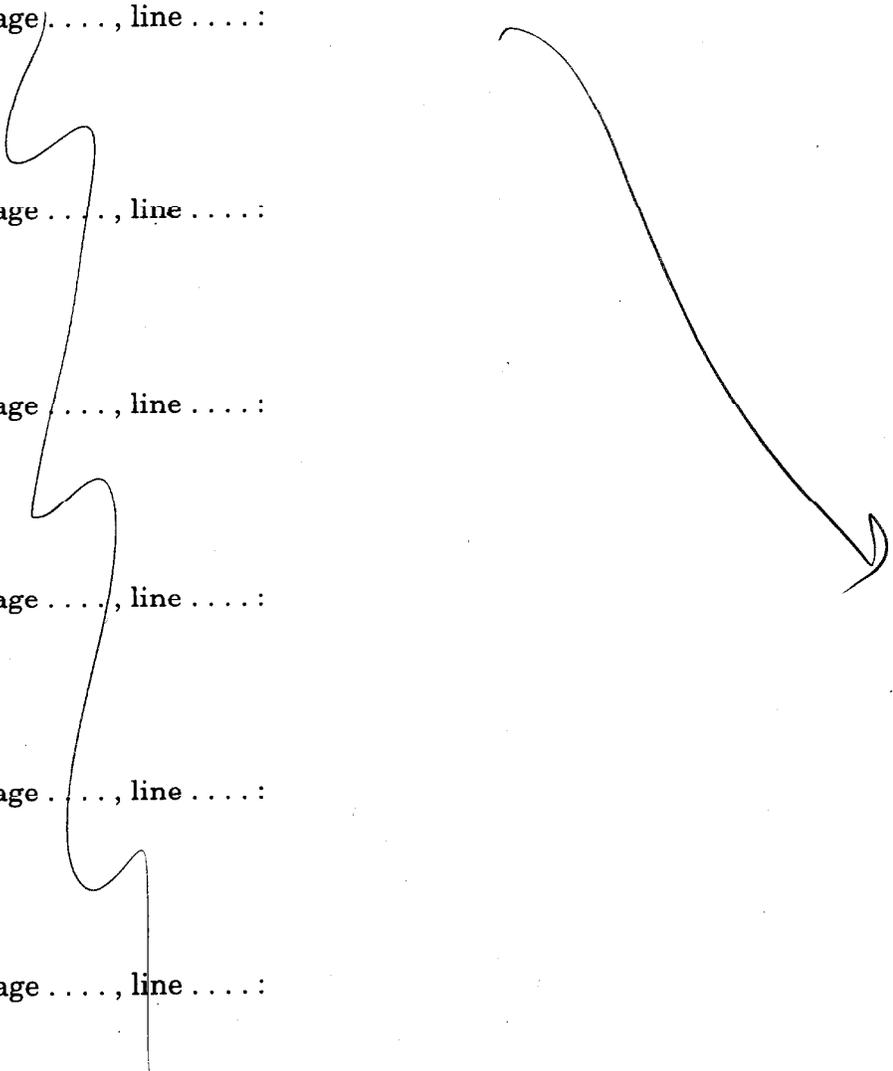
#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



SDC:.....Walter - Caucus #3303, Capital improvement fund; TIF districts

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1117, line 12: after that line insert:

3 **SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

4 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
5 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
6 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,
7 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
8 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,
9 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g),

1 (3), (14), (17) to (19), (26), (34) and (35) and (37) and 120.14 are applicable to a 1st
2 class city school district and board.

3 2. Page 1122, line 11: after that line insert:

4 "SECTION 2126m. 120.13 (37) of the statutes is created to read:

5 120.13 (37) CAPITAL IMPROVEMENT FUND. (a) ~~A school board of a school district~~
6 ~~that has the largest membership, as defined in s. 121.004 (5), of any school district~~
7 ~~located in a county that was created in 1950 and borders one of the Great Lakes may~~
8 adopt a resolution creating a capital improvement fund for the purpose of financing
9 current and future capital improvements.

10 (b) If a tax incremental district that ~~was created in 1989 and that~~ is located in
11 whole or in part in the school district ~~described under par. (a) has a value increment~~
12 ~~greater than \$300,000,000 and~~ is terminated before the maximum number of years
13 that the tax incremental district would have existed under s. 66.46 (7) (am) or (ar),
14 in each year ~~until the year after the year in which the tax incremental district would~~
15 have been required to terminate under s. 66.46 (7) (am) or (ar), ~~the school district~~
16 ~~treasurer shall~~ deposit in the capital improvement fund ~~an amount equal to~~
17 the school district's portion of the positive tax increment of the tax incremental district
18 in the final year of the tax incremental district's existence, as determined by the
19 department of revenue under s. 66.46.

20 (c) Money in the capital improvement fund may not be used for any ~~other~~
21 purpose or be transferred to any other fund without the approval of a majority of the
22 electors of the school district voting on the question at a referendum.

23 (d) If par. (b) applies, the school board of the school district described under par.
24 (a) shall submit a report by January 1 of each odd-numbered year to the governor

INS. 2-4

INS. 2-14

INS. 2-19

the percentage specified in
the resolution of

1 and the joint committee on finance describing the use of the moneys deposited in^{to} the
2 fund under par. (a) and the effects of that use.”

3 **3.** Page 1124, line 5: after “commenced” insert “, excludes any expenditures
4 from a capital improvement fund created under s. 120.13 (37)”.

5 **4.** Page 1126, line 5: after “(a) 3.” insert “, less the amount of any revenue limit
6 increase under s. 121.91 (4) (h)”.

7 **5.** Page 1136, line 9: after that line insert:

8 “SECTION 2158m. 121.91 (4) (h) of the statutes is created to read:

9 121.91 (4) (h) The limit otherwise applicable to a school district under sub. (2m)
10 in any school year is increased by an amount equal to the amount deposited in^{to} the
11 capital improvement fund under s. 120.13 (37) in that school year.”

12

(END)

2-4

~~If all of the following apply~~

~~no fl~~

~~By~~ By the first day of the ~~sixth~~^{6th} month commencing after the effective date of this paragraph

[redate], ~~is~~ by a two-thirds vote of the members elect, ~~no fl~~

(END INSERT)
[revisor & INSERT DATE],

2-14

~~and the~~

no 9

is which the school board adopts
by a two-thirds vote of the members elect
a resolution expressing its intention
to do so

no 9

(END OF INSERT)

2-19

(no 9)

~~(b)~~ If the value increment is less than \$300,000,000, the percentage specified in the resolution may not exceed 66.7%.

(9)

The school board shall use (b) the balance of the school district's portion of the value positive tax increments of the tax increment district to reduce the levy that otherwise would be imposed.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1328/1
PG&MES:cmh:mrc

TODAY

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1117, line 12: after that line insert:

3 "SECTION 2108m. 119.04 (1) of the statutes is amended to read:

4 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
5 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
6 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,
7 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
8 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,
9 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g),
10 (3), (14), (17) to (19), (26), (34) and (35) and (37) and 120.14 are applicable to a 1st
11 class city school district and board." ^{plain}

120.135

12 2. Page 1122, line 11: after that line insert:

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SECTION 2126m. ~~120.13(37)~~ of the statutes is created to read:

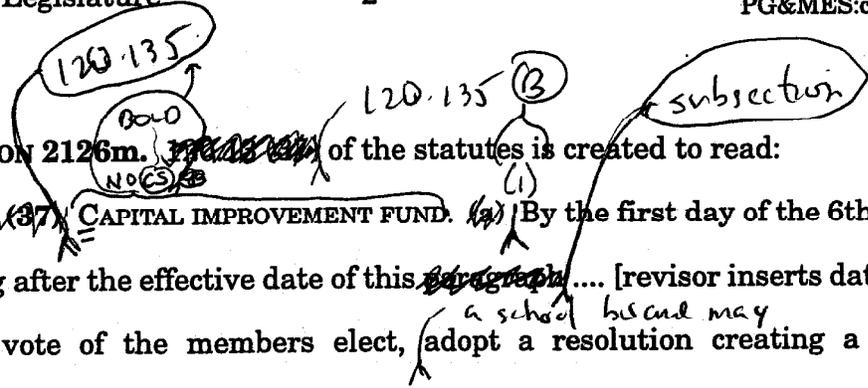
120.13(37) CAPITAL IMPROVEMENT FUND. (a) By the first day of the 6th month commencing after the effective date of this ~~paragraph~~.... [revisor inserts date], by a two-thirds vote of the members elect, ^{a school board may} adopt a resolution creating a capital improvement fund for the purpose of financing current and future capital improvements.

(2) (b) If a tax incremental district that is located in whole or in part in the school district is terminated before the maximum number of years that the tax incremental district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the school board adopts a resolution by a two-thirds vote of the members elect expressing its intention to do so until the year after the year in which the tax incremental district would have been required to terminate under s. 66.46 (7) (am) or (ar), ^{the school} deposit into the capital improvement fund the percentage specified in the resolution of the school district's portion of the positive tax increment of the tax incremental district in the final year of the tax incremental district's existence, as determined by the department of revenue under s. 66.46. If the value increment is less than \$300,000,000, the percentage specified in the resolution may not exceed 66.7%.

(3) (b) The school board shall use the balance of the school district's portion of the positive tax increment of the tax incremental district to reduce the levy that otherwise would be imposed.

(4) (b) Money in the capital improvement fund may not be used for any purpose or be transferred to any other fund without the approval of a majority of the electors of the school district voting on the question at a referendum.

(5) (d) If par (b) applies, the school board of the school district described under par. (a) shall submit a report by January 1 of each odd-numbered year to the governor



✓
board shall

1 and the joint committee on finance describing the use of the moneys deposited into
2 the fund under ~~220.135~~ and the effects of that use.”

sub. (1)

3 **3.** Page 1124, line 5: after “commenced” insert “, excludes any expenditures
4 from a capital improvement fund created under s. ~~120.13(37)~~”.

120.135

5 **4.** Page 1126, line 5: after “(a) 3.” insert “, less the amount of any revenue limit
6 increase under s. 121.91 (4) (h)”.

7 **5.** Page 1136, line 9: after that line insert:

8 “SECTION 2158m. 121.91 (4) (h) of the statutes is created to read:

9 121.91 (4) (h) The limit otherwise applicable to a school district under sub. (2m)
10 in any school year is increased by an amount equal to the amount deposited into the
11 capital improvement fund under s. ~~120.13(37)~~ in that school year.”

12

(END)

120.135



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 24, 1999

TO: Representative Cloyd Porter
Room 309 North, State Capitol

FROM: Dave Loppnow, Program Supervisor

SUBJECT: Proposal Relating to Termination of Tax Incremental Districts

At your request, I am providing a summary of a proposal relating to tax incremental districts (TID).

Under this proposal, a school district could create a school construction fund to finance the cost of acquiring and improving sites, constructing school facilities, major maintenance of or remodeling, renovating and improving of school facilities. This fund could only receive monies if a TID that is located in a school district is terminated before the maximum number of years that it could have existed. In this case, in each year until the year after the year in which the TID would have been required to terminate, the school district would have to deposit in the fund either two-thirds or 100% of the school district's portion of the positive tax increment of the TID. Under the proposal, the Department of Revenue would calculate this increment as if the TID had not terminated.

For a school district with a TID where the value increment exceeds \$300 million, 100% of the school district's portion of the positive tax increment of the TID would have to be deposited in the school construction fund. For a school district with a TID with a value increment under \$300 million, two-thirds of the school district's portion of the positive tax increment of the TID would be deposited in the fund and one-third would be used to offset a portion of the school property tax levy that otherwise would apply.

The proposal would specify that a school district's revenue limit for any year would be increased by the amount deposited in the school construction fund in that school year. This revenue limit increase would be excluded from partial school revenues in calculating the costs of state two-thirds funding. Any expenditures from the school construction fund would be excluded from shared costs for purposes of calculating equalization aid. The proposal would include the increase in value of the TID in the school district's equalized value for purposes of the equalization aid formula.

The proposal would require a two-thirds vote of the school district's school board to establish a school construction fund, and an annual two-thirds vote of the board to place any monies into the fund. The initial vote of the board would have to occur within six months of the effective date of the legislation including this proposal. The school board would be required to mail information to district voters describing the proposed fund and its impact, at least two weeks before the board's initial vote.

The proposal would require approval by the voters in the school district of a [REDACTED] describing the specific amounts and purposes of any spending from the fund would be required before monies could be expended from the school construction fund.

Each school district taking action to establish a school construction fund would be required to report to the Governor and to the Joint Committee on Finance, by January 1 of each odd-numbered year, relating to the impact and results of the use of monies under this proposal.

I hope that this information is helpful. Please contact me if you have questions.

DL/sas



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1328/2
PG&MES:cmh:jf

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1117, line 12: after that line insert:

3 “SECTION 2108m. 119.04 (1) of the statutes is amended to read:

4 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
5 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
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7 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
8 118.20, 118.24 (1), (2)(c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,
9 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g),
10 (3), (14), (17) to (19), (26), (34) and (35), 120.135 and 120.14 are applicable to a 1st
11 class city school district and board.”

12 **2.** Page 1122, line 11: after that line insert:

1 "SECTION 2126m. 120.135 of the statutes is created to read:

2 120.135 Capital improvement fund. (1) By the first day of the 6th month
3 commencing after the effective date of this subsection [revisor inserts date], by a
4 two-thirds vote of the members elect, a school board may adopt a resolution creating
5 a capital improvement fund for the purpose of financing current and future capital
6 improvements.

7 (2) If a tax incremental district that is located in whole or in part in the school
8 district is terminated before the maximum number of years that the tax incremental
9 district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the
10 school board adopts a resolution by a two-thirds vote of the members elect expressing
11 its intention to do so until the year after the year in which the tax incremental district
12 would have been required to terminate under s. 66.46 (7) (am) or (ar), the school
13 board shall deposit into the capital improvement fund the percentage specified in the
14 resolution of the school district's portion of the positive tax increment of the tax
15 incremental district in the final year of the tax incremental district's existence, as
16 determined by the department of revenue under s. 66.46. If the value increment is
17 less than \$300,000,000, the percentage specified in the resolution may not exceed
18 66.7%.

*to finance the cost of acquiring and improving sites,
constructing school facilities, major maintenance of remodeling,
renovating and improving of school facilities
(from memo)*

increase over time?

19 (3) The school board shall use the balance of the school district's portion of the
20 positive tax increment of the tax incremental district to reduce the levy that
21 otherwise would be imposed.

22 (4) Money in the capital improvement fund may not be used for any purpose
23 or be transferred to any other fund without the approval of a majority of the electors
24 of the school district voting on the question at a referendum.

Stand alone?

Lucky

**ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1117, line 12: after that line insert:

3 **"SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

4 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
5 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
6 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,
7 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
8 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,
9 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g),
10 (3), (14), (17) to (19), (26), (34) and (35), 120.135 and 120.14 are applicable to a 1st
11 class city school district and board."

12 **2.** Page 1122, line 11: after that line insert:

1 "SECTION 2126m. 120.135 of the statutes is created to read:

2 120.135 Capital improvement fund. (1) By the first day of the 6th month
3 commencing after the effective date of this subsection [revisor inserts date], by a
4 two-thirds vote of the members elect, a school board may adopt a resolution creating

5 a capital improvement fund for the purpose of financing ~~current and future capital~~

6 ~~improvements~~ *the cost of acquiring and improving sites, constructing school facilities and major maintenance or remodeling,*

7 (2) If a tax incremental district that is located in whole or in part in the school
8 district is terminated before the maximum number of years that the tax incremental
9 district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the
10 school board adopts a resolution by a two-thirds vote of the members elect expressing
11 its intention to do so until the year after the year in which the tax incremental district
12 would have been required to terminate under s. 66.46 (7) (am) or (ar), the school
13 board shall deposit into the capital improvement fund the percentage specified in the
14 resolution of the school district's portion of the positive tax increment of the tax
15 incremental district in ~~the final year of the tax incremental district's existence~~ *that*
16 determined by the department of revenue under s. 66.46. If the value increment is
17 less than \$300,000,000, the percentage specified in the resolution may not exceed
18 66.7%.

19 (3) The school board shall use the balance of the school district's portion of the
20 positive tax increment of the tax incremental district to reduce the levy that
21 otherwise would be imposed.

22 (4) Money in the capital improvement fund may not be used for any purpose
23 or be transferred to any other fund without the approval of a majority of the electors
24 of the school district voting on the question at a referendum.

renovating and improving school facilities

