

2009 DRAFTING REQUEST

Bill

Received: **01/29/2009**

Wanted: **As time permits**

For: **Administration-Budget**

This file may be shown to any legislator: **NO**

May Contact:

Subject: **Education - school finance**

Received By: **pgrant**

Identical to LRB:

By/Representing: **Skwarczek**

Drafter: **pgrant**

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **NO**

Pre Topic:

DOA:.....Skwarczek, BB0552 -

Topic:

Calculation of June 2009 and 2009-2011 state aid

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 01/29/2009	kfollett 01/29/2009		_____			S&L
/1	pgrant 01/30/2009	kfollett 01/30/2009	mduchek 01/29/2009	_____	lparisi 01/29/2009		S&L
/2	pgrant 02/04/2009	kfollett 02/04/2009	phenry 01/30/2009	_____	sbasford 01/30/2009		S&L
/3	pgrant 02/05/2009	kfollett 02/06/2009	jfrantze 02/04/2009	_____	cduerst 02/04/2009		S&L
/4	pgrant 02/11/2009	kfollett 02/11/2009	rschluet 02/06/2009	_____	mbarman 02/06/2009		S&L

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/5	pgrant 02/12/2009	kfollett 02/12/2009	mduchek 02/11/2009	_____	cduerst 02/11/2009		S&L
/6	pgrant 02/12/2009	bkraft 02/12/2009	jfrantze 02/12/2009	_____	cduerst 02/12/2009		S&L
/7			jfrantze 02/12/2009	_____	mbarman 02/13/2009		

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/4	pgrant 02/11/2009	kfollett 02/11/2009	rschluet 02/06/2009	_____	mbarman 02/06/2009		S&L

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/5

165
2/9/2

mduchek
02/11/2009

[Handwritten signature]
2/12

cduerst
02/11/2009

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<END>

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/3	pgrant 02/05/2009	kfollett 02/06/2009	jfrantze 02/04/2009	_____	cduerst 02/04/2009		S&L
/4		15/19 F 2/14	rschluet 02/06/2009	_____	mbarman 02/06/2009		

ND MD JF
2/11

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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/2	pgrant 02/04/2009	kfollett 02/04/2009	phenry 01/30/2009	_____	sbasford 01/30/2009		S&L
/3		146-f 2/6	jfrantze 02/04/2009	_____	cduerst 02/04/2009		

FE Sent For:

<END>

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Subject: **Education - school finance**

Extra Copies: **TKK**

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/2		13kif 2/9	phenry 01/30/2009	_____	sbasford 01/30/2009		

FE Sent For:

2/9
2/9
<END>

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/?	pgrant 01/29/2009	kfollett 01/29/2009		_____			S&L
/1		12 kfp 1/30	mduchek 01/29/2009	1/30 ph	lparisi 01/29/2009		
FE Sent For:			1/30 ph	1/30 ph	1/30 ph		

<END>

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/?	pgrant	1/1 kjf 1/29	MD	MD P14 1/29			

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Changes to economic stimulus appropriations in DPI, calculation of equalization aids in 2009-10 and 2010-11, and a 2008-09 equalization aid reduction
- Tracking Code:
- SBO team: Education
- SBO analyst: Marta Skwarczek
 - Phone: 266-5468
 - Email: marta.skwarczek@wisconsin.gov
- Agency acronym: DPI
- Agency number: 255
- Priority (Low, Medium, High): High

BB 0552

Intent:

Under the relevant sections of Wisconsin statutes:

1. Create a federal program 2 appropriation in DPI to capture federal state fiscal stabilization fund moneys from Title XIII, section 13002, paragraph (a) of the federal economic stimulus bill. This will require a change to 20.255 (2) (n) so that only federal economic stimulus funds that are not part of Title XIII, section 13002, paragraph (a) go into the 2(n) appropriation.

use for:
PT 5
ed. aid

2. In 2009-10 and 2010-11, state that each school district's equalization aid award shall be calculated using the sum of the aid amount in 20.255(2)(ac) and an amount from the new federal appropriation with fiscal stabilization fund moneys as determined by DOA.

From the aid amount determined for each school district by the above calculation, subtract the amount each school district will receive through the fiscal stabilization, Title I distribution.

(b)?

