

2003 Assembly Bill 924

Date of enactment: April 5, 2004
Date of publication*: April 19, 2004

2003 WISCONSIN ACT 164

AN ACT *to renumber and amend* 79.035 (2) (b) and 79.043; *to amend* 79.035 (2) (a) 1.; and *to create* 79.043 (2), 79.043 (3) and 79.043 (4) of the statutes; **relating to:** the calculation of municipal aid payments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1m. 79.035 (2) (a) 1. of the statutes, as affected by 2003 Wisconsin Act 33, is amended to read:

79.035 (2) (a) 1. Except as provided under s. ~~ss.~~ 79.02 (3) (e) and 79.043 (2) and (3), for the distribution in 2004, each county and municipality will receive a payment that is equal to the amount of the payments the county or municipality would have received in 2003 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.02 (3) (c) 3., less the amount of the reduction under subd. 2.

SECTION 2. 79.035 (2) (b) of the statutes, as affected by 2003 Wisconsin Act 33, is renumbered 79.043 (5) and amended to read:

79.043 (5) Except as provided under s. 79.02 (3) (e), for the distribution in 2005 and subsequent years, each county and municipality shall receive a payment under this section and s. 79.035 that is equal to the amount of the payment determined for the county or municipality under ~~par. (a)~~ this section and s. 79.035 in 2004.

SECTION 3. 79.043 of the statutes, as created by 2003 Wisconsin Act 33, is renumbered 79.043 (1) and amended to read:

79.043 (1) **Municipal aid.** As determined by the department of revenue based on 2003 population, and

notwithstanding s. 79.035, per capita reductions to payment amounts for all municipalities under s. 79.035 shall be withheld that total ~~\$50000000. 15.68513% is the \$50,000,000.~~ The maximum reduction allowable to the payments to any municipality under this section, excluding any reduction under s. 79.02 (3) (e), ~~under this section. Except as provided under s. 79.02 (3) (e), beginning in 2004 the total amount to be distributed each year to municipalities from the aid account is \$703,102,200 is 15.68513 percent.~~

SECTION 4. 79.043 (2) of the statutes is created to read:

79.043 (2) If the amount of any municipality's payment under s. 79.04 in 2001 was less than 25 percent of the total amount of the municipality's payments under ss. 79.03, 79.04, and 79.06 in 2001 and if the amount of the municipality's payment under s. 79.04 in 2004 would be more than 75 percent of the municipality's payments under sub. (1) and ss. 79.035 and 79.04 in 2004, the municipality shall receive a county and municipal aid payment in 2004 that is equal to the amount of the payments the municipality would have received in 2003 under ss. 79.03, 79.04, and 79.06, if not for the reductions under s. 79.02 (3) (c) 3., and less the amount of the reductions calculated under sub. (1) and s. 79.035 (2) (a) 2. using the base established under this subsection.

SECTION 5. 79.043 (3) of the statutes is created to read:

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

2003 Wisconsin Act 164

2003 Assembly Bill 924

79.043 (3) For the distribution in 2004, the department of revenue shall reduce the amount of the payments to be distributed to each municipality, except municipalities that receive payments as adjusted under sub. (2), by a percentage determined as follows:

(a) Determine the total amount of the payments calculated under sub. (2).

(b) From the amount determined under par. (a), subtract the total amount of the payments calculated under sub. (1) and s. 79.035 that the municipalities that qualify for payments under sub. (2) would receive if not for sub. (2).

(c) Determine the total amount of the payments to all municipalities under sub. (1) and s. 79.035.

(d) From the amount determined under par. (c), subtract the total amount of the payments calculated under sub. (1) and s. 79.035 that the municipalities that qualify for payments under sub. (2) would receive if not for sub. (2).

(e) Divide the amount determined under par. (b) by the amount determined under par. (d).

SECTION 6. 79.043 (4) of the statutes is created to read:

79.043 (4) Except as provided under s. 79.02 (3) (e), beginning in 2004 the total amount to be distributed each year to municipalities from the aid account is \$703,102,200.
