

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **09/29/1999**

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:

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**Pre Topic:**

LFB:.....Runde -

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**Topic:**

Tax incremental financing changes, City of Sheboygan

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**Instructions:**

Based on b1718, but make it statutory

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**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 09/30/1999	wjackson 09/30/1999	martykr 09/30/1999	_____	lrb_docadmin 09/30/1999		

FE Sent For:

<END>

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1?	shoveme	1 WLj 9/30	Km 9/30	Kf 9/30 Km 9/30			

11 NES 9/30/99

FE Sent For:

<END>



September 1, 1999

Senator Jim Baumgart  
Fax No. 608-267-6796

Attention: Pat

Dear Pat:

Attached is the legal description for TID #6. The district was created by the City Council effective January 1, 1992. The ability for the City to invest TIF funds expires December 31, 2001. We would like that date extended to December 31, 2004.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob P", is written over the typed name.

Robert R. Peterson  
Director of City Development

cc: Rep. Joe Leibham

DEPARTMENT OF  
CITY DEVELOPMENT

807 CENTER AVE.  
SHEBOYGAN, WI  
53081-4414

920/459-3377  
FAX 920/459-3919

## LEGAL DESCRIPTION

**PHINZE**  
**& associates inc.**

3303 PAINE AVENUE . P.O. BOX 144  
 SHEBOYGAN, WISCONSIN 53082-0144 . (414) 458-5921

Commencing at the NW corner of Block 262, Original Plat, City of Sheboygan, said point being the intersection of the south line of Indiana Avenue with the east line of South 8th Street, thence Easterly along the north line of Block 262, also being the south line of Indiana Avenue, to the NW corner of Block 263, Original Plat, City of Sheboygan, said point being the intersection of the south line of Indiana Avenue with the east line of South 7th Street, thence North along said east line on South 7th Street to the south line of South Water Street, said line also being the west line of Block 238, Original Plat, City of Sheboygan, thence Northeasterly along the south line of South Water Street to the south line of Illinois Avenue, said point being at the north line of Block 238, City of Sheboygan, thence Easterly along the north line of Block 238 and Block 237, said line also being the south line of Illinois Avenue to its intersection with the shore of Lake Michigan, thence Northeasterly along the said shore of Lake Michigan to the south edge of the south breakwater (South Pier) in said Lake Michigan, thence Easterly along the south edge of said breakwater 1700' more or less to the Easterly line of the submerged land deeded to the City of Sheboygan by laws as passed by the State of Wisconsin, said line passing through a point at State Plane coordiantes N 646, 632.1, E 2, 608, 196.8, thence North along said line to the center line of Center Avenue in the City of Sheboygan, extended Easterly, thence East 580', thence North to the North edge of the north breakwater (North Pier), thence Northwesterly along the north edge of said north breakwater to its intersection with the shore of Lake Michigan, thence Northerly along said shore of Lake Michigan to its intersection with the center line of Michigan Avenue, thence Westerly along said center line of Michigan Avenue to the east line of Broughton Drive, thence Northeasterly along the east line of said Broughton Drive to its intersection with the north line of Michigan Avenue, thence Westerly along said north line of Michigan Avenue, which is also the south line of Block 38, Original Plat, City of Sheboygan, to the southeast corner of Block 39, Original Plat, City of Sheboygan, said line also being the west line of North 3rd Street, thence Southerly along the west line of North 3rd Street also being the east line of Block 68 and the east line of Block 71, Original Plat, City of Sheboygan, to the northeast corner of Lot 12, Block 71 Original Plat, City of Sheboygan, thence West along the north line of Lots 12-7, said Block 71, to the northwest corner of Lot 7, Block 71, said point also being in the east line of North 4th Street, thence Southerly along said east line of North 4th Street also being the west line of Block 71 to the northwest corner of Block 99, Original Plat, City of Sheboygan, said point being in the south line of Erie Avenue, thence Easterly along the south line of Erie Avenue to the northeast corner of Lot 2, Block 99, Original Plat, City of Sheboygan, thence Southerly along the east line of



3303 PAINE AVENUE • P.O. BOX 144  
SHEBOYGAN, WISCONSIN 53082-0144 • (414) 458-5921

said Lot 2, and the east line of Lot 11, Block 99, Original Plat, City of Sheboygan, and the east line of Lot 2, Block 101, to the northeast corner of Lot 11, Block 101, thence Westerly along the North line of said Lot 11 to the northwest corner thereof, thence Southerly along the west line of said Lot 11 and its southerly extension to the south line of Niagara Avenue, thence Easterly along said south line of Niagara Avenue to the west line of Broughton Drive as vacated, thence Southerly along said vacated west line of Broughton Drive to the north line of Plat of Ellis Addition, thence Easterly along said north line of Ellis Addition to the west line of Broughton Drive as platted, thence Southerly along the west line of Broughton Drive to its intersection with the north line of Center Avenue, thence Westerly along the north line of Center Avenue to its intersection with the west line of North Franklin Street, thence Southwesterly along the west line of South Franklin Street, also being the east line of Lots 107 and 106, Plat of Ellis Addition to the south line of said plat, thence Westerly along the south line of said plat, also being the south line of Lots 106-103 and its westerly extension to its intersection with the west line of North 5th Street, thence Southerly and southwesterly along the east line of Block 311, Original Plat, City of Sheboygan, to its intersection with the north line of Pennsylvania Avenue, thence Westerly along the south line of Block 311, also being the north line of Pennsylvania Avenue, to the southwest corner of Lot 7, Block 311, Original Plat, City of Sheboygan, also being the point in the east line of North 6th Street, thence Southerly along east line of South 6th Street to the southwest corner of Lot 3, Block 312, Original Plat, City of Sheboygan, thence Easterly along the south line of Block 312 to its intersection with the west line of South Franklin Street, thence Northeasterly along the west line of South Franklin Street, also being the south line of Lots 3, 2, 1, Block 312, Original Plat, City of Sheboygan, to the northeast corner of Lot 1, Block 312, Original Plat, City of Sheboygan said point also being in the south line of Pennsylvania Avenue, thence Easterly along the south line of Pennsylvania Avenue also being the north line of Block 313, Original Plat, City of Sheboygan to a point that is 230' west of the west right-of-way line of North 4th Street, thence Southerly on a line that is 230' west of and parallel to the west line on North 4th Street to its intersection with the southerly dock line of the Sheboygan River, thence Southwesterly and southerly along said dock line to the northeast corner of Lot 1, Block 239, Original Plat, City of Sheboygan, thence Southeasterly on a line that is parallel to the west line of said Lot 1 to its intersection with the northerly line of



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Water Street, thence Southwesterly along said north line of Water Street also being the south line of Block 239, Original Plat, City of Sheboygan, to the southwest corner of said Block 239 also being the east line of said South 8th Street, thence Southerly along the east line of South 8th Street to the point of beginning, excepting, therefrom all the land South of the South line of Center Avenue extended East, East of Broughton Drive, North of Pennsylvania Avenue, and West of the shore of Lake Michigan, being a tract containing 168± acres.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1718/1  
MES:cmh:hmh

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

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

**1.** Page 1567, line 22: before that line insert:

“(7h) CITY OF SHEBOYGAN TAX INCREMENTAL DISTRICT NUMBER SIX. Notwithstanding section 66.46 (6) (am) 1. of the statutes, expenditures for project costs for tax incremental district number six in the city of Sheboygan may be made no later than 13 years after the tax incremental district is created. Expenditures for tax incremental district number six in the city of Sheboygan may be made through December 31, 2004.”.

(END)

61872/1  
Notes to file on timing

TIF created in 1/1/92

Expenditures made  
6.46(b)(am) 1. Expenditures can be made until: no later than 10 years after TIF created, or 12/31/01

increments authorized  
6.46(b)(a) DOR may auth. increments for 27 years after the TIF is created, or until 12/31/08

TIF must terminate  
6.46(7) : earlier of:  
a) TIF pays off all costs  
or  
b) 20 years after the last expenditure <sup>identified</sup> in the plan is made or 12/31/11 -- 3 years after DOR can auth increments

But: total # of years in which expenditures are made under sub. (b)(am) 1. plus total # of years increments are allocated may not exceed 27 years - Or, in this case, until 12/31/08

They want to change expenditures made limit in 6.46(b)(am) 1. from 10 to 13 years

This would mean exp. can be made until 12/31/04 & TIF must terminate by 12/31/14 - -

★ BUT: increments may be paid only until 12/31/08 & under 6.46(7)(am) - TIF must terminate on 12/31/08



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1872/1  
MES

WJ  
RMR

LFB:.....Runde – Tax incremental financing changes, City of Sheboygan

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

P-note

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

2 1. Page 795, line 7: after that line insert:

3 “SECTION 1630kc. 66.46 (6) (am) 2. c. of the statutes is created to read:

4 66.46 (6) (am) 2. c. Expenditures for project costs for tax incremental district

5 number six in a city with a population of at least 45,000 that is located in a county

6 ~~which~~ <sup>that</sup> was created in 1853 and ~~which~~ <sup>that</sup> is adjacent to one of the Great Lakes. Such

7 expenditures may be made no later than 13 years after the tax incremental district

8 is created, and may be made through December 31, 2004.”

9 (END)

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

61872/1  
LRBb1718/Adn  
MES: [signature]

Wij:

September 7, 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 city of Sheboygan.

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

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

LRBb1872/1dn  
MES:wlj:km

September 30, 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.

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1872/1  
MES:wj:km

LFB:.....Runde – Tax incremental financing changes, City of Sheboygan

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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2 1. Page 795, line 7: after that line insert:

3 “SECTION 1630ke. 66.46 (6) (am) 2. c. of the statutes is created to read:

4 66.46 (6) (am) 2. c. Expenditures for project costs for Tax Incremental District

5 Number Six in a city with a population of at least 45,000 that is located in a county

6 that was created in 1853 and that is adjacent to one of the Great Lakes. Such

7 expenditures may be made no later than 13 years after the tax incremental district

8 is created, and may be made through December 31, 2004.”

9 (END)