

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SB338)**

Received: 10/9/2013 Received By: mshovers  
Wanted: As time permits Same as LRB:  
For: Jerry Petrowski (608) 266-2502 By/Representing: Derek  
May Contact: Drafter: mshovers  
Subject: Local Gov't - tax incr financing Addl. Drafters:  
Extra Copies: EVM

Submit via email: YES  
Requester's email: Sen.Petrowski@legis.wisconsin.gov  
Carbon copy (CC) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Town tax incremental district must have sewer service

---

**Instructions:**

See attached Add in definitions from LRB -3358, and also add language from s. 60.23 (32) (b) 2. from -3358.

---

**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>
/?	mshovers 10/9/2013	scalvin 10/9/2013	rschluet 10/9/2013	_____			
/1				_____	lparisi 10/9/2013	lparisi 10/9/2013	

FE Sent For:

<END>

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SB338)**

Received: 10/9/2013 Received By: mshovers  
Wanted: As time permits Same as LRB:  
For: Jerry Petrowski (608) 266-2502 By/Representing: Derek  
May Contact: Drafter: mshovers  
Subject: Local Gov't - tax incr financing Addl. Drafters:  
Extra Copies: EVM

Submit via email: YES  
Requester's email: Sen.Petrowski@legis.wisconsin.gov  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Town tax incremental district must have sewer service ✓

**Instructions:**

See attached Add in definitions from LRB -3358, and also add language from s. 60.23 (32) (b) 2. from -3358.

**Drafting History:**

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? mshovers

11 SAC  
10/9/2013  
10/9/13  
J  
10/13

FE Sent For:

<END>

## Shovers, Marc

---

**From:** Punches, Derek  
**Sent:** Wednesday, October 09, 2013 4:54 PM  
**To:** Shovers, Marc  
**Subject:** RE: Amendment to LRB-2637 (SB 338)

Thanks, Marc. To be fair, we took the language from the LRB Analysis on -3385, presumably from you.

We only need a simple amendment, not a substitute amendment.

---

**Derek Punches**  
**Office of Senator Jerry Petrowski**  
**29th Senate District**  
**(608) 266-2502**

---

**From:** Shovers, Marc  
**Sent:** Wednesday, October 09, 2013 4:43 PM  
**To:** Punches, Derek  
**Subject:** RE: Amendment to LRB-2637 (SB 338)

OK. Thanks, Derek. It sounds pretty similar to LRB -3385. Do you want a simple amendment to your bill, or a substitute amendment? We'll definitely get it to you by tomorrow morning, and maybe tonight yet. Thanks.

Marc

---

**From:** Punches, Derek  
**Sent:** Wednesday, October 09, 2013 4:40 PM  
**To:** Shovers, Marc  
**Subject:** Amendment to LRB-2637 (SB 338)

Marc,

Per our discussion, I'd like to request an amendment to our Town TIF bill to require that sewer service must either currently be extended to the proposed district, or be provided to the proposed district before the use or operation of improvements to real property in the proposed district begins. This is identical to the language you provided in LRB-3385 that was later given to us by Rep. Barca's office.

As noted earlier, we are requesting this amendment as soon as possible. Please let me know if you have any questions.

---

**Derek Punches**  
**Office of Senator Jerry Petrowski**  
**29th Senate District**  
**(608) 266-2502**



SUC (RMNA)

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT ,

TO SENATE BILL 338

now

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 2: delete lines 2 to 5 and substitute:

INS 1-2

3 2. Page 3, line 2: after "district" insert "???"

4 (END)

INS  
1-3



## 2013 BILL

1 **AN ACT to renumber** 60.23 (32); and **to create** 60.23 (32) (b) of the statutes;  
2 **relating to:** expanding the authority of towns to create tax incremental  
3 financing districts.

---

### *Analysis by the Legislative Reference Bureau*

Under the current tax incremental financing program, a city or village may create a tax incremental district (TID) in part of its territory to foster development if at least 50 percent of the area to be included in the TID is blighted, in need of rehabilitation or conservation, suitable for industrial sites, or suitable for mixed-use development. Currently, towns and counties also have a limited ability to create a TID under certain circumstances. Before a city or village may create a TID, several steps and plans are required. These steps and plans include public hearings on the proposed TID within specified time frames, preparation and adoption by the local planning commission of a proposed project plan for the TID, approval of the proposed project plan by the common council or village board, approval of the city's or village's proposed TID by a joint review board that consists of members who represent the overlying taxation districts, and adoption of a resolution by the common council or village board that creates the TID as of a date provided in the resolution.

Under the current law limitations on towns to use tax incremental financing (TIF), a town may create a TID for projects related to tourism, agriculture, manufacturing, or forestry. A town may also use TIF for residential projects, but only to the extent that the residential project has a necessary and incidental relationship to a tourism, agricultural, manufacturing, or forestry project, and for retail projects

**BILL**

to the extent that the retail development is related to the retail sale of a product that is produced due to an agricultural, forestry, or manufacturing project.

A town may also create a TID in limited circumstances under which the town enters into a cooperative plan with a city or village under which part or all of the town will be annexed or attached by the city or village.

This bill authorizes certain towns to exercise all of the powers of a city or village to create a TID within the town. To create a TID under the bill, a town must have a population of at least 5,000, the equalized value of all taxable property within the town must be at least \$500 million in the year before the year in which the town proposes to create the TID, and the boundaries of the proposed TID must be within a sewer service area. In addition, sewer service must either currently be extended to the proposed district, or be provided to the proposed district before the use or operation of improvements to real property in the proposed district begins. The bill defines a sewer service area as territory that is specified in an areawide water quality management plan approved by the department of natural resources.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

~~SECTION 1. 60.23 (32) of the statutes is renumbered 60.23 (32) (a).~~

SECTION 2<sup>m</sup> 60.23 (32) (b) of the statutes is created to read:

60.23 (32) (b) 1. In this paragraph:

a. "Department" means the department of natural resources.

b. "Sewer service area" means territory specified in the sewer service area provisions of an areawide water quality management plan under s. 283.83 approved by the department.

c. "Town" means a town in which the equalized value of all taxable property in the town, in the year before the year in which the town adopts a resolution under s. 66.1105 (4) (gm), is at least \$500 million. "

2. Subject to subd. 3., a town with a population of at least 5,000 may exercise all powers of cities under s. 66.1105 to create a tax incremental district if the boundaries of the proposed district are within a sewer service area and sewer service

INS  
1-2

INS  
1-3  
P. 1002

**BILL**

F.N.S.  
1-3  
P.2082

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

is either currently extended to the proposed district or will be provided to the proposed district before the use or operation of any improvements to real property in the proposed district begins.

~~If the town board exercises the powers of a city under s. 66.1105, it is subject to the same duties as a common council under s. 66.1105 and the town is subject to the same duties and liabilities as a city under s. 66.1105.~~

~~3. a. If a town creates a tax incremental district under s. 60.85, the town may not take any action with regard to that district except by acting under s. 60.85.~~

~~b. If a town creates a tax incremental district under par. (a), the town may not take any action with regard to that district except by acting under par. (a).~~

(END)