



1997 SENATE BILL 374

December 10, 1997 - Introduced by Senators WIRCH, RUDE, PLACHE, MOEN and ROESSLER, cosponsored by Representatives STEINBRINK, SPRINGER, KREUSER, PORTER, J. LEHMAN, F. LASEE, HUTCHISON, KAUFERT, KREIBICH, JOHNSRUD, HUBER, PLOUFF and OTTE. Referred to Committee on Economic Development, Housing and Government Operations.

1 **AN ACT to amend** 79.04 (1) (a) and 79.04 (2) (a); and **to create** 79.04 (1) (am) and
2 79.04 (2) (ag) of the statutes; **relating to:** indexing the factors of the formula
3 that is used to calculate the utility component of the shared revenue payments.

Analysis by the Legislative Reference Bureau

One component of the shared revenue payments that are made to municipalities and counties is based on the utility property in those political subdivisions. For the calculation of that component a number of factors are used. This bill indexes the mill rate by which the base is multiplied, the minimum for the amount in the account (which is part of the base), the maximum payment for each production plant and the per capita maximum amount.

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:

4 **SECTION 1.** 79.04 (1) (a) of the statutes is amended to read:
5 79.04 (1) (a) An Except as provided in par. (am), an amount from the shared
6 revenue account determined by multiplying by 3 mills in the case of a town, and 6
7 mills in the case of a city or village, the first \$125,000,000 of the amount shown in
8 the account, plus leased property, of each public utility except qualified wholesale
9 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding

1 year for either “production plant, exclusive of land” and “general structures”, or
2 “work in progress” for production plants and general structures under construction,
3 in the case of light, heat and power companies, electric cooperatives or municipal
4 electric companies, for all property within a municipality in accordance with the
5 system of accounts established by the public service commission or rural
6 electrification administration, less depreciation thereon as determined by the
7 department of revenue and less the value of treatment plant and pollution
8 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
9 department of revenue plus an amount from the shared revenue account determined
10 by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or
11 village, of the first \$125,000,000 of the total original cost of production plant, general
12 structures and work-in-progress less depreciation, land and approved waste
13 treatment facilities of each qualified wholesale electric company, as defined in s.
14 76.28 (1) (gm), as reported to the department of revenue of all property within the
15 municipality. The Except as provided in par. (am), the total of amounts, as
16 depreciated, from the accounts of all public utilities for the same production plant is
17 also limited to not more than \$125,000,000. The Except as provided in par. (am), the
18 amount distributable to a municipality in any year shall not exceed \$300 times the
19 population of the municipality.

20 **SECTION 2.** 79.04 (1) (am) of the statutes is created to read:

21 79.04 (1) (am) The department of revenue shall adjust; so as to reflect the
22 average percentage change in the consumer price index for all urban consumers, U.S.
23 city average, for the calendar year ending on December 31 of the year preceding the
24 year of the statement under s. 79.015; the following amounts under par. (a):

25 1. The mill rate by which the base is multiplied.

1 2. The minimum for the amount in the account.

2 3. The maximum amount for each production plant.

3 4. The per capita maximum amount.

4 **SECTION 3.** 79.04 (2) (a) of the statutes is amended to read:

5 79.04 (2) (a) ~~Annually~~ Except as provided in par. (ag), annually, the department
6 of administration, upon certification by the department of revenue, shall distribute
7 from the shared revenue account to any county having within its boundaries a
8 production plant or a general structure, including production plants and general
9 structures under construction, used by a light, heat or power company assessed
10 under s. 76.28 (2), except property described in s. 66.069 (2) unless the production
11 plant is owned or operated by a local governmental unit that is located outside of the
12 municipality in which the production plant is located, or by an electric cooperative
13 assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company
14 under s. 66.073 an amount determined by multiplying by 6 mills in the case of
15 property in a town and by 3 mills in the case of property in a city or village the first
16 \$125,000,000 of the amount shown in the account, plus leased property, of each
17 public utility except qualified wholesale electric companies, as defined in s. 76.28 (1)
18 (gm), on December 31 of the preceding year for either “production plant, exclusive
19 of land” and “general structures”, or “work in progress” for production plants and
20 general structures under construction, in the case of light, heat and power
21 companies, electric cooperatives or municipal electric companies, for all property
22 within the municipality in accordance with the system of accounts established by the
23 public service commission or rural electrification administration, less depreciation
24 thereon as determined by the department of revenue and less the value of treatment
25 plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as

1 determined by the department of revenue plus an amount from the shared revenue
2 account determined by multiplying by 6 mills in the case of property in a town, and
3 3 mills in the case of property in a city or village, of the total original cost of production
4 plant, general structures and work-in-progress less depreciation, land and
5 approved waste treatment facilities of each qualified wholesale electric company, as
6 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
7 within the municipality. ~~The Except as provided in par. (ag), the~~ total of amounts,
8 as depreciated, from the accounts of all public utilities for the same production plant
9 is also limited to not more than \$125,000,000. ~~The Except as provided in par. (ag),~~
10 ~~the~~ amount distributable to a county in any year shall not exceed \$100 times the
11 population of the county.

12 **SECTION 4.** 79.04 (2) (ag) of the statutes is created to read:

13 79.04 (2) (ag) The department of revenue shall adjust; so as to reflect the
14 average percentage change in the consumer price index for all urban consumers, U.S.
15 city average, for the calendar year ending on December 31 of the year preceding the
16 year of the statement under s. 79.015; the following amounts under par. (a):

- 17 1. The mill rate by which the base is multiplied.
- 18 2. The minimum for the amount in the account.
- 19 3. The maximum amount for each production plant.
- 20 4. The per capita maximum amount.

21 **SECTION 5. Initial applicability.**

22 (1) This act first applies to payments made in 1999.

23 (END)