



COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

Office of the Comptroller
Scott B. Manske, Comptroller

DATE : September 7, 2021
TO : David Crowley, Milwaukee County Executive
Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors
FROM : Scott B. Manske, Comptroller
SUBJECT : Preliminary Tax Levy Limit Estimate for the 2022 Budget

Policy Issue:

The tax levy limit for Milwaukee County is controlled by State Statute 66.0602. The Office of the Comptroller has followed that policy in determining the preliminary limit for 2022.

In general, the allowable increase in levy is limited to the growth in net new construction/terminated (or subtracted) tax incremental financing districts \$2,945,630 and the estimated growth in the debt service \$993,910. The additional allowable levy resulting from these two factors is \$3,939,541.

There are four other factors, which also will have an impact on the allowable property tax levy. The four factors are as follows, along with their impact on the allowable County property tax levy: change in the levy for emergency management services (allowable increase of \$292,193), change in the levy for Southeastern Wisconsin Regional Planning Commission (allowable decrease of \$36,830) adjustments in personal property aid (allowable decrease of \$117,747), and tax levy carryover provisions from prior years (no change to allowable amount).

Therefore, the preliminary levy amount available is \$4,077,156. *Changes made throughout the budget process and the estimated 2021 bond issuances will cause this number to change.*

2022 Budget Allowable Levy Increase

Levy Limit Provision	Additional Allowable Levy
A) Net New Construction and Terminated/Subtracted TIDs	\$2,945,630
B) Change in Debt Service	\$993,910
C) Change in EMS Levy Available to be Levied Separately	\$292,193
D) Personal Property Aid Adjustment	-\$117,747
E) SEWRPC Levy Change	-\$36,830
F) Carryover Provision (Requires 2/3 vote of County Board and lower general obligation debt than prior year)	\$0
Maximum Additional Allowable Levy	\$4,077,156

* These amounts are preliminary and are subject to further revision throughout the budget process.

A) Growth Due to the County’s Valuation Factor (Wis. Stat. 66.0602 (2))

Current State Statute allows for the County to increase its levy to reflect increases in its valuation. The valuation changes are a function of the net new construction percentage change and the closeout (termination of) Tax Incremental Financing Districts (“TIDs”) within the County. The net new construction percentage for the 2022 Budget is 1.008% and the Terminated/Subtracted TID percentage is 0.361%. For the 2022 Budget, the County may increase its levy by \$2,945,630 because of these factors. For comparison purposes, last year’s net new construction percentage was 1.333% and the terminated TID percentage was 0.048%, which made \$2,951,906 available under this provision.

B) Debt Service (Wis. Stat. 66.0602 (3) (d) (2))

The County has the option to increase its tax levy anytime the debt service increases. The County; however, must decrease its tax levy anytime debt service decreases. For 2022, the debt service is estimated to increase by \$993,910. Based on current amounts included in the 2022 Requested Budget, the County may increase its tax levy by a maximum amount of \$993,910 under this provision. For comparison purposes, last year’s debt service amount increased by \$171,218 compared to the prior year.

The 2022 debt service amounts will change based on the sizing/structure of the 2021 bond issuances.

C) Items Excluded from the Levy Limit Provision (Wis. Stat. 66.0602 (3) (e))

Emergency Management Services (EMS) can be separately levied for by the County, up to EMS's tax levy requirements. The County utilized this exclusion in the 2021 Adopted Budget to increase the County's levy by \$2,894,273: the tax levy for EMS in 2021. Any increase in the EMS 2022 budgeted tax levy would become available to be levied separately, while any decrease would lower the County levy for EMS, and the County levy overall. For 2022, based on the current amount included in the Requested Budget, the tax levy contribution to EMS will increase by \$292,193 to \$3,186,466, thus increasing the tax levy exclusion provided by this provision by \$292,193.

D) Personal Property Aid Levy Adjustment (Wis. Stat. 66.0602 (2) (b))

The 2017-2019 state budget (2017 Wisconsin Act 59) expanded the types of personal property that are exempt from taxation. The expansion includes machinery, tools and patterns not used in manufacturing ("newly exempt personal property")¹. The 2017-2019 state budget also included aid (beginning in 2019) to taxing jurisdictions equal to the property taxes that would have been levied on the newly exempt personal property. In addition to providing aid to jurisdictions, the 2017-2019 state budget also adjusted the levy limit down by the same amount as the aid payment.

For 2022, it is anticipated that the County will receive a personal property aid payment of \$1,499,034. Since the personal property aid amount is increasing by \$117,747; the County's allowable levy will decrease by \$117,747.

E) Southeastern Wisconsin Regional Planning Commission (SEWRPC) levy change

The year over year change in tax levy for the Southeastern Wisconsin Regional Planning Commission (SEWRPC) is also used to calculate the allowable levy. The 2021 to 2022 change for SEWRPC is an increase of \$36,830 which decreases the allowable levy for other uses by \$36,830.

¹ Wisconsin Statute 70.111 (27) (b)

F) Carryforward Provision (Wis. Stat. 66.0602 (3) (fm))

There is no additional allowable levy available under this provision for the 2022 Budget.

The County may carry forward the difference between its valuation factor in the previous year and the actual percentage increase in levy attributable to the valuation factor. Under this provision, the maximum amount of carry forward that can be claimed as an adjustment in any given year is equal to 5% of the prior year's actual levy. Claiming the carry forward requires approval by a 2/3 majority vote of the governing body, and the amount of general obligation debt outstanding in the year the carry forward is claimed must be less than the amount of general debt outstanding in the prior year. The amount of the potentially available carry forward adjustment is determined by totaling the amount of any *unclaimed* carry forward percentages from each of the preceding five years' levy limit worksheets.

The 2020 Budget utilized this provision to increase the levy limit by \$2,946,235. The \$2,946,235 represented the entire amount of allowable levy available under the carryforward provision.



Scott B. Manske
Comptroller

pc: Supervisor Jason Haas, Chair, Committee on Finance
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Aaron Hertzberg, Director, Department of Administrative Services
Joe Lamers, Director, DAS-PSB
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