

RESOLUTION NO.: 84—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Utility aid payments help counties and municipalities pay for services provided to tax-
2 exempt utility property. Currently, utility company asset data is not accessible to state
3 and local elected officials in a manner that allows for determination regarding current and
4 future utility aid payments in lieu of local general property taxation. Costs cannot be
5 directly recouped through property taxation since utilities are exempt from local taxation
6 and, instead, are taxed by the state. These payments-in-lieu of taxes are also viewed as
7 partial compensation for the air pollution, noise, traffic congestion, property maintenance,
8 emergency services and land use limitations caused by the presence of utility property.
9

10 There is pending legislation that will require the Department of Revenue (DOR) to
11 annually publish on its Internet site information related to the determination of utility aid
12 payments received by counties and municipalities where production plant property is
13 located, including the value, depreciation amounts, and generating capacity of production
14 plants, the value and depreciation amounts of substations and general structures, and, if
15 applicable, the date of which such property is closed or decommissioned. The published
16 information must also include the value of private and municipal light, heat, and power
17 company property, as reported to the Public Service Commission, the amount of license
18 fees paid by public utilities in lieu of property taxes, listed by the county and municipality
19 where such property is located, and the amount of utility aid payments received by each
20 county and municipality. In addition, DOR must provide each county and municipality
21 that receives a utility aid payment an itemization of its payment that shows the amounts
22 generated from each formula component used to calculate the payment.
23

24 NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources
25 Committee recommend adoption of the following resolution.

26 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
27 legislation that would require the Department of Revenue (DOR) to annually publish on its Internet site
28 information related to the determination of utility aid payments received by counties and municipalities
29 where production plant property is located, including the value, depreciation amounts, and generating
30 capacity of production plants, the value and depreciation amounts of substations and general structures,
31 and, if applicable, the date of which such property is closed or decommissioned, and

1 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support
2 pending legislation that would require the DOR to provide each county and municipality that receives a
3 utility aid payment an itemization of its payment that shows the amounts generated from each formula
4 component used to calculate the payment, and

5 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
6 of this resolution to all Wisconsin Counties, the Wisconsin Counties Association, and the Outagamie
7 County Lobbyist for distribution to legislators.

8 Dated this ____ day of October 2019

9 Respectfully submitted,
10 LEGISLATIVE/AUDIT & HUMAN RESOURCES
11 COMMITTEE

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14 _____
15 Travis Thyssen

16 _____
17 Cathy Spears

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19 _____
20 Curt Konetzke

21 _____
22 Jerry Iverson

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24 _____
25 Nick Thyssen

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27 Duly and officially adopted by the County Board on: _____
28

29
30 Signed: _____
31 Board Chairperson

32 _____
33 County Clerk

34 Approved: _____

35 Vetoed: _____

36
37 Signed: _____
38 County Executive



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4197/P4
JK:skw&cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 **AN ACT** *to create* 79.045 of the statutes; **relating to:** reporting data used in the
2 calculation of utility aid payments.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Revenue to annually publish on its Internet site information related to the determination of utility aid payments received by counties and municipalities where production plant property is located, including the value, depreciation amounts, and generating capacity of production plants, the value and depreciation amounts of substations and general structures, and, if applicable, the date on which such property is closed or decommissioned. The published information must also include the value of private and municipal light, heat, and power company property, as reported to the Public Service Commission, the amount of license fees paid by public utilities in lieu of property taxes, listed by the county and municipality where such property is located, and the amount of utility aid payments received by each county and municipality. In addition, DOR must provide each county and municipality that receives a utility aid payment an itemization of its payment that shows the amounts generated from each formula component used to calculate the payment.

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.** 79.045 of the statutes is created to read:

2 **79.045 Reporting.** (1) The department of revenue shall annually publish on
3 its Internet site the following information obtained by the department, in the
4 manner determined by the department, for the previous year:

5 (a) The net book value, depreciation amount, address, and, if applicable, the
6 date on which the property is closed or decommissioned, of each production plant,
7 general structure, and substation of a municipal electric association, as reported to
8 the department by the municipality where the property is located.

9 (b) The net book value, as reported to the public service commission, and
10 address of each production plant, general structure, and substation of a rural electric
11 cooperative.

12 (c) The net book value, as reported to the department for purposes of s. 79.04,
13 and address of each production plant of a private light, heat, and power company and
14 a municipal light, heat, and power company.

15 (d) The net book value, as reported to the public service commission, and
16 address of each production plant of a private light, heat, and power company and a
17 municipal light, heat, and power company.

18 (e) The name-plate capacity, address, and, if applicable, the date on which the
19 plant is closed or decommissioned, of each production plant of an electric cooperative
20 association, private light, heat, and power company, and municipal light, heat, and
21 power company.

22 (f) The amount of license fees imposed under ch. 76, as reported to the
23 department of revenue, that were collected from private light, heat, and power
24 companies, municipal light, heat, and power companies, telecommunications

1 companies, pipeline companies, electric cooperatives, municipal electric
2 associations, and conservation and regulation companies.

3 (g) The amount of the payments under s. 79.04 that are derived from payments
4 made under ch. 76 by private light, heat, and power companies, municipal light, heat,
5 and power companies, rural electric cooperatives, and municipal electric
6 associations.

7 (2) The information published under sub. (1) shall be listed by the county and
8 municipality where the qualifying asset or production plant is located.

9 (3) The department of revenue shall include with the payment made to each
10 county and municipality under s. 79.02 an itemization of the utility aid payments to
11 the county or municipality that indicates the amounts of such aid generated under
12 each formula component under s. 79.04 (1) to (7).

13 (END)