



1999 SENATE JOINT RESOLUTION 40

March 29, 2000 - Introduced by Senators PLACHE, GROBSCHMIDT and BURKE, cosponsored by Representatives PLOUFF, KRUG, REYNOLDS, LASSA, HASENOHRL, BOCK, SINICKI, J. LEHMAN, POCAN and CULLEN. Referred to Committee on Education.

1 **AN ACT relating to:** the distribution of state funds to public school districts (first
2 consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 1999 legislature on first consideration, removes from the constitution the "uniformity provision" that requires public schools "to be as nearly uniform as practicable". The Wisconsin supreme court, in *Kukor v. Grover*, 148 Wis. 2nd 469 (1989), determined that the provision applies to the character of instruction of the public schools and requires that state funding be sufficient to ensure that all school districts are able to meet minimum standards specified by statute.

This amendment eliminates the uniformity provision. The amendment instead requires that all state funds distributed to public school districts be distributed so as to ensure that the educational opportunities in all public school districts are as nearly equal as possible, taking into account the capacity of each school district to raise revenue and the educational needs of the pupils in each school district.

As a constitutional amendment, the proposal requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

3 ***Resolved by the senate, the assembly concurring, That:***

4 **SECTION 1.** Section 3 of article X of the constitution is amended to read:

