



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 288**

January 15, 2014 – Offered by Representative MURPHY.

1 **AN ACT** *to renumber and amend* 43.12 (1); *to amend* 43.12 (2); and *to create*
2 43.12 (1) (a) 1., 43.12 (1) (a) 2., 43.12 (1) (a) 3., 43.12 (1m) and 43.12 (2) (b) of
3 the statutes; **relating to:** county payments to public libraries in adjacent
4 counties.

Analysis by the Legislative Reference Bureau

Under current law, a county that does not maintain a consolidated public library for the county and that contains residents who are not residents of a municipality that maintains a public library must pay to each public library in the county, and to each public library in an adjacent county, an amount that is equal to at least 70 percent of the amount computed by multiplying the number of loans of material made by that library to residents of the county who are not residents of a municipality that maintains a public library by the library's average operational cost per loan (library service payment).

Under this substitute amendment, before a county that maintains a consolidated public library (consolidated county) may bill an adjacent county for a library service payment, the consolidated county must provide a notice of its intent to bill. Also under this substitute amendment, a consolidated county that bills an adjacent county for a library service payment may be billed by any county that is adjacent to the consolidated county for a modified library service payment. The

amount of the modified library service payment is equal to at least 70 percent of the amount computed by multiplying the number of loans of material made by the billing library to residents of the consolidated county who are not residents of a municipality that contains a branch of the consolidated library by the library's average operational cost per loan.

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

1 **SECTION 1.** 43.12 (1) of the statutes is renumbered 43.12 (1) (a) (intro.) and
2 amended to read:

3 43.12 **(1)** (a) (intro.) By March 1 of each year, ~~a county that does not maintain~~
4 ~~a consolidated public library for the county under s. 43.57 and that contains residents~~
5 ~~who are not residents of a municipality that maintains a public library under s. 43.52~~
6 ~~or 43.53 shall pay to each public library in the county and to each public library in~~
7 ~~an adjacent county, other than a county with a population of at least 500,000, an each~~
8 ~~of the following payments of not less than the minimum amount calculated under~~
9 ~~par. (b) shall be made:~~

10 (b) The minimum amount that is under par. (a) shall be calculated to equal to
11 at least 70% 70 percent of the amount computed by multiplying the number of loans
12 of material made by the library during the prior calendar year, for par. (a) 1. or 3.,
13 to residents of the county who are not residents of a municipality that maintains a
14 public library under s. 43.52 or 43.53, or, for par. (a) 2., to residents of the county who
15 are not residents of a municipality that contains a branch of the consolidated library,
16 as reported under sub. (2), by the amount that results from dividing the total
17 operational expenditures of the library during the calendar year for which the
18 number of loans are reported, not including capital expenditures or expenditures of

1 federal funds, by the total number of loans of material made by the public library
2 during the calendar year for which the loans are reported.

3 (c) The library board of the public library entitled to a payment under this
4 subsection may direct the county to credit all or a portion of the payment to a county
5 library service or library system for shared services.

6 **SECTION 2.** 43.12 (1) (a) 1. of the statutes is created to read:

7 43.12 (1) (a) 1. Except as provided in subd. 2., by a county that does not
8 maintain a consolidated public library for the county under s. 43.57 and that contains
9 residents who are not residents of a municipality that maintains a public library
10 under s. 43.52 or 43.53, to each public library in the county and to each public library
11 in an adjacent county, other than a county with a population of at least 500,000 or
12 a county that maintains a consolidated public library for the county.

13 **SECTION 3.** 43.12 (1) (a) 2. of the statutes is created to read:

14 43.12 (1) (a) 2. If the adjacent county maintains a consolidated public library
15 and provides the notice under sub. (1m), by a county that does not maintain a
16 consolidated public library for the county under s. 43.57 and that contains residents
17 who are not residents of a municipality that maintains a public library under s. 43.52
18 or 43.53, to the consolidated public library for the adjacent county providing the
19 notice under sub. (1m).

20 **SECTION 4.** 43.12 (1) (a) 3. of the statutes is created to read:

21 43.12 (1) (a) 3. If a county maintains a consolidated public library and provides
22 a notice under sub. (1m), by that county to each public library in an adjacent county,
23 other than a county with a population of at least 500,000, that provides a statement
24 to the county under sub. (2).

25 **SECTION 5.** 43.12 (1m) of the statutes is created to read:

43.12 (1m) If a county maintains a consolidated public library, the library shall provide a notice not later than April 1 to any public library from which it requests payment under sub. (1).

SECTION 6. 43.12 (2) of the statutes is amended to read:

43.12 (2) By July 1 of each year, each public library lying in whole or in part in a county shall provide a statement to the county clerk of that county and to the county clerk of each adjacent county, other than a county with a population of at least 500,000, that reports ~~the~~ all of the following:

(a) The number of loans of material made by that library during the prior calendar year to residents of the county, or adjacent county, who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53 ~~and the~~

(c) The total number of loans of material made by that library during the previous calendar year.

SECTION 7. 43.12 (2) (b) of the statutes is created to read:

43.12 **(2)** (b) If the library is in a county that is adjacent to a county with a consolidated library system, the number of loans of material made by that library during the prior calendar year to residents of the adjacent county who are not residents of a municipality that contains a branch of the consolidated library.

(END)