

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/26/2001

Received By: jkreye

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Emerson

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Shared Revenue

Extra Copies:

Submit via email: NO

Requester's email:

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**Pre Topic:**

ARC:.....Emerson - AM114,

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**Topic:**

Shared revenue payments on utility property

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**Instructions:**

See Attached

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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>
/?	jkreye 06/26/2001	wjackson 06/27/2001		_____			
/1	jkreyc 06/27/2001	jdycr 06/27/2001	kfollet 06/27/2001	_____	lrb_docadmin 06/27/2001		
/2			jfrantze 06/28/2001	_____	lrb_docadmin 06/28/2001		
/3	jkreye 06/28/2001	jdycr 06/28/2001	pgreensl 06/28/2001	_____	lrb_docadmin 06/28/2001		

FE Sent For:

<END>

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/?	jkreye 06/26/2001	wjackson 06/27/2001					
/1	jkreye 06/27/2001	jdyer 06/27/2001	kfollet 06/27/2001		lrb_docadmin 06/27/2001		
/2		13 6/28 JLD	jfrantze 06/28/2001		lrb_docadmin 06/28/2001		

Handwritten initials and dates: 6/28, 6/28, DG

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/26/2001

Received By: jkreya

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Emerson

This file may be shown to any legislator: NO

Drafter: jkreya

May Contact:

Addl. Drafters:

Subject: Shared Revenue

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Emerson - AM114,

Topic:

Shared revenue payments on utility property

Instructions:

See Attached

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>
/?	jkreya 06/26/2001	wjackson 06/27/2001		_____			
/1		1/2 <sup>6/</sup> 27 jld	kfollet 06/27/2001	_____	lrb_docadmin 06/27/2001		

FE Sent For:

*auth  
e/lr  
fr*

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: **06/26/2001**

Received By: **jkreye**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Emerson**

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

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Shared Revenue**

Extra Copies:

Submit via email: **NO**

Requester's email:

---

**Pre Topic:**

ARC:.....Emerson - AM114,

---

**Topic:**

Shared revenue payments on utility property

---

**Instructions:**

See Attached

---

**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?	jkreye	11 WJ 6/27	WJ 6/27	_____	_____		

FE Sent For:

<END>

PG - change

30. Eliminate aid four-year-old kindergarten in the second year. If a school district wants to continue to have four-year-old kindergarten, they may, but they have to raise the funding to do it, and may raise the money outside the revenue cap. (\$22. million) (At the request of Representative Grothman.)

31. Reverse up to \$115 million of school aid payment delay. In addition, realize savings of \$700,000 in interest which no longer would have to be paid.

32. Lapse SEG and PR pension savings dollars (\$22.1 million) to general fund.

33. Asset test for family Medicaid. The Health Care package removed a JCF provision which eliminated the MA asset test. This violates the terms of Wisconsin's BadgerCare waiver and, as a result, Wisconsin will lose the ability to claim the enhanced federal reimbursement. \$736,000 GPR to reverse back to JCF's position.

34. Various Transportation Fund changes:

- Lapse pension savings (\$3.6 million SEG);
- Require DOT to submit a plan to JCF to lapse \$600K SEG, each year;
- Limit provision of free identification cards to those who demonstrate a hardship which precludes their paying for an identification card, to be determined by DOT rule; and
- In '04-'05, transfer sales tax on vehicles to Transportation Fund.

35. Direct creation of a Legislative Council study committee on school financing.

36. Direct 100 percent of hunting and fishing license fees to be utilized for conservation purposes, as defined by JCF.

37. Cap Universal Service Fund at \$4.0 million, per year, beginning in '03-'04.

38. Direct the Department of Health and Family Services to report to JCF, by January 1, 2002, on the potential for long-term savings in the BadgerCare program.

PG - change

39. Direct the Department of Administration and the Department of Public Instruction to work together to maximize use of federal dollars and report to the JCF if increased federal dollars could be used to offset general or categorical school aids.

40. Shared revenue payments on utility property. (At the request of Representative Hoven.)

Under current law, the gross revenues of light, heat and power companies, qualified wholesale electric companies and rural electric cooperatives are subject to a state gross receipts tax at a rate of 3.19%. The revenue collected by the tax is used for state utility aid payments to municipalities and counties with utility property within their borders. Aid is calculated by multiplying nine mills by the net book value of the eligible property. Under the calculation, two-thirds of each payment is paid to the municipality if the eligible property is in a city or village, and the remaining one-third is paid to the county. If the utility property is located in a town, the municipality receives one-third of the aid amount, and the remaining two-thirds is paid to the county.

Also under current law, utility aid payments are subject to two limitations. First, the value of property owned by a single utility in a municipality is capped at \$125 million. Second, payments are limited to \$300 per capita for each municipality and \$100 per capita for each county.

This provision would increase the limits on the value of utility property in a municipality or county and the per capita payment limits for municipalities and counties for purposes of calculating utility aid under the shared revenue program, beginning with payments for 2003. Set the limits on value at \$140,000,000 for payments in FY 2003, \$160,000,000 for payments in FY 2004, \$185,000,000 for payments in FY 2005 and \$250,000,000 for payments in 2006. Set the per

capita limit for municipalities at \$450 and counties at \$225 for payments in FY 2003, \$650 for municipalities and \$325 for counties for payments in FY 2004, \$950 for municipalities and \$475 for counties for payments in FY 2005 and \$1,200 for municipalities and \$600 for counties for payments in 2006.

In addition, the motion would establish a brownfield/fuel diversity incentive. Under the incentive, utility aid payments would further be increased for municipality's where a new power plant is built on the site of an existing or retired power plant or located on a brownfield.

Under the added incentive, if a new natural gas-fired power plant is built on the site of an existing or retired power plant—with a rated capacity of 50 MW—or located on a brownfield, aid for the host municipality and county would be increased by one mill (7 mills times the net book value of power plant for municipalities and 4 mills times the plant's value for the county).

If a new coal-fired plant is built on the site of an existing or retired power plant with a rated capacity of 50 MW—or located on a brownfield, aid for the host municipality would be increased by two mills and for the county by one mill.

The brownfield/fuel diversity incentive payment would not be paid to municipalities and counties until the plant becomes operational, whereas under current law, aid is paid on the value of construction work in progress. Also, the incentive would not apply to substations or general structures.

In an effort to hold municipalities and counties with no power plants located within their boundaries harmless, the motion would increase the total distribution under the shared revenue program by an amount equal to the estimated increases in utility aid. Without the additional funding, the motion would cause less aid to be distributed under the aidable revenues component.

JK → Also under this motion, if property is decommissioned, the payments are phased out over five years. (This part is taken from 2001 AB 136).

SK 41. Direct that the Department of Tourism must advertise historical sites out of the same funding source used for advertising state parks.

42. Provide that the first available \$84M should go to increase the statutory reserve to a total of \$134M.

RAL



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1811/

JKY.....

Q MES

ARC:.....Emerson - AM114, Shared revenue payments on utility property

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

RM not R

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

in 6-26-01

substitute amendment

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

2 1. Page 852, line 11: after that line insert:

3 "SECTION 2281. 79.03 (4) of the statutes is amended to read:

4 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and

5 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be

6 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.

7 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.

8 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this

9 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to

10 municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent



① years ending in 2002, the total amounts to be distributed under ss. 79.03, 79.04 and  
 2 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to  
 3 counties. In 2003 and subsequent years, the total amount to be distributed under  
 4 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to municipalities is the sum of  
 5 \$761,478,000 and the difference between the amount distributed to municipalities  
 6 under s. 79.04 in 2002 and the amount distributed to municipalities under s. 79.04  
 7 in the current year. In 2003 and subsequent years, the total amount to be distributed  
 8 under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to counties is the sum of  
 9 \$168,981,800 and the difference between the amount distributed to counties under  
 10 s. 79.04 in 2002 and the amount distributed to counties under s. 79.04 in the current  
 11 year.”.

History: 1971 c. 125, 215; 1973 c. 90; 1975 c. 39; 1977 c. 29, 203, 418; 1979 c. 1; 1979 c. 34 ss. 903s to 905m, 2102 (46) (d); 1979 c. 221; 1981 c. 20, 93, 314, 317; 1983 a. 27, 189; 1985 a. 29, 120; 1987 a. 27, 399; 1989 a. 31, 56, 336; 1991 a. 39, 269; 1993 a. 16, 437, 490; 1995 a. 27; 1997 a. 27, 164, 237; 1999 a. 9; 1999 a. 150 s. 672.

2. Page 852, line 21: after that line insert:

“SECTION 2283. 79.04 (1) (a) of the statutes is amended to read:

79.04 (1) (a) ~~An~~ Except as provided in par. (am) and sub. (5), an amount from  
 the shared revenue account determined by multiplying by 3 mills in the case of a  
 town, and 6 mills in the case of a city or village, for the distribution in 2002, the first  
 ① \$125,000,000 of the amount shown in the account, for the distribution in 2003, the  
first \$140,000,000 of the amount shown in the account; for the distribution in 2004,  
the first \$160,000,000 of the amount shown in the account; for the distribution in  
2005, the first \$185,000,000 of the amount shown in the account; and for the  
distribution in 2006 and subsequent years, the first \$250,000,000 of the amount  
shown in the account; plus leased property, of each public utility except qualified  
 wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the  
 preceding year for either “production plant, exclusive of land” and “general

1 structures”, or “work in progress” for production plants and general structures under  
2 construction, in the case of light, heat and power companies, electric cooperatives or  
3 municipal electric companies, for all property within a municipality in accordance  
4 with the system of accounts established by the public service commission or rural  
5 electrification administration, less depreciation thereon as determined by the  
6 department of revenue and less the value of treatment plant and pollution  
7 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the  
8 department of revenue plus an amount from the shared revenue account determined  
9 by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or  
10 village, of the first \$125,000,000, for the distribution in 2002; the first \$140,000,000,  
11 for the distribution in 2003; the first \$160,000,000, for the distribution in 2004; the  
12 first \$185,000,000, for the distribution in 2005; and the first \$250,000,000, for the  
13 distribution in 2006 and subsequent years; of the total original cost of production  
14 plant, general structures and work-in-progress less depreciation, land and  
15 approved waste treatment facilities of each qualified wholesale electric company, as  
16 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property  
17 within the municipality. The total of amounts, as depreciated, from the accounts of  
18 all public utilities for the same production plant is also limited to ~~not more than the~~ the  
19 first \$125,000,000. ~~The amount distributable to a municipality in any year shall not~~  
20 exceed \$300 times the population of the municipality, for the distribution in 2002; the  
21 first \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the  
22 distribution in 2004; the first \$185,000,000, for the distribution in 2005; and the first  
23 \$250,000,000, for the distribution in 2006 and subsequent years.

History: 1971 c. 125, 215; 1973 c. 90 ss. 387, 391g; 1973 c. 243 s. 82; 1975 c. 39, 224; 1977 c. 29, 418; 1979 c. 34; 1983 a. 27; 1985 a. 29, 39; 1987 a. 27; 1989 a. 31; 1993  
a. 16, 307; 1995 a. 27; 1999 a. 150 s. 672.

24 **SECTION 2283d.** 79.04 (1) (am) of the statutes is created to read:

1 79.04 (1) (am) The amount distributable to a municipality under par. (a) shall  
2 not exceed the following:

3 1. For the distribution in 2002, an amount equal to the municipality's  
4 population multiplied by \$300.

5 2. For the distribution in 2003, an amount equal to the municipality's  
6 population multiplied by \$450.

7 3. For the distribution in 2004, an amount equal to the municipality's  
8 population multiplied by \$650.

9 4. For the distribution in 2005, an amount equal to the municipality's  
10 population multiplied by \$950.

11 5. For the distribution in 2006 and subsequent years, an amount equal to the  
12 municipality's population multiplied by \$1200.

12

13 **INSERT A**

13

14 **3.** Page 852, line 23: delete "Annually" and substitute "Annually Except as  
15 provided in par. (ad) and sub. (5), annually".

15

16 **4.** Page 853, line 8: delete lines 8 and 9 and substitute "in the case of property  
17 in a city or village, for the distribution in 2002, the first \$125,000,000 of the amount  
18 shown in the account; <sup>i</sup>for the distribution in 2003, the first \$140,000,000 of the  
19 amount shown in the account; for the distribution in 2004, the first \$160,000,000 of  
20 the amount shown in the account; for the distribution in 2005, the first \$185,000,000  
21 of the amount shown in the account; and for the distribution in 2006 and subsequent  
22 years, the first \$250,000,000 of the amount shown in the account; plus leased  
23 property, of each public utility except qualified wholesale".

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5. Page 854, line 1: delete lines 1 to 3 and substitute "utilities for the same production plant is also limited to not more than the first \$125,000,000. The amount distributable to a county in any year shall not exceed \$100 times the population of the county, for the distribution in 2002; the first \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the distribution in 2004; the first \$185,000,000, for the distribution in 2005; and the first \$250,000,000, for the distribution in 2006 and subsequent years."

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6. Page 854, line 3: after that line insert:

9

"SECTION 2285d. 79.04 (2) (ad) of the statutes is created to read:

10

79.04 (2) (ad) The amount distributable to a county under par. (a) shall not exceed the following:

11

12

1. For the distribution in 2002, an amount equal to the county's population multiplied by \$100.

13

14

2. For the distribution in 2003, an amount equal to the county's population multiplied by \$225.

15

16

3. For the distribution in 2004, an amount equal to the county's population multiplied by \$325.

17

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4. For the distribution in 2005, an amount equal to the county's population multiplied by \$475.

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5. For the distribution in 2006 and subsequent years, an amount equal to the county's population multiplied by \$600.

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SECTION 2285m. 79.04 (5) of the statutes is created to read:

23

79.04 (5) (a) If a natural gas powered production plant is built on the site of an existing or decommissioned production plant or on brownfields, as defined in s.

24

1 560.13 (1) (a), after the effective date of this paragraph... [revisor inserts date], and  
2 is operating at a total power production capacity of at least 50 megawatts, the city,  
3 village, or town in which the plant is located shall receive annually an additional  
4 payment from the department of administration equal to the amount in the account,  
5 as determined under sub<sup>⊙</sup>(1) (a), for the “production plant, exclusive of land”  
6 multiplied by one mill, and the county in which the plant is located shall receive  
7 annually an additional payment from the department of administration equal to the  
8 amount in the account, as determined under sub<sup>⊙</sup>(2) (a), for the “production plant,  
9 exclusive of land” multiplied by one mill.

10 (b) If a coal<sup>⊖</sup> powered production plant is built on the site of an existing or  
11 decommissioned production plant, and is operating at a total power production  
12 capacity of at least 50 megawatts, the city, village, or town in which the plant is  
13 located shall receive annually an additional payment from the department of  
14 administration equal to the amount in the account, as determined under sub<sup>⊙</sup>(1) (a),  
15 for the “production plant, exclusive of land” multiplied by 2 mills, and the county in  
16 which the plant is located shall receive annually an additional payment from the  
17 department of administration equal to the amount in the account, as determined  
18 under sub<sup>⊙</sup>(2) (a), for the “production plant, exclusive of land” multiplied by one mill.”.

19 (END)

# 2001 ASSEMBLY BILL 136

February 19, 2001 - Introduced by Representatives HAHN, F. LASEE, GRONEMUS, HOVEN, HIERSCH, SCHOOFF, WADE, KESTELL, LEIBHAM, OTT, SYKORA, JOHNSRUD, SERATTI, MONTGOMERY, SKINDRUD, OWENS, HUBER and PLOUFF, cosponsored by Senators M. MEYER, WIRCH, BRESKE, A. LASEE, BAUMGART, SCHULTZ and MOEN. Referred to Committee on Ways and Means.

1 AN ACT to create 79.04 (1) (c) 4. and 79.04 (2) (c) of the statutes; relating to:  
2 shared revenue payments for former utility property.

### Analysis by the Legislative Reference Bureau

Under current law, most of the property that light, heat, or power companies own is subject to a state tax and exempt from the property tax. Municipalities and counties where that property is located receive shared revenue payments for it. When the property becomes taxable, the shared revenue payments stop. Under this bill, if the property is decommissioned, the payments are phased out over five years.

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:*

SECTION 79.04 (1) (c) 4. of the statutes is created to read:

79.04 (1) (c) 4. If property that was exempt from the property tax under s. 70.112 (4) and that was used to generate power by a light, heat, or power company, except property under s. 66.0813, is decommissioned, the municipality shall be paid an amount calculated by subtracting the property taxes paid for that property during

*Beginning with the distributions in 2003,*

INSERT  
A

ASSEMBLY BILL 136

SECTION 1

*Beginning with the distributions in 2003,*

1 the current year to the municipality for its general operations from the following  
2 percentages of the payment that the municipality received under this section during  
3 the last year that the property was exempt from the property tax:

- 4 a. In the first year that the property is taxable, 100%.
- 5 b. In the 2nd year that the property is taxable, 80%.
- 6 c. In the 3rd year that the property is taxable, 60%.
- 7 d. In the 4th year that the property is taxable, 40%.
- 8 e. In the 5th year that the property is taxable, 20%.

9 SECTION 2. <sup>2284N</sup> 79.04 (2) (c) of the statutes is created to read:

10 79.04 (2) (c) ~~if~~ property that was exempt from the property tax under s. 70.112  
11 (4) and that was used to generate power by a light, heat, or power company, except  
12 property under s. 66.0813, is decommissioned, the county shall be paid an amount  
13 calculated by subtracting the property taxes paid for that property during the  
14 current year to the county for its general operations from the following percentages  
15 of the payment the county received under this section during the last year that the  
16 property was exempt from the property tax:

- 17 1. In the first year that the property is taxable, 100%.
- 18 2. In the 2nd year that the property is taxable, 80%.
- 19 3. In the 3rd year that the property is taxable, 60%.
- 20 4. In the 4th year that the property is taxable, 40%.
- 21 5. In the 5th year that the property is taxable, 20%.

22 ~~SECTION 3. Initial applicability.~~

END OF INSERT A

23 (1) This act first applies to shared revenue payments made in 2003.

24 (END)

**Kreye, Joseph**

---

**From:** Olin, Rick  
**Sent:** Wednesday, June 27, 2001 5:22 PM  
**To:** Kreye, Joseph; Shovers, Marc  
**Subject:** Utility Aid Draft (LRBb1811)

Rep Hoven told the caucus that the proposal would hold other local governments harmless from the effects of the law change.