- a) If the difference is positive, award the amount of the difference to the district from 20.255 (2) (ac).
- b) If the difference is negative, deduct the amount of the difference from any other school aid the district receives from other DPI program 2 appropriations. Add the deduction to 20.255 (2) (ac).

add if the total amt distribution which
fsg = 180000

3. Direct DPI to lapse \$178,000,000 of equalization aid under 20.255(2)(ac) to the general fund in the 2008-09 fiscal year. Direct DPI to use the equalization aid remaining

total?

Sum

after the lapse and an amount from the new federal appropriation with fiscal stabilization fund moneys as determined by DOA to make June 2009 equalization aid payments to school districts. The payments shall be made by subtracting each district's June 2009 equalization aid entitlement by the amount received by the school district through the fiscal stabilization, Title I distribution.

- a) If the difference is positive, award the amount of the difference to the district in equalization aid. *21 (ca)*
- b) If the difference is negative, deduct the amount of the difference from any other school aid the district receives from other DPI program 2 appropriations. Add that amount to 20.255 (2) (ac).

(v)?

Date (time) needed _____

LRB- 1862, 1

PG: kjf: _____

DOA BUDGET DRAFT

Use the appropriate components and routines developed for bills.

>>FOR BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: the budget.

.....
.....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

(attached)

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

SECTION #.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

SEC. 4R, 20.255(2)(p) ✓

20.255(2)(p) Federal aids; education fund.

All federal moneys received, as authorized by the governor, under section 13002 (a) of the American Recovery and Reinvestment Act of 2009, for primary and secondary education aid.

note: bwd

2005

Nonstat File Sequence: **AAA**

LRB _____ / _____

_____ : _____ : _____

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: **create** → **action:** → *NS: → **nonstat**

For the budget action phrase, execute: **create** → **action:** → *NS: → **91XX**

For a subsection, execute: **create** → **text:** → *NS: → **sub**

For a paragraph, execute: **create** → **text:** → *NS: → **par**

For a subdivision, execute: **create** → **text:** → *NS: → **subd**

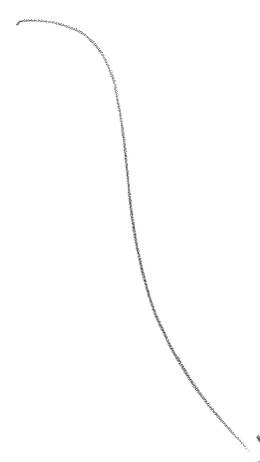
For a subdivision paragraph, execute: **create** → **text:** → *NS: → **subpar**

2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9100 department code.

SECTION # **[91 3 9]**. **Nonstatutory provisions; ...**

..... *public instruction*

(#1) (1) .. *CALCULATION OF STATE AID ; 2009-11 FISCAL BIENNium*



create auto ref (a)
 ↓
 # (a) The department of public instruction shall calculate
 state aid to school districts under
 section 121.08 of the statutes for the
 2009-10 fiscal year and the 2010-11 fiscal
 year using the sum of the amount
 of the statutes
 appropriated under section 20.255(2)(ac) and
 a portion of the amount appropriated under
 section 20.255(2)(p) of the statutes, as created
 by this act, determined by the secretary of
 administration.

(b) From the amount calculated for each school
 district under paragraph (a), the department of
 public instruction shall subtract the amount that
 the school district will receive in that fiscal
 year under section 13002 (a) (3) of the federal
American Recovery and Reinvestment Act of 2009.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

NOTE If the result is a positive number, the department shall pay that amount to the school district from the appropriation under section 20.255(2)^{ac} of the statutes. If

the result is a negative number, the department shall deduct from other state aid payments made to the school district in that fiscal year from the appropriations under

section 20.255(2) of the statutes an amount equal to that amount or the amount of those

aids, whichever is less, and add the amount of the deduction to the total amount distributed as equalization aid under paragraph (a) ^{to be} ← a.f. (a)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(2) STATE AID ^{JUNE 2009. \$} ~~§ 178.08(1)(a)~~ ^{create auto ref (b)} There is lapse to the general fund \$ 178,080,000 in the 2008-09 fiscal year from the appropriation account under section 20.255(2)(ac) of the statutes. The department of public instruction shall use in that appropriation account the balance and a portion of the amount appropriated under section 20.255(2)(p) of the statutes, as created by this act, determined by the secretary of administration, to make payments to school districts in June 2009 under section 121.15(1) and (1g) of the statutes. ^{§ 121.15(1)(b)} The department of public instruction shall make the payments ^{June 2009} by subtracting from each school district's equalization aid entitlement in June 2009 the amount ~~received~~ by the school district will

receive ⁱⁿ that fiscal year under section
 13052 (a)(3) of the federal American
Recovery and Reinvestment Act of 2009. TT
 If the result is a positive number, the
 department shall pay that amount to the
 school district from the appropriation under
 section 20.255(2)(ac) of the statutes. If
 the result is a negative number, the
 department shall deduct from other state aid
 payments made to the school district in that
 fiscal year from the appropriations under
 section 20.255(2) of the statutes an amount
 equal to that amount or the amount of those
 aids, whichever is less, and add the amount
 of the deduction to the total amount to be

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

distributed as equalization aid under
← art. (b)
paragraph (a).

(End)

Analysis

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill directs DPI to use a portion of the federal funds received by the state pursuant to the American Recovery and Reinvestment Act of 2009, as determined by the secretary of administration, to make state aid payments to schools in June 2009 and in the 2009-10 and

2010-11 fiscal years. The bill lapses to the general fund of \$178,000,000 in state school aids in the 2008-09 fiscal year.

FE-SL

Grant, Peter

From: Skwarczek, Marta A - DOA [Marta.Skwarczek@Wisconsin.gov]
Sent: Thursday, January 29, 2009 6:19 PM
To: Grant, Peter
Subject: RE: LRB Draft: 09-1862/1 Calculation of June 2009 and 2009-2011 state aid

In LRB draft 09-1862/1 please change the amount of the 2008-09 lapse to \$133,000,000 (rather than \$178,000,000). Under the State aid: June 2009 nonstat language provision specify that "the department of public instruction shall use the balance in that appropriation account and a portion of the amount appropriated in the 2008-09 fiscal year..." We are assuming that the American Recovery and Reinvestment Act will allow states to spend the amounts allocated in the Act before the 2009-10 fiscal year (either upon passage of the act or January 1, 2009, as is in the Senate version I believe).

In LRB draft 09-1796/2, Section 4- ~~We need all moneys received from the federal government under section 13002 (a) of the American Recovery and Reinvestment Act to be subject to revenue limits, not just those funds received to restore the state's support for elementary and secondary education to the level provided in the 2007-08 fiscal year.~~

Thanks.

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Thursday, January 29, 2009 12:20 PM
To: Skwarczek, Marta A - DOA
Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1862/1 Calculation of June 2009 and 2009-2011 state aid

Following is the PDF version of draft 09-1862/1.

DOA:.....Skwarcek, BB0552 - Calculation of June 2009 and 2009-2011 state aid

FOR 2009-11 BUDGET — NOT READY FOR INTRODUCTION

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

33 This bill directs DPI to use a portion of the federal funds received by the state pursuant to the American Recovery and Reinvestment Act of 2009, as determined by the secretary of administration, to make state aid payments to schools in June 2009 and in the 2009-10 and 2010-11 fiscal years. The bill lapses to the general fund \$178,000,000 in state school aids in the 2008-09 fiscal year.

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:

2 SECTION 1. 20.255 (2) (p) of the statutes is created to read:

3 20.255 (2) (p) *Federal aids; education fund.* All federal moneys received, as
4 authorized by the governor, under section 13002 (a) of the American Recovery and
5 Reinvestment Act of 2009, for primary and secondary education aid.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 9139. Nonstatutory provisions; Public Instruction.**

2 (1) CALCULATION OF STATE AID; 2009-11 FISCAL BIENNIUM.

3 (a) The department of public instruction shall calculate state aid to school
4 districts under section 121.08 of the statutes for the 2009-10 fiscal year and the
5 2010-11 fiscal year using the sum of the amount appropriated under section 20.255
6 (2) (ac) of the statutes and a portion of the amount appropriated under section 20.255
7 (2) (p) of the statutes, as created by this act, determined by the secretary of
8 administration.

9 (b) From the amount calculated for each school district under paragraph (a),
10 the department of public instruction shall subtract the amount that the school
11 district will receive in that fiscal year under section 13002 (a) (3) of the federal
12 American Recovery and Reinvestment Act of 2009. If the result is a positive number,
13 the department shall pay that amount to the school district from the appropriation
14 under section 20.255 (2) (ac) of the statutes. If the result is a negative number, the
15 department shall deduct from other state aid payments made to the school district
16 in that fiscal year from the appropriations under section 20.255 (2) of the statutes
17 an amount equal to that amount or the amount of those aids, whichever is less, and
18 add the amount of the deduction to the total amount to be distributed as equalization
19 aid under paragraph (a).

20 (2) STATE AID; