

2007 DRAFTING REQUEST

Bill

Received: **10/31/2006**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Suder (608) 267-0280**

By/Representing: **Anne**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - tax incr financing**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Suder@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Application deadline, tax incremental financing district (TIF) in Village of Edgar

Instructions:

See Attached. Redraft 2005 LRB -5119/1, with attached changes

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 10/31/2006	jdye 11/01/2006		_____			S&L
/1			pgreensl 11/01/2006	_____	sbasford 11/01/2006		S&L
/2	mshovers 01/05/2007	jdye 01/05/2007	nmatzke 01/05/2007	_____	cdurst 01/05/2007	cdurst 01/05/2007	

FE Sent For:

<END>

→ A+
Intro.

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			nwn 1/5	nwn 1/5			

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/?	mshovers	1/1 jld	1/1 PG	1/1 PG			
1/1	MES	10/31/06					

FE Sent For:

<END>

Shovers, Marc

From: Emerson, Anne
Sent: Monday, October 30, 2006 2:47 PM
To: Shovers, Marc
Subject: FW:

Attachments: 05-51191.pdf

Hi Mark,

I was wondering if we could make these changes to LB 5119 that we had you draft for the Village of Edgar. If you have any questions, please let me know

Thanks!
Anne

From: Gibbon, Judie A
Sent: Thursday, September 14, 2006 5:18 PM
To: Emerson, Anne
Cc: Ourada, Thomas D; Lehman, Michael A
Subject:

Anne,

I would like to suggest two wording changes.

1. Line 5, DOR needs the application "not later than December 31, 2006," instead of the April 30, 2007 date listed. I've contacted Sue at the Village of Edgar identifying which corrected and additional forms that we need & she is working on completing those shortly.
2. Line 12, states that DOR may not "certify a value increment under par. (b) before 2008." If the legislation would get introduced **and signed** prior to May 1, 2007, and the assessor would get the Assessor's Final Report submitted prior to the second Monday in June, 2007; timewise, DOR could certify 2007 increment for 2007 taxes payable in 2008. If the legislation was not signed until after May, 2007 but before the next year, DOR could certify 2008 increment for 2008 taxes payable in 2009. So the wording on the last line would need to be adjusted based on the effective date.



05-51191.pdf (17
KB)

Otherwise, I believe this should be sufficient to authorize DOR to certify TID #3. If you have any questions, feel free to contact me.

Appreciate the opportunity to comment on this proposal. Thanks, Judie

Judie Gibbon, Tax Increment Financing Coordinator
Equalization Section, MS 6-97
PO Box 8971 Madison, Wi. 53708-8971
Phone (608) 266-5708 Fax (608) 264-6897

- 0619/1
LRB-5119/1
MES:ldrs
keep
RMNR

2007 (2005) BILL

D-NOTE

regen

1 AN ACT to create 66.1105 (5) (bi) of the statutes; relating to: the filing of certain
2 forms related to tax incremental financing district number 3 in the village of
3 Edgar.

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. 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, and adoption of a resolution by the common council or village board that creates the TID as of a date provided in the resolution.

Once these steps are accomplished, the city clerk is required to complete certain forms and an application and submit the documents to the Department of Revenue (DOR) on or before December 31 of the year in which the TID is created. Upon receipt of the application, DOR is required to certify the full aggregate value of the taxable property in the city, which constitutes the tax incremental base of the TID.

This bill specifies that, if the village of Edgar clerk submits to DOR on or before April 30, 2007, the required forms and an application for a TID that was created, or attempted to have been created, on January 1, 2005, based on action taken by the

December 31, 2006

Shovers, Marc

From: Emerson, Anne
Sent: Friday, January 05, 2007 9:39 AM
To: Shovers, Marc
Subject: RE: TID #3

Hey Marc,

Why don't we just go ahead and make the "had submitted" to change it to past tense. I think the clearer we can make it the better, we don't want them to use that as an excuse later. I think then we are set to jacket it.

Please let me know if you have any questions.

Anne Emerson
 Research Assistant

Office of State Representative Scott Suder
Wisconsin's 69th Assembly District
 Office: 1-608-267-0280
 Toll free: 1-888-534-0069

From: Shovers, Marc
Sent: Friday, December 01, 2006 10:41 AM
To: Emerson, Anne
Subject: RE: TID #3

Hi Anne:

I think that changing "submits" to "submitted" would be OK, but keeping the analysis in the present tense is OK too. The analysis is not part of the law -- only what's in the statutes matter and what I gather from DOR's comments is that Edgar will accomplish its goal if the bill is enacted before May 1, 2007, and if some other administrative matters are taken care of before the 2nd Monday in June of 2007. It appears that if these things do not occur, a new bill with new dates may have to be drafted. I think that the bill is fine for now. It's sort of awkward to redraft the analysis to use the past tense as DOR suggests before December 31, 2006, occurs, but you can certainly have the bill redrafted after January 1, 2007, to make this change. It's up to you, of course, but I don't think it's necessary to mess with it because the analysis has no legal effect.

Marc

From: Emerson, Anne
Sent: Friday, December 01, 2006 10:30 AM
To: Shovers, Marc
Subject: FW: TID #3

01/05/2007

Hi Marc,
I received the following response from the Dept. of Revenue. They suggest the following change to the analysis. Please let me know if you have any questions.

Thanks!
Anne

From: Gibbon, Judie A - DOR
Sent: Friday, December 01, 2006 10:10 AM
To: Emerson, Anne
Cc: Lehman, Michael A - DOR; Ourada, Thomas D - DOR
Subject: TID #3

Anne,

One suggestion for the drafter to help clarify the Analysis statement on the first page is to change the sentence in the third paragraph to read:

"This bill specifies that, if the village of Edgar clerk **had submitted** to DOR on or before December 31, 2006, the required forms.....". DOR currently has all the forms & application materials for TID #3 on file in our office.

Also Edgar TID #3 will get the increment for any construction that occurs in the TID between 1/1/06 & 1/1/07, if the legislation would get approved prior to May 1, 2007 and if the assessor reports it on the TID AFR to DOR prior to the second Monday in June, 2007. I had previously mentioned that timeline in an e-mail sent in Sept.

Thanks so much for keeping us in the loop.

Judie Gibbon, Tax Increment Financing Coordinator
Equalization Section, MS 6-97
PO Box 8971 Madison, Wi. 53708-8971
Phone (608) 266-5708 Fax (608) 264-6897

From: Emerson, Anne [mailto:Anne.Emerson@legis.wisconsin.gov]
Sent: Thursday, November 30, 2006 5:34 PM
To: Gibbon, Judie A - DOR
Subject: FW:

Hi Judie,
I was wondering if you had had a chance to take a look at the redraft I sent you. Sue from the Village of Edgar just wanted to make sure that they capture the increment on construction which took place during 2006. I asked our drafter and he had the response below. Please let me know your thoughts on the matter.

Thanks!
Anne
Office of State Representative Suder

From: Shovers, Marc

01/05/2007

Sent: Thursday, November 30, 2006 2:35 PM
To: Emerson, Anne
Subject: RE:

Hi Anne:

Based on the bill and the changes suggested by Judie Gibbon at DOR, I think that it does. Under the bill, DOR is required to treat the TID as if it were created on January 1, 2005, and that the required forms and applications were filed before January 1, 2006. I know that Judie was working with Sue in the village to make sure that DOR received certain forms in by a certain date. You may want to double check with Sue and Judie to ensure that everything is in order and that DOR and the village have the same understanding of what the bill will accomplish and that it will meet the village's needs.

Marc

Marc E. Shovers

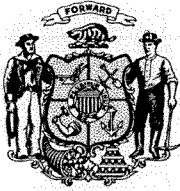
Senior Legislative Attorney
Legislative Reference Bureau
Phone: (608) 266-0129
Fax: (608) 264-8522
e-mail: marc.shovers@legis.state.wi.us

From: Emerson, Anne
Sent: Thursday, November 30, 2006 11:05 AM
To: Shovers, Marc
Subject: FW:

Hi Mark,

We have been working with you on the Edgar TIF issue (LRB0619/1). I sent the latest draft to the village and they just wanted to make sure that they capture the increment on construction which took place during 2006. Can you let me know if that is indeed the case?

Thanks!
Anne



2
RMR

2007 BILL

Legen

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2 forms related to tax incremental financing district number 3 in the village of
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This bill specifies that, if the village of Edgar clerk ~~submits~~ to DOR on or before December 31, 2006, the required forms and an application for a TID that was created, or attempted to have been created, on January 1, 2005, based on action taken by the

✓
had submitted

Duerst, Christina

From: Emerson, Anne
Sent: Friday, January 05, 2007 3:26 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-0619/2 Topic: Application deadline, tax incremental financing district (TIF) in Village of Edgar

Please Jacket LRB 07-0619/2 for the ASSEMBLY.