



State of Wisconsin
2021 - 2022 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 111**

June 1, 2021 - Offered by Representative SPIROS.

1 **AN ACT** *to amend* 79.035 (5); *to repeal and recreate* 79.035 (5); and *to create*
2 79.035 (9) of the statutes; **relating to:** decreasing shared revenue payments to
3 municipalities based on decreased funding for law enforcement officers,
4 members of the paid fire department, and emergency medical responders.

Analysis by the Legislative Reference Bureau

Under this bill, if in any year a municipality decreases the amount of its municipal budget dedicated to hiring, training, and retaining law enforcement officers, members of the paid fire department, or emergency medical responders so that it is less than the amount dedicated to that purpose in the previous year, the municipality will receive a county and municipal aid payment that is reduced by the amount of that decrease. Also, under the bill, if in any year a municipality maintains the amount of its budget dedicated to hiring, training, and retaining law enforcement officers, members of the paid fire department, or emergency medical responders but retains fewer officers, fire fighters, or responders than in the previous year, the municipality will receive a county and municipal aid payment that is reduced by the amount of the compensation that the municipality paid to the officers, fire fighters, and responders that it did not retain, not including officers funded by federal grants. The bill provides that the amount of all such reductions will be distributed to the municipalities that did not reduce their budgets for providing law enforcement, fire

fighting, or emergency medical response services in proportion to each municipality's share of the total amount of county and municipal aid payments. Furthermore, the amount of the reduced payment that the municipality receives becomes the amount of county and municipal aid that the municipality will receive in subsequent years.

The reductions under the bill do not apply to a municipality that transfers responsibility for providing law enforcement, fire fighting, or emergency medical response services to another local unit of government or that enters into a cooperative agreement to share law enforcement, fire fighting, or emergency medical response services with another local unit of government. The reductions under the bill also do not apply to a municipality that decreases its budget related to law enforcement, fire fighting services, or emergency medical response services while retaining the same number of members of the paid fire department, emergency medical responders, and law enforcement officers, not including officers funded by federal grants. Finally, the reductions under the bill do not apply to any municipality that regularly employs and retains fewer than 30 law enforcement officers, members of the paid fire department, or emergency medical responders.

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

1 **SECTION 1.** 79.035 (5) of the statutes is amended to read:

2 79.035 (5) Except as provided in subs. (6), (7), ~~and (8)~~, and (9) for the
3 distribution in 2013 and subsequent years, each county and municipality shall
4 receive a payment under this section that is equal to the amount of the payment
5 determined for the county or municipality under this section for 2012.

6 **SECTION 2.** 79.035 (5) of the statutes, as affected by 2019 Wisconsin Act 19,
7 section 18, and 2021 Wisconsin Act ... (this act), is repealed and recreated to read:

8 79.035 (5) Except as provided in subs. (7), (8), and (9) for the distribution in
9 2013 and subsequent years, each county and municipality shall receive a payment
10 under this section that is equal to the amount of the payment determined for the
11 county or municipality under this section for 2012.

12 **SECTION 3.** 79.035 (9) of the statutes is created to read:

13 79.035 (9) (a) 1. In this subsection:

- 1 a. “Emergency medical responder” has the meaning given in s. 256.01 (4p).
- 2 b. “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).
- 3 c. “Members of the paid fire department” has the meaning given in s. 213.10
- 4 (1g).
- 5 2. For the distribution in 2021 and subsequent years, if in any year a
- 6 municipality decreases the amount of its municipal budget dedicated to hiring,
- 7 training, and retaining law enforcement officers, members of the paid fire
- 8 department, and emergency medical responders so that the amount is less than the
- 9 amount so dedicated in the previous year, the department of administration shall
- 10 reduce the municipality’s payment under this section by the amount of the decrease
- 11 in the municipality’s budget dedicated to hiring, training, and retaining law
- 12 enforcement officers, members of the paid fire department, and emergency medical
- 13 responders. If in any year a municipality maintains the amount of its municipal
- 14 budget dedicated to hiring, training, and retaining law enforcement officers,
- 15 members of the paid fire department, or emergency medical responders so that the
- 16 amount is the same as the amount so dedicated in the previous year but the
- 17 municipality retains fewer law enforcement officers, members of the paid fire
- 18 department, or emergency medical responders, not including law enforcement
- 19 officers funded by federal grants, the department of administration shall reduce the
- 20 municipality’s payment under this section by the amount of the compensation paid
- 21 to the law enforcement officers, members of the paid fire department, or emergency
- 22 medical responders who are no longer retained by the municipality.
- 23 3. The amount of the most recent reduced payment that the municipality
- 24 receives under subd. 2. shall be the amount of the municipality’s payment under this
- 25 section in subsequent years.

1 (b) This subsection does not apply to a municipality that transfers
2 responsibility for providing law enforcement, fire fighting services, or emergency
3 medical response services to another local unit of government, that enters into a
4 cooperative agreement to share law enforcement, fire fighting service, or emergency
5 medical response service responsibilities with another local unit of government, or
6 that decreases its budget related to law enforcement, fire fighting services, or
7 emergency medical response services while retaining the same number of members
8 of the paid fire department, emergency medical responders, and law enforcement
9 officers, not including officers funded by federal grants. This subsection also does not
10 apply to any municipality that regularly employs and retains fewer than 30 law
11 enforcement officers, members of the paid fire department, or emergency medical
12 responders.

13 (c) The amount of all reductions under par. (a) 2. in the year of distribution shall
14 be distributed to the municipalities that are not subject to a reduction under par. (a)
15 2. in proportion to their share of all payments under this section.

16 **SECTION 4. Effective dates.** This act takes effect on the day after publication,
17 except as follows:

18 (1) The repeal and recreation of s. 79.035 (5) takes effect on June 30, 2036.

19 (END)