

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 06/10/99

Received By: **shoveme**

Wanted: As time permits

Identical to LRB:

For: **Legislative Fiscal Bureau 6-3013**

By/Representing: **Runde**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - tax incrmntal financing**

Extra Copies:

Pre Topic:

LFB:.....Runde (FA) -

Topic:

Tax incremental financing district; village of Jackson special exception

Instructions:

See Attached, motion # 1336

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>
/1	shoveme 06/10/99	gilfokm 06/10/99	jfrantze 06/10/99	_____	lrb_docadmin 06/10/99		

FE Sent For:

<END>

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/1	shoveme	1-6-10-99 Kmg	20 6/10	20 / Kmg 6/10			
1/1 MES 6/10/99							

FE Sent For:

<END>

MISCELLANEOUS

Tax Incremental Financing Districts

Motion:

66-46(4m) (b)2. Move to exempt a TIF district, for which an amended certification was applied for in 1998 by a village that was incorporated in 1912 that has a population of at least 3,800 and is in a county with a population of at least 108,000 from the current law requirement that no TIF district may be created and no project plan may be amended unless the joint review board approves a resolution creating or amending a TIF project plan by a majority vote not less than 10 days nor more than 30 days after receiving the resolution. Further, specify that DOR is required to determine the amended aggregate base for that district using the January 1, 1998, aggregate base value.

Note:

Under current law, no TIF district may be created and no project plan may be amended unless the board approves the resolution to create or amend the TIF project plan by a majority vote not less than 10 days nor more than 30 days after receiving the resolution. The motion would exempt a TIF district in the Village of Jackson in Washington County from this current law requirement.

66-46(5) (c), (cc) Further, the motion would specify that DOR is required to determine the amended aggregate base for that district using the January 1, 1998, aggregate base value. Under current law, if a city or village adopts an amendment to their TIF district, the tax incremental base for the district shall be re-determined, by adding to the tax incremental base the value of the taxable property that is added to the existing district as of the January 1 next preceding the effective date of the amendment, if that amendment becomes effective between January 2 and September 30. The amended base value of the TIF district would be determined as of the next subsequent January 1 if the amendment becomes effective between October 1 and December 31. If the effective date of the amendment is January 1 of any year, the amended base shall be determined on that date.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0620/1

MES.....
King

LFB:.....Runde ^(FA) Tax incremental financing district; village of Jackson
special exception ✓

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

D-note

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

2 ✓ 1. Page 818, line 15: after that line insert:

3 "SECTION 1630e. 66.46 (4m) (b) 2. of the statutes is amended to read:

4 66.46 (4m) (b) 2. ~~No~~ ^{am} Except as provided in subd. ~~2.~~ ^{am} no tax incremental district
5 may be created and no project plan may be amended unless the board approves the
6 resolution adopted under sub. (4) (gm) or (h) 1. by a majority vote not less than 10
7 days nor more than 30 days after receiving the resolution.

History: 1975 c. 105, 199, 311; 1977 c. 29 ss. 724m, 725, 1646 (1), (3); 1977 c. 418; 1979 c. 221, 343; 1979 c. 361 s. 112; 1981 c. 20, 317; 1983 a. 27, 31, 207, 320, 405, 538; 1985 a. 29, 39, 285; 1987 a. 27, 186, 395; 1989 a. 31, 336; 1993 a. 293, 337, 399; 1995 a. 27 ss. 3330c to 3337, 9116 (5), 9130 (4); 1995 a. 201, 225, 227, 335; 1997 a. 3, 27, 237, 252.

8 SECTION 1630f. 66.46 (4m) (b) ~~1.~~ ^{am} of the statutes is created to read:

9 66.46 (4m) (b) ~~1.~~ ^{am} The requirements ^{am} under subd. 2. that a vote by the board take
10 place not less than 10 days nor more than 30 days after receiving a resolution ^{am} not

does

1 apply to a resolution amending a project plan under sub. (4) (h) 1. if the resolution
2 relates to a tax incremental district, the application for the redetermination of the
3 tax incremental base of which was made in 1998, that is located in ^avillage that was
4 incorporated in 1912, has a population of at least 3,800 and is located in a county with
5 a population of at least 108,000.

6 **SECTION 1630h.** 66.46 (5) (cf) of the statutes is created to read:

7 66.46 (5) (cf) If the city adopts an amendment to a plan, to which sub. (4m) (b)
8 ^{2m} applies, the tax incremental base for the district shall be redetermined by adding
9 to the tax incremental base the value, as of January 1, 1998, of the taxable property
10 that is added to the existing district under sub. (4) (h) 1.[✓]

11 (END)

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

LRB 0610/1dn
MES: kmg & jlg: am
b0620/1dn
kmg

Wednesday, June 4, 1997
[Handwritten signature]

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill clearly encompasses more than one subject.

Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". This proposal is applicable only to ~~XXXXX~~.

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget, you may wish to consider introducing this proposal as a separate bill.

[Handwritten initials] Marc E. Shovers
Senior Legislative Attorney
266-0129
[Handwritten signature]

the Village of
Jackson

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0620/1dn
MES:kmg:jf

June 10, 1999

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill clearly encompasses more than one subject.

Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". This proposal is applicable only to the Village of Jackson.

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget, you may wish to consider introducing this proposal as a separate bill.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0620/1
MES:kmg:jf

LFB:.....Runde (FA) – Tax incremental financing district; village of Jackson
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7 less than 10 days nor more than 30 days after receiving the resolution.

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9 66.46 (4m) (b) 2m. The requirement under subd. 2. that a vote by the board take
10 place not less than 10 days nor more than 30 days after receiving a resolution does
11 not apply to a resolution amending a project plan under sub. (4) (h) 1. if the resolution

1 relates to a tax incremental district, the application for the redetermination of the
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8 to the tax incremental base the value, as of January 1, 1998, of the taxable property
9 that is added to the existing district under sub. (4) (h) 1.”

10 (END)