

2011 DRAFTING REQUEST

Bill

Received: **01/26/2012**

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB: **-3951**

For: **Kathleen Vinehout (608) 266-8546**

By/Representing: **Joel Nilsestuen**

May Contact: **Department of Revenue**

Drafter: **emueller**

Subject: **Local Gov't - misc**

Addl. Drafters:

Extra Copies: **MES**

Submit via email: **YES**

Requester's email: **Sen.Vinehout@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Levy limit exception to allow village of Warrens mitigation of tax incremental district valuation error.

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>
/?	emueller 01/27/2012	mduchek 01/27/2012		_____			
/P1			jmurphy 01/30/2012	_____	lparisi 01/30/2012		
/1	emueller 02/02/2012	mduchek 02/02/2012	rschluet 02/02/2012	_____	lparisi 02/02/2012	lparisi 02/03/2012	

FE Sent For:

<END>

↳ Not Needed

2011 DRAFTING REQUEST

Bill

Received: **01/26/2012**

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB: **-3951**

For: **Kathleen Vinehout (608) 266-8546**

By/Representing: **Joel Nilsestuen**

May Contact: **Department of Revenue**

Drafter: **emueller**

Subject: **Local Gov't - misc**

Addl. Drafters:

Extra Copies: **MES**

Submit via email: **YES**

Requester's email: **Sen.Vinehout@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Levy limit exception to allow village of Warrens mitigation of tax incremental district valuation error.

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>
/?	emueller 01/27/2012	mduchek 01/27/2012		_____			
/P1			jmurphy 01/30/2012	_____	lparisi 01/30/2012		
/I	emueller 02/02/2012	mduchek 02/02/2012	rschluet 02/02/2012	_____	lparisi 02/02/2012		

FE Sent For:

<END>

2011 DRAFTING REQUEST

Bill

Received: **01/26/2012**

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB: **-3951**

For: **Kathleen Vinehout (608) 266-8546**

By/Representing: **Joel Nilsestuen**

May Contact: **Department of Revenue**

Drafter: **emueller**

Subject: **Local Gov't - misc**

Addl. Drafters:

Extra Copies: **MES**

Submit via email: **YES**

Requester's email: **Sen.Vinehout@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Levy limit exception to allow village of Warrens mitigation of tax incremental district valuation error.

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	emueller 01/27/2012	mduchek 01/27/2012		_____			
----	------------------------	-----------------------	--	-------	--	--	--

/P1			jmurphy 01/30/2012	_____	lparisi 01/30/2012		
-----	--	--	-----------------------	-------	-----------------------	--	--

/1 EJM
2/2/12

MD
2/2/12
11/2/12

FE Sent For:

<END>

2011 DRAFTING REQUEST

Bill

Received: 01/26/2012

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Kathleen Vinehout (608) 266-8546**

By/Representing: **Joel Nilsestuen**

May Contact: **Department of Revenue**

Drafter: **emueller**

Subject: **Local Gov't - misc**

Adl. Drafters:

Extra Copies: **MES**

Submit via email: **YES**

Requester's email: **Sen.Vinehout@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Levy limit exception to allow village of Warrens mitigation of tax incremental district valuation error.

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/? emueller

1/01 EUN
1/27/12

FE Sent For:

(Handwritten marks)
1/27/12 dm 1/27
ph/df
//
<END>

Mueller, Eric

From: Nilsestuen, Joel
Sent: Thursday, January 26, 2012 3:16 PM
To: Mueller, Eric
Subject: FW: Warrens Drafting Instructions

Joel Nilsestuen
Office of Sen. Kathleen Vinehout

PO Box 7882
Madison, WI 53707-7882

(608) 266-8546
Joel.Nilsestuen@legis.wisconsin.gov

From: Wagner, Michael W - DOR [<mailto:MichaelW.Wagner@revenue.wi.gov>]
Sent: Thursday, January 26, 2012 3:06 PM
To: Nilsestuen, Joel
Subject: Warrens Drafting Instructions

Joel,

The drafting instructions are to use 2011 Wisconsin Act 63, Section 1 as the basis.

The drafter will need to change "Shorewood" to read "Warrens." Additionally, all of the year references will need to be increased by 1. For example, 2011 becomes 2012, and 2012 becomes 2013.

Points 2 and 3 of Act 63 should not be included. Warrens is not planning to restock its levy reserve (they don't have one like Shorewood does) for the following years.

Please let me know if you need anything else. If you would like, we will be happy to take a look at the draft once you get it back from LRB.

Regards,

Mike Wagner
Legislative Advisor, Dept. of Revenue
608-266-7817

CONFIDENTIALITY NOTICE: This electronic mail transmission and any accompanying documents contain information belonging to the sender which may be confidential and legally privileged. This information is only for the use of the individual or entity to whom this electronic mail transmission was intended. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the information contained in this transmission is strictly prohibited. If you have received this transmission in error, please immediately contact the sender and delete the message. Thank you.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-6019/D 3950/P1
EVM:med:rs

Stacy

RMNR

D Note

2011 SENATE BILL 224

In 1/27/12

October 6, 2011 - Introduced by Senator DARLING, cosponsored by Representative KERKMAN. Referred to Committee on Public Health, Human Services, and Revenue.

regen

soon

- 1 AN ACT to create 66.0602 (3) (k) of the statutes relating to: exception to local
- 2 levy limits for the village of Shorewood Warrens

Analysis by the Legislative Reference Bureau

Generally under current law, and subject to a number of exceptions, a city, village, town, or county (political subdivision) may not increase its levy by a percentage that exceeds its "valuation factor," which is defined as the greater of either zero percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed. The base amount of a political subdivision's levy, on which the levy limit is imposed, is the actual levy for the immediately preceding year.

2012

2013

Because of an error by the village of Shorewood Warrens assessor in reporting the valuation of Tax Incremental District (TID) Number 1 in the village, should the village impose its intended 2011 levy, the resulting tax rate would lead to the collection of higher than intended revenues for TID Number 1. If the village reduces its levy and resulting tax rate, however, the levy will be less than initially intended and the levy limit for 2012 would be based at the reduced levy for 2011. Under this bill, the levy limits applicable to the village of Shorewood are increased by: 1) for 2012, the amount by which the village reduces its levy from the amount it would have levied in 2011 if not for an error in the valuation of the village's TID Number 1 to compensate for that error; and 2) for 2012 and 2013, a combined amount equal to the amount of funds applied from the village's general fund in 2011 to replace funds that

2012

2012

Warrens for 2013

SENATE BILL 224

amount is ~~would have been levied if not for the error in valuation~~ The actual levy limit increase ~~amounts are~~ determined by the Department of Revenue.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1

SECTION 1. 66.0602 (3) ^(L) (k) of the statutes is created to read:

2

66.0602 (3) (k) 1. Subject to subds. 2. and 3., ^{(L) if} if the village of ^{Warrens} Shorewood reduces

3

its levy from the amount it would have levied for ²⁰¹² 2011 if not for an error in the

4

valuation of Tax Incremental District Number 1 in the village, to compensate for that

5

error, the limit otherwise applicable under this section to the village in ²⁰¹³ 2012 is

6

increased by the amount of the reduction, as determined by the department of

7

revenue. The amounts added to the village's limit for ²⁰¹³ 2012 under this subdivision

8

may not exceed the amount by which the village underutilized its limit for ²⁰¹² 2011, as

9

determined by the department of revenue.

10

2. If the village of Shorewood applies funds from the village's general fund in

11

2011 to replace amounts not levied to compensate for an error in the valuation of Tax

12

Incremental District Number 1 in the village, the limits otherwise applicable under

13

this section to the village in 2012 and 2013 are increased by the amount applied from

14

the general fund in 2011, as determined by the department of revenue. The village's

15

limit increases under this subdivision for 2012 and 2013 do not increase the village's

16

limit for any subsequent year.

17

3. The combined amount of increased levy in 2012 and 2013 by the village of

18

Shorewood under subd. 2. may not exceed the amount of the funds applied from the

19

general fund to replace amounts not levied in 2011 to compensate for an error in the

20

valuation of Tax Incremental District Number 1 in the village.

21

(END)

DNote

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3950/Edn
EVM:.....

Pl
ned

ATTN: Sen. Kathleen Vinehout

Please review the attached draft, including the analysis, carefully to ensure that it is consistent with your intent. The draft and analysis are premised on my understanding that the village of Warrens has the same problem as was addressed for the village of Shorewood in 2011 Wis. Act 63. That is, the village assessor incorrectly reported the valuation of Tax Incremental District No. 1. Please let me know if this is not correct. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

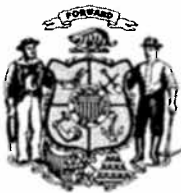
LRB-3950/P1dn
EVM:med:jm

January 30, 2012

ATTN: Sen. Kathleen Vinehout

Please review the attached draft, including the analysis, carefully to ensure that it is consistent with your intent. The draft and analysis are premised on my understanding that the village of Warrens has the same problem as was addressed for the village of Shorewood in 2011 Wis. Act 63. That is, the village assessor incorrectly reported the valuation of Tax Incremental District No. 1. Please let me know if this is not correct. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3950/PD 11

EVM:med:jm

Stays

RMF

In 2/2/12

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 2011, the Department of Revenue (DOR) undervalued a tax incremental district in the village of Warrens. Under current law, if DOR makes an error in determining the equalized value in any county or taxation district, DOR corrects the error by adjusting the taxation district's equalized value in the year after the year in which DOR made the error.

Refer

Today

- 1 AN ACT to create 66.0602 (3) (L) of the statutes; relating to: exception to local
- 2 levy limits for the village of Warrens.

Analysis by the Legislative Reference Bureau

Generally under current law, and subject to a number of exceptions, a city, village, town, or county (political subdivision) may not increase its levy by a percentage that exceeds its "valuation factor," which is defined as the greater of either zero percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed. The base amount of a political subdivision's levy, on which the levy limit is imposed, is the actual levy for the immediately preceding year.

Because of an error by the village of Warrens assessor in reporting the valuation of Tax Incremental District (TID) Number 1 in the village, should the village impose its intended 2012 levy, the resulting tax rate would lead to the collection of higher than intended revenues for TID Number 1. If the village reduces its levy and resulting tax rate, however, the levy will be less than initially intended and the levy limit for 2013 would be based at the reduced levy for 2012. Under this bill, the levy limits applicable to the village of Warrens for 2013 are increased by the amount by which the village reduces its levy from the amount it would have levied in 2012 if not for an error in the valuation of the village's TID Number 1 to compensate for that

the valuation

be higher than the village intended

error

Mueller, Eric

From: Nilsestuen, Joel
Sent: Wednesday, February 01, 2012 3:50 PM
To: Mueller, Eric
Subject: FW: Warrens levy limit bill

Attachments: Warrens levy limit adjustment - LRB analysis suggestion.docx

Eric,

Please see Mike Wagner's e-mail below for revisions to LRB 3950. Thank you for the quick turn around on this one. --Joel

Joel Nilsestuen
Office of Sen. Kathleen Vinehout

PO Box 7882
Madison, WI 53707-7882

(608) 266-8546
Joel.Nilsestuen@legis.wisconsin.gov

From: Wagner, Michael W - DOR [<mailto:MichaelW.Wagner@revenue.wi.gov>]
Sent: Wednesday, February 01, 2012 2:38 PM
To: Nilsestuen, Joel; Timothy D. Fenner
Cc: Knickelbine, Mark
Subject: RE: Warrens levy limit bill

The statutory language looks ok (but you may want to ask the drafter why he is capitalizing the "L" in 66.0602 (3) (L)).

However, the LRB analysis needs fixing. We propose the following correction that is attached to this e-mail.

-Mike



Warrens levy limit
adjustment ...

From: Nilsestuen, Joel [<mailto:Joel.Nilsestuen@legis.wisconsin.gov>]
Sent: Wednesday, February 01, 2012 11:30 AM
To: Timothy D. Fenner; Wagner, Michael W - DOR
Cc: Knickelbine, Mark - LEGIS
Subject: Warrens levy limit bill

Tim and Mike,

Attached is preliminary draft of the Warrens levy limit bill. Please review to determine whether it meets our intent. If other

attendees of our January 25 meeting should review it, please feel free to share it with them.

Also, please see the drafter's note. As I understand it, the Warrens situation is not accurately described (in both the drafter's note and the LRB analysis of the bill draft). If my understanding is correct, please send me corrections that I can convey to the drafter so the situation is accurately described in the analysis portion of the /1 version of the bill.

All due haste would be greatly appreciated.

Thank you,

Joel Nilsestuen
Office of Sen. Kathleen Vinehout

PO Box 7882
Madison, WI 53707-7882

(608) 266-8546
Joel.Nilsestuen@legis.wisconsin.gov

<< File: 11-3950P1dn Warens Levy Limit.pdf >> << File: 11-3950P1 Warrens Levy Limit.pdf >>

CONFIDENTIALITY NOTICE: This electronic mail transmission and any accompanying documents contain information belonging to the sender which may be confidential and legally privileged. This information is only for the use of the individual or entity to whom this electronic mail transmission was intended. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the information contained in this transmission is strictly prohibited. If you have received this transmission in error, please immediately contact the sender and delete the message. Thank you.

Generally under current law, and subject to a number of exceptions, a city, village, town, or county (political subdivision) may not increase its levy by a percentage that exceeds its "valuation factor," which is defined as the greater of either zero percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed. The base amount of a political subdivision's levy, on which the levy limit is imposed, is the actual levy for the immediately preceding year.

Because of an error in the 2011 valuation

Deleted: by the village of Warrens assessor in reporting the

of Tax Incremental District (TID) Number 1 in the village of Warrens, should the village impose

its intended 2012 levy, the resulting tax rate would be higher than would have occurred due to the valuation correction process under s.70.57. If the village reduces its levy and

Deleted: lead to the collection of higher than intended revenues for TID Number 1

resulting tax rate, however, the levy will be less than initially intended and the levy limit for 2013 would be based at the reduced levy for 2012. Under this bill, the levy limits applicable to the village of Warrens for 2013 are increased by the amount by which the village reduces its levy from the amount it would have levied in 2012 if not for an error in the valuation of the village's TID Number 1 to compensate for that error. The actual levy limit increase amount is determined by the Department of Revenue.

2/2 Joel Nilsestuen

- DOR error in valuation
- under valuation correction process - DOR leaves valuation for current year, fixes next year

Parisi, Lori

From: Nilsestuen, Joel
Sent: Friday, February 03, 2012 11:38 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-3950/1 Topic: Levy limit exception to allow village of Warrens mitigation of tax incremental district valuation error.

Please rush if possible.

Please Jacket LRB 11-3950/1 for the SENATE.