

2003 ASSEMBLY BILL 924

March 4, 2004 – Introduced by Representative OTT, cosponsored by Senator A. LASEE. Referred to Joint Committee on Finance.

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

Analysis by the Legislative Reference Bureau

Under current law, in 2004, generally, each county and municipality receives a county and municipal aid payment that is equal to the amount of shared revenue payments, excluding public utility aid payments, that the county or municipality received in 2003, less certain per capita reductions. Under current law, the amount of the county and municipal aid payment that a county or municipality receives in 2004 is also the amount that the county or municipality receives in 2005 and in each subsequent year.

Under this bill, in 2004 a municipality will receive a county and municipal aid payment that is equal to the amount of shared revenue payments, including public utility aid payments, that the municipality received in 2003, less certain per capita reductions, if the municipality satisfies the following conditions: 1) its public utility aid payment in 2001 was less than 25 percent of its total shared revenue payment in 2001 and 2) its public utility aid payment in 2004 would be more than 75 percent of the total of its county and municipal aid payment and public utility aid payment in 2004. The amount of the municipality's 2004 payment then becomes the amount that the municipality receives in 2005 and in each subsequent year.

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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:

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

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

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

10 79.043 (5) Except as provided under s. 79.02 (3) (e), for the distribution in 2005
11 and subsequent years, each county and municipality shall receive a payment under
12 this section and s. 79.035 that is equal to the amount of the payment determined for
13 the county or municipality under ~~par. (a)~~ this section and s. 79.035 in 2004.

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

16 79.043 (1) **Municipal aid.** As determined by the department of revenue based
17 on 2003 population, and notwithstanding s. 79.035, per capita reductions to payment
18 amounts for all municipalities under s. 79.035 shall be withheld that total
19 \$50000000. ~~15.68513% is the \$50,000,000.~~ The maximum reduction allowable to the
20 payments to any municipality under this section, excluding any reduction under s.
21 79.02 (3) (e), ~~under this section.~~ ~~Except as provided under s. 79.02 (3) (e), beginning~~

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1 ~~in 2004 the total amount to be distributed each year to municipalities from the aid~~
2 ~~account is \$703,102,200 is 15.68513 percent.~~

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

4 79.043 (2) If the amount of any municipality's payment under s. 79.04 in 2001
5 was less than 25 percent of the total amount of the municipality's payments under
6 ss. 79.03, 79.04, and 79.06 in 2001 and if the amount of the municipality's payment
7 under s. 79.04 in 2004 would be more than 75 percent of the municipality's payments
8 under sub. (1) and ss. 79.035 and 79.04 in 2004, the municipality shall receive a
9 county and municipal aid payment in 2004 that is equal to the amount of the
10 payments the municipality would have received in 2003 under ss. 79.03, 79.04, and
11 79.06, if not for the reductions under s. 79.02 (3) (c) 3., and less the amount of the
12 reductions calculated under sub. (1) and s. 79.035 (2) (a) 2. using the base established
13 under this subsection.

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

15 79.043 (3) For the distribution in 2004, the department of revenue shall reduce
16 the amount of the payments to be distributed to each municipality, except
17 municipalities that receive payments as adjusted under sub. (2), by a percentage
18 determined as follows:

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

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

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