As drafted, the proposal would hold other local governments harmless from all events related to s. 79.04, not only law changes.

For example, the construction of an office building, such as the one for Alliant, would cause more aid to be paid under s. 79.04 in future years, so the distribution would go up. To limit the aid increase to the effect of the law change, the following changes could be made:

Page 2, lines 6 & 10, delete "in 2002" and insert "of the 1999-01 statutes"

Page 2, lines 7 and 10-11, delete "in the current year" and insert "of the 2001-03 statutes"

Instead of 2001-03 stats, can you refer to whatever is the current version of the stats at that point in time? I think either works mechanically, feel free to use whatever conforms to your stylistic requirements.

I will be around for a while (6-9916). Otherwise, feel free to try me at home (222-4636).

Rick



## Kreye, Joseph

---

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, June 27, 2001 3:51 PM  
**To:** Kreye, Joseph  
**Subject:** FW: LRB Draft: 01b1811/1 Shared revenue payments on utility property

-----Original Message-----

**From:** Emerson, James  
**Sent:** Wednesday, June 27, 2001 3:49 PM  
**To:** Hanaman, Cathlene  
**Cc:** Delaporte, Maggie; Pirlot, R.J.  
**Subject:** FW: LRB Draft: 01b1811/1 Shared revenue payments on utility property

Please make the noted changed listed below to LRB 01b1811/1.

-----Original Message-----

**From:** Delaporte, Maggie  
**Sent:** Wednesday, June 27, 2001 3:47 PM  
**To:** Emerson, James  
**Subject:** RE: LRB Draft: 01b1811/1 Shared revenue payments on utility property

All on page 7.

Line 1 change "natural-gas-powered" to "a production plant other than nuclear and coal-fired"

Line 13 insert after plant, "or on brownfields, as defined in s. 560.13(1)(a)"

Sorry about the confusion.

-----Original Message-----

**From:** Emerson, James  
**Sent:** Wednesday, June 27, 2001 03:15 PM  
**To:** Delaporte, Maggie  
**Cc:** Pirlot, R.J.  
**Subject:** RE: LRB Draft: 01b1811/1 Shared revenue payments on utility property

What are the changes?

-----Original Message-----

**From:** Delaporte, Maggie  
**Sent:** Wednesday, June 27, 2001 2:27 PM  
**To:** Emerson, James  
**Cc:** Pirlot, R.J.  
**Subject:** RE: LRB Draft: 01b1811/1 Shared revenue payments on utility property

Okay, per two minor changes Mike from Hoven's office requested.

-----Original Message-----

**From:** Emerson, James  
**Sent:** Wednesday, June 27, 2001 01:35 PM  
**To:** Delaporte, Maggie; Pirlot, R.J.  
**Subject:** FW: LRB Draft: 01b1811/1 Shared revenue payments on utility property

Maggie and RJ

Hoven's utility property shared revenue payment from the tax package.

Please let me know if you approve of the amendment as is, or if it needs changes.

Thank you,  
Jim Emerson  
ARC

-----Original Message-----

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, June 27, 2001 12:09 PM  
**To:** Emerson, James  
**Cc:** Legislative Fiscal Bureau; Hanaman, Cathlene; Haugen, Caroline  
**Subject:** LRB Draft: 01b1811/1 Shared revenue payments on utility property

Following is the PDF version of draft 01b1811/1.

<< File: 01b1811/1 >>



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1811/1  
JK&MES:wlj:cmh

*2*  
*RM not Rld*

ARC:.....Emerson – AM114, Shared revenue payments on utility property

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS ASSEMBLY AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

*m 6-27-01*

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

2 **1.** Page 852, line 11: after that line insert:

3 **“SECTION 2281.** 79.03 (4) of the statutes is amended to read:

4 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and  
5 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be  
6 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.  
7 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.  
8 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this  
9 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to  
10 municipalities and \$168,981,800 to counties. ~~In Beginning in 1995 and subsequent~~

1 years ending in 2002, the total amounts to be distributed under ss. 79.03, 79.04, and  
 2 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to  
 3 counties. In 2003 and subsequent years, the total amount to be distributed under  
 4 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to municipalities is the sum of  
 5 \$761,478,000 and the difference between the amount distributed to municipalities  
 6 under s. 79.04 ~~in 2002~~ <sup>1999 stats.</sup> and the amount distributed to municipalities under s. 79.04  
 7 ~~in the current year.~~ In 2003 and subsequent years, the total amount to be distributed  
 8 under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to counties is the sum of  
 9 \$168,981,800 and the difference between the amount distributed to counties under  
 10 s. 79.04 ~~in 2002~~ and the amount distributed to counties under s. 79.04 ~~in the current~~  
 11 ~~year.~~ <sup>1999 stats.</sup>

2. Page 852, line 21: after that line insert:

“SECTION 2283. 79.04 (1) (a) of the statutes is amended to read:

79.04 (1) (a) An Except as provided in par. (am) and sub. (5), an amount from  
 the shared revenue account determined by multiplying by 3 mills in the case of a  
 town, and 6 mills in the case of a city or village, for the distribution in 2002, the first  
\$125,000,000 of the amount shown in the account; for the distribution in 2003, the  
first \$140,000,000 of the amount shown in the account; for the distribution in 2004,  
the first \$160,000,000 of the amount shown in the account; for the distribution in  
2005, the first \$185,000,000 of the amount shown in the account; and for the  
distribution in 2006 and subsequent years, the first \$250,000,000 of the amount  
shown in the account; plus leased property, of each public utility except qualified  
 wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the  
 preceding year for either “production plant, exclusive of land” and “general

1 structures”, or “work in progress” for production plants and general structures under  
2 construction, in the case of light, heat and power companies, electric cooperatives or  
3 municipal electric companies, for all property within a municipality in accordance  
4 with the system of accounts established by the public service commission or rural  
5 electrification administration, less depreciation thereon as determined by the  
6 department of revenue and less the value of treatment plant and pollution  
7 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the  
8 department of revenue plus an amount from the shared revenue account determined  
9 by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or  
10 village, of the first \$125,000,000, for the distribution in 2002; the first \$140,000,000,  
11 for the distribution in 2003; the first \$160,000,000, for the distribution in 2004; the  
12 first \$185,000,000, for the distribution in 2005; and the first \$250,000,000, for the  
13 distribution in 2006 and subsequent years; of the total original cost of production  
14 plant, general structures and work-in-progress less depreciation, land and  
15 approved waste treatment facilities of each qualified wholesale electric company, as  
16 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property  
17 within the municipality. The total of amounts, as depreciated, from the accounts of  
18 all public utilities for the same production plant is also limited to ~~not more than the~~ the  
19 first \$125,000,000. The amount distributable to a municipality in any year shall not  
20 exceed \$300 times the population of the municipality, for the distribution in 2002; the  
21 first \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the  
22 distribution in 2004; the first \$185,000,000, for the distribution in 2005; and the first  
23 \$250,000,000, for the distribution in 2006 and subsequent years.

24 **SECTION 2283d.** 79.01 (1) (am) of the statutes is created to read:

1           79.04 (1) (am) The amount distributable to a municipality under par. (a) shall  
2 not exceed the following:

3           1. For the distribution in 2002, an amount equal to the municipality's  
4 population multiplied by \$300.

5           2. For the distribution in 2003, an amount equal to the municipality's  
6 population multiplied by \$450.

7           3. For the distribution in 2004, an amount equal to the municipality's  
8 population multiplied by \$650.

9           4. For the distribution in 2005, an amount equal to the municipality's  
10 population multiplied by \$950.

11           5. For the distribution in 2006 and subsequent years, an amount equal to the  
12 municipality's population multiplied by \$1,200.

13           **SECTION 2284m.** 79.04 (1) (c) 4. of the statutes is created to read:

14           79.04 (1) (c) 4. Beginning with the distributions in 2003, if property that was  
15 exempt from the property tax under s. 70.112 (4) and that was used to generate power  
16 by a light, heat, or power company, except property under s. 66.0813, is  
17 decommissioned, the municipality shall be paid an amount calculated by subtracting  
18 the property taxes paid for that property during the current year to the municipality  
19 for its general operations from the following percentages of the payment that the  
20 municipality received under this section during the last year that the property was  
21 exempt from the property tax:

22           a. In the first year that the property is taxable, 100%.

23           b. In the 2nd year that the property is taxable, 80%.

24           c. In the 3rd year that the property is taxable, 60%.

25           d. In the 4th year that the property is taxable, 40%.

1 e. In the 5th year that the property is taxable, 20%.

2 **SECTION 2284n.** 79.04 (2) (c) of the statutes is created to read:

3 79.04 (2) (c) Beginning with the distributions in 2003, if property that was  
4 exempt from the property tax under s. 70.112 (4) and that was used to generate power  
5 by a light, heat, or power company, except property under s. 66.0813, is  
6 decommissioned, the county shall be paid an amount calculated by subtracting the  
7 property taxes paid for that property during the current year to the county for its  
8 general operations from the following percentages of the payment the county  
9 received under this section during the last year that the property was exempt from  
10 the property tax:

11 1. In the first year that the property is taxable, 100%.

12 2. In the 2nd year that the property is taxable, 80%.

13 3. In the 3rd year that the property is taxable, 60%.

14 4. In the 4th year that the property is taxable, 40%.

15 5. In the 5th year that the property is taxable, 20%.”.

16 **3.** Page 852, line 23: delete “Annually” and substitute “Annually Except as  
17 provided in par. (ad) and sub. (5), annually”.

18 **4.** Page 853, line 8: delete lines 8 and 9 and substitute “in the case of property  
19 in a city or village, for the distribution in 2002, the first \$125,000,000 of the amount  
20 shown in the account; for the distribution in 2003, the first \$140,000,000 of the  
21 amount shown in the account; for the distribution in 2004, the first \$160,000,000 of  
22 the amount shown in the account; for the distribution in 2005, the first \$185,000,000  
23 of the amount shown in the account; and for the distribution in 2006 and subsequent

1 years, the first \$250,000,000 of the amount shown in the account; plus leased  
2 property, of each public utility except qualified wholesale”.

3 **5.** Page 854, line 1: delete lines 1 to 3 and substitute “utilities for the same  
4 production plant is also limited to ~~not more than the first \$125,000,000.~~ The amount  
5 distributable to a county in any year shall not exceed \$100 times the population of  
6 the county, for the distribution in 2002; the first \$140,000,000, for the distribution  
7 in 2003; the first \$160,000,000, for the distribution in 2004; the first \$185,000,000,  
8 for the distribution in 2005; and the first \$250,000,000, for the distribution in 2006  
9 and subsequent years.”.

10 **6.** Page 854, line 3: after that line insert:

11 **“SECTION 2285d.** 79.04 (2) (ad) of the statutes is created to read:

12 79.04 (2) (ad) The amount distributable to a county under par. (a) shall not  
13 exceed the following:

14 1. For the distribution in 2002, an amount equal to the county’s population  
15 multiplied by \$100.

16 2. For the distribution in 2003, an amount equal to the county’s population  
17 multiplied by \$225.

18 3. For the distribution in 2004, an amount equal to the county’s population  
19 multiplied by \$325.

20 4. For the distribution in 2005, an amount equal to the county’s population  
21 multiplied by \$475.

22 5. For the distribution in 2006 and subsequent years, an amount equal to the  
23 county’s population multiplied by \$600.

24 **SECTION 2285m.** 79.04 (5) of the statutes is created to read:



*part -*  
*, other than a coal-powered or nuclear-powered production plant,*

1 79.04 (5) (a) If a ~~nuclear-powered~~ production plant is built on the site of  
2 an existing or decommissioned production plant or on brownfields, as defined in s.  
3 560.13 (1) (a), after the effective date of this paragraph ... [revisor inserts date], and  
4 is operating at a total power production capacity of at least 50 megawatts, the city,  
5 village, or town in which the plant is located shall receive annually an additional  
6 payment from the department of administration equal to the amount in the account,  
7 as determined under sub. (1) (a), for the "production plant, exclusive of land"  
8 multiplied by one mill, and the county in which the plant is located shall receive  
9 annually an additional payment from the department of administration equal to the  
10 amount in the account, as determined under sub. (2) (a), for the "production plant,  
11 exclusive of land" multiplied by one mill.

12 (b) If a coal-powered production plant is built on the site of an existing or  
13 decommissioned production plant and is operating at a total power production  
14 capacity of at least 50 megawatts, the city, village, or town in which the plant is  
15 located shall receive annually an additional payment from the department of  
16 administration equal to the amount in the account, as determined under sub. (1) (a),  
17 for the "production plant, exclusive of land" multiplied by 2 mills, and the county in  
18 which the plant is located shall receive annually an additional payment from the  
19 department of administration equal to the amount in the account, as determined  
20 under sub. (2) (a), for the "production plant, exclusive of land" multiplied by one  
21 mill."

(END)

*or on brownfields, as defined in s. 560.13(1)(a), after the effective date of this paragraph.... [revisor inserts date]*



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1811/2  
JK&MES:wlj&jld:cmh

RMR

ARC:.....Emerson - AM114, Shared revenue payments on utility property

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS ASSEMBLY AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

M 6-28-01

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

2 1. Page 852, line 11: after that line insert:

3 "SECTION 2281. 79.03 (4) of the statutes is amended to read:

4 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and

5 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be

6 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.

7 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.

8 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this

9 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to

10 municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent

1 years ending in 2002, the total amounts to be distributed under ss. 79.03, 79.04, and  
 2 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to  
 3 counties. In 2003 and subsequent years, the total amount to be distributed under  
 4 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to municipalities is the sum of  
 5 \$761,478,000 and the difference between the amount *that would be ✓*  
 6 distributed to municipalities  
 7 under s. 79.04, 1999 stats., and the amount distributed to municipalities under s.  
 8 79.04. In 2003 and subsequent years, the total amount to be distributed under ss.  
 9 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to counties is the sum of \$168,981,800  
 10 and the difference between the amount *that would be ✓*  
 11 distributed to counties under s. 79.04, 1999  
 12 stats., and the amount distributed to counties under s. 79.04.”.

11 **2.** Page 852, line 21: after that line insert:

12 “SECTION 2283. 79.04 (1) (a) of the statutes is amended to read:

13 79.04 (1) (a) An Except as provided in par. (am) and sub. (5), an amount from  
 14 the shared revenue account determined by multiplying by 3 mills in the case of a  
 15 town, and 6 mills in the case of a city or village, for the distribution in 2002, the first  
 16 \$125,000,000 of the amount shown in the account; for the distribution in 2003, the  
 17 first \$140,000,000 of the amount shown in the account; for the distribution in 2004,  
 18 the first \$160,000,000 of the amount shown in the account; for the distribution in  
 19 2005, the first \$185,000,000 of the amount shown in the account; and for the  
 20 distribution in 2006 and subsequent years, the first \$250,000,000 of the amount  
 21 shown in the account; plus leased property, of each public utility except qualified  
 22 wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the  
 23 preceding year for either “production plant, exclusive of land” and “general  
 24 structures”, or “work in progress” for production plants and general structures under

1 construction, in the case of light, heat and power companies, electric cooperatives or  
2 municipal electric companies, for all property within a municipality in accordance  
3 with the system of accounts established by the public service commission or rural  
4 electrification administration, less depreciation thereon as determined by the  
5 department of revenue and less the value of treatment plant and pollution  
6 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the  
7 department of revenue plus an amount from the shared revenue account determined  
8 by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or  
9 village, of the first \$125,000,000, for the distribution in 2002; the first \$140,000,000,  
10 for the distribution in 2003; the first \$160,000,000, for the distribution in 2004; the  
11 first \$185,000,000, for the distribution in 2005; and the first \$250,000,000, for the  
12 distribution in 2006 and subsequent years; of the total original cost of production  
13 plant, general structures and work-in-progress less depreciation, land and  
14 approved waste treatment facilities of each qualified wholesale electric company, as  
15 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property  
16 within the municipality. The total of amounts, as depreciated, from the accounts of  
17 all public utilities for the same production plant is also limited to ~~not more than the~~  
18 first \$125,000,000. ~~The amount distributable to a municipality in any year shall not~~  
19 exceed \$300 times the population of the municipality, for the distribution in 2002; the  
20 first \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the  
21 distribution in 2004; the first \$185,000,000, for the distribution in 2005; and the first  
22 \$250,000,000, for the distribution in 2006 and subsequent years.

23 **SECTION 2283d.** 79.04 (1) (am) of the statutes is created to read:

24 79.04 (1) (am) The amount distributable to a municipality under par. (a) shall  
25 not exceed the following:

1           1. For the distribution in 2002, an amount equal to the municipality's  
2 population multiplied by \$300.

3           2. For the distribution in 2003, an amount equal to the municipality's  
4 population multiplied by \$450.

5           3. For the distribution in 2004, an amount equal to the municipality's  
6 population multiplied by \$650.

7           4. For the distribution in 2005, an amount equal to the municipality's  
8 population multiplied by \$950.

9           5. For the distribution in 2006 and subsequent years, an amount equal to the  
10 municipality's population multiplied by \$1,200.

11           **SECTION 2284m.** 79.04 (1) (c) 4. of the statutes is created to read:

12           79.04 (1) (c) 4. Beginning with the distributions in 2003, if property that was  
13 exempt from the property tax under s. 70.112 (4) and that was used to generate power  
14 by a light, heat, or power company, except property under s. 66.0813, is  
15 decommissioned, the municipality shall be paid an amount calculated by subtracting  
16 the property taxes paid for that property during the current year to the municipality  
17 for its general operations from the following percentages of the payment that the  
18 municipality received under this section during the last year that the property was  
19 exempt from the property tax:

20           a. In the first year that the property is taxable, 100%.

21           b. In the 2nd year that the property is taxable, 80%.

22           c. In the 3rd year that the property is taxable, 60%.

23           d. In the 4th year that the property is taxable, 40%.

24           e. In the 5th year that the property is taxable, 20%.

25           **SECTION 2284n.** 79.04 (2) (c) of the statutes is created to read:

1           79.04 (2) (c) Beginning with the distributions in 2003, if property that was  
2 exempt from the property tax under s. 70.112 (4) and that was used to generate power  
3 by a light, heat, or power company, except property under s. 66.0813, is  
4 decommissioned, the county shall be paid an amount calculated by subtracting the  
5 property taxes paid for that property during the current year to the county for its  
6 general operations from the following percentages of the payment the county  
7 received under this section during the last year that the property was exempt from  
8 the property tax:

9           1. In the first year that the property is taxable, 100%.

10           2. In the 2nd year that the property is taxable, 80%.

11           3. In the 3rd year that the property is taxable, 60%.

12           4. In the 4th year that the property is taxable, 40%.

13           5. In the 5th year that the property is taxable, 20%.”.

14           **3.** Page 852, line 23: delete “Annually” and substitute “Annually Except as  
15 provided in par. (ad) and sub. (5), annually”.

16           **4.** Page 853, line 8: delete lines 8 and 9 and substitute “in the case of property  
17 in a city or village, for the distribution in 2002, the first \$125,000,000 of the amount  
18 shown in the account; for the distribution in 2003, the first \$140,000,000 of the  
19 amount shown in the account; for the distribution in 2004, the first \$160,000,000 of  
20 the amount shown in the account; for the distribution in 2005, the first \$185,000,000  
21 of the amount shown in the account; and for the distribution in 2006 and subsequent  
22 years, the first \$250,000,000 of the amount shown in the account; plus leased  
23 property, of each public utility except qualified wholesale”.

1           **5.** Page 854, line 1: delete lines 1 to 3 and substitute “utilities for the same  
2 production plant is also limited to ~~not more than the first \$125,000,000. The amount~~  
3 ~~distributable to a county in any year shall not exceed \$100 times the population of~~  
4 ~~the county, for the distribution in 2002; the first \$140,000,000, for the distribution~~  
5 ~~in 2003; the first \$160,000,000, for the distribution in 2004; the first \$185,000,000,~~  
6 ~~for the distribution in 2005; and the first \$250,000,000, for the distribution in 2006~~  
7 ~~and subsequent years.”.~~

8           **6.** Page 854, line 3: after that line insert:

9           “**SECTION 2285d.** 79.04 (2) (ad) of the statutes is created to read:

10           79.04 (2) (ad) The amount distributable to a county under par. (a) shall not  
11 exceed the following:

12           1. For the distribution in 2002, an amount equal to the county’s population  
13 multiplied by \$100.

14           2. For the distribution in 2003, an amount equal to the county’s population  
15 multiplied by \$225.

16           3. For the distribution in 2004, an amount equal to the county’s population  
17 multiplied by \$325.

18           4. For the distribution in 2005, an amount equal to the county’s population  
19 multiplied by \$475.

20           5. For the distribution in 2006 and subsequent years, an amount equal to the  
21 county’s population multiplied by \$600.

22           **SECTION 2285m.** 79.04 (5) of the statutes is created to read:

23           79.04 (5) (a) If a production plant, other than a coal-powered or  
24 nuclear-powered production plant, is built on the site of an existing or

1 decommissioned production plant or on brownfields, as defined in s. 560.13 (1) (a),  
2 after the effective date of this paragraph .... [revisor inserts date], and is operating  
3 at a total power production capacity of at least 50 megawatts, the city, village, or town  
4 in which the plant is located shall receive annually an additional payment from the  
5 department of administration equal to the amount in the account, as determined  
6 under sub. (1) (a), for the “production plant, exclusive of land” multiplied by one mill,  
7 and the county in which the plant is located shall receive annually an additional  
8 payment from the department of administration equal to the amount in the account,  
9 as determined under sub. (2) (a), for the “production plant, exclusive of land”  
10 multiplied by one mill.

11 (b) If a coal-powered production plant is built on the site of an existing or  
12 decommissioned production plant or on brownfields, as defined in s. 560.13 (1) (a),  
13 after the effective date of this paragraph .... [revisor inserts date], and is operating  
14 at a total power production capacity of at least 50 megawatts, the city, village, or town  
15 in which the plant is located shall receive annually an additional payment from the  
16 department of administration equal to the amount in the account, as determined  
17 under sub. (1) (a), for the “production plant, exclusive of land” multiplied by 2 mills,  
18 and the county in which the plant is located shall receive annually an additional  
19 payment from the department of administration equal to the amount in the account,  
20 as determined under sub. (2) (a), for the “production plant, exclusive of land”  
21 multiplied by one mill.”.

22 (END)





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1811/3  
JK&MES:wlj&jld:cmh

ARC:.....Emerson - AM114, Shared revenue payments on utility property

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 1. Page 852, line 11: after that line insert:

3 "SECTION 2281. 79.03 (4) of the statutes is amended to read:

4 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and  
5 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be  
6 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.  
7 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.  
8 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this  
9 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to  
10 municipalities and \$168,981,800 to counties. ~~In Beginning in~~ 1995 and subsequent

1 years ending in 2002, the total amounts to be distributed under ss. 79.03, 79.04, and  
2 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to  
3 counties. In 2003 and subsequent years, the total amount to be distributed under  
4 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to municipalities is the sum of  
5 \$761,478,000 and the difference between the amount that would be distributed to  
6 municipalities under s. 79.04, 1999 stats., and the amount distributed to  
7 municipalities under s. 79.04. In 2003 and subsequent years, the total amount to be  
8 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to counties is the  
9 sum of \$168,981,800 and the difference between the amount that would be  
10 distributed to counties under s. 79.04, 1999 stats., and the amount distributed to  
11 counties under s. 79.04.”

12 **2.** Page 852, line 21: after that line insert:

13 **“SECTION 2283.** 79.04 (1) (a) of the statutes is amended to read:

14 79.04 (1) (a) An Except as provided in par. (am) and sub. (5), an amount from  
15 the shared revenue account determined by multiplying by 3 mills in the case of a  
16 town, and 6 mills in the case of a city or village, for the distribution in 2002, the first  
17 \$125,000,000 of the amount shown in the account; for the distribution in 2003, the  
18 first \$140,000,000 of the amount shown in the account; for the distribution in 2004,  
19 the first \$160,000,000 of the amount shown in the account; for the distribution in  
20 2005, the first \$185,000,000 of the amount shown in the account; and for the  
21 distribution in 2006 and subsequent years, the first \$250,000,000 of the amount  
22 shown in the account; plus leased property, of each public utility except qualified  
23 wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the  
24 preceding year for either “production plant, exclusive of land” and “general

1 structures”, or “work in progress” for production plants and general structures under  
2 construction, in the case of light, heat and power companies, electric cooperatives or  
3 municipal electric companies, for all property within a municipality in accordance  
4 with the system of accounts established by the public service commission or rural  
5 electrification administration, less depreciation thereon as determined by the  
6 department of revenue and less the value of treatment plant and pollution  
7 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the  
8 department of revenue plus an amount from the shared revenue account determined  
9 by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or  
10 village, of the first \$125,000,000, for the distribution in 2002; the first \$140,000,000,  
11 for the distribution in 2003; the first \$160,000,000, for the distribution in 2004; the  
12 first \$185,000,000, for the distribution in 2005; and the first \$250,000,000, for the  
13 distribution in 2006 and subsequent years; of the total original cost of production  
14 plant, general structures and work-in-progress less depreciation, land and  
15 approved waste treatment facilities of each qualified wholesale electric company, as  
16 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property  
17 within the municipality. The total of amounts, as depreciated, from the accounts of  
18 all public utilities for the same production plant is also limited to not more than the  
19 first \$125,000,000. ~~The amount distributable to a municipality in any year shall not~~  
20 ~~exceed \$300 times the population of the municipality, for the distribution in 2002; the~~  
21 ~~first \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the~~  
22 ~~distribution in 2004; the first \$185,000,000, for the distribution in 2005; and the first~~  
23 ~~\$250,000,000, for the distribution in 2006 and subsequent years.~~

24 **SECTION 2283d.** 79.04 (1) (am) of the statutes is created to read:

1           79.04 (1) (am) The amount distributable to a municipality under par. (a) shall  
2 not exceed the following:

3           1. For the distribution in 2002, an amount equal to the municipality's  
4 population multiplied by \$300.

5           2. For the distribution in 2003, an amount equal to the municipality's  
6 population multiplied by \$450.

7           3. For the distribution in 2004, an amount equal to the municipality's  
8 population multiplied by \$650.

9           4. For the distribution in 2005, an amount equal to the municipality's  
10 population multiplied by \$950.

11           5. For the distribution in 2006 and subsequent years, an amount equal to the  
12 municipality's population multiplied by \$1,200.

13           **SECTION 2284m.** 79.04 (1) (c) 4. of the statutes is created to read:

14           79.04 (1) (c) 4. Beginning with the distributions in 2003, if property that was  
15 exempt from the property tax under s. 70.112 (4) and that was used to generate power  
16 by a light, heat, or power company, except property under s. 66.0813, is  
17 decommissioned, the municipality shall be paid an amount calculated by subtracting  
18 the property taxes paid for that property during the current year to the municipality  
19 for its general operations from the following percentages of the payment that the  
20 municipality received under this section during the last year that the property was  
21 exempt from the property tax:

22           a. In the first year that the property is taxable, 100%.

23           b. In the 2nd year that the property is taxable, 80%.

24           c. In the 3rd year that the property is taxable, 60%.

25           d. In the 4th year that the property is taxable, 40%.

1 e. In the 5th year that the property is taxable, 20%.

2 **SECTION 2284n.** 79.04 (2) (c) of the statutes is created to read:

3 79.04 (2) (c) Beginning with the distributions in 2003, if property that was  
4 exempt from the property tax under s. 70.112 (4) and that was used to generate power  
5 by a light, heat, or power company, except property under s. 66.0813, is  
6 decommissioned, the county shall be paid an amount calculated by subtracting the  
7 property taxes paid for that property during the current year to the county for its  
8 general operations from the following percentages of the payment the county  
9 received under this section during the last year that the property was exempt from  
10 the property tax:

- 11 1. In the first year that the property is taxable, 100%.
- 12 2. In the 2nd year that the property is taxable, 80%.
- 13 3. In the 3rd year that the property is taxable, 60%.
- 14 4. In the 4th year that the property is taxable, 40%.
- 15 5. In the 5th year that the property is taxable, 20%.”.

16 **3.** Page 852, line 23: delete “Annually” and substitute “Annually Except as  
17 provided in par. (ad) and sub. (5), annually”.

18 **4.** Page 853, line 8: delete lines 8 and 9 and substitute “in the case of property  
19 in a city or village, for the distribution in 2002, the first \$125,000,000 of the amount  
20 shown in the account; for the distribution in 2003, the first \$140,000,000 of the  
21 amount shown in the account; for the distribution in 2004, the first \$160,000,000 of  
22 the amount shown in the account; for the distribution in 2005, the first \$185,000,000  
23 of the amount shown in the account; and for the distribution in 2006 and subsequent

1 years, the first \$250,000,000 of the amount shown in the account; plus leased  
2 property, of each public utility except qualified wholesale”.

3 **5.** Page 854, line 1: delete lines 1 to 3 and substitute “utilities for the same  
4 production plant is also limited to ~~not more than~~ the first \$125,000,000. The amount  
5 distributable to a county in any year shall not exceed \$100 times the population of  
6 the county, for the distribution in 2002; the first \$140,000,000, for the distribution  
7 in 2003; the first \$160,000,000, for the distribution in 2004; the first \$185,000,000,  
8 for the distribution in 2005; and the first \$250,000,000, for the distribution in 2006  
9 and subsequent years.”.

10 **6.** Page 854, line 3: after that line insert:

11 **“SECTION 2285d.** 79.04 (2) (ad) of the statutes is created to read:

12 79.04 (2) (ad) The amount distributable to a county under par. (a) shall not  
13 exceed the following:

14 1. For the distribution in 2002, an amount equal to the county’s population  
15 multiplied by \$100.

16 2. For the distribution in 2003, an amount equal to the county’s population  
17 multiplied by \$225.

18 3. For the distribution in 2004, an amount equal to the county’s population  
19 multiplied by \$325.

20 4. For the distribution in 2005, an amount equal to the county’s population  
21 multiplied by \$475.

22 5. For the distribution in 2006 and subsequent years, an amount equal to the  
23 county’s population multiplied by \$600.

24 **SECTION 2285m.** 79.04 (5) of the statutes is created to read:

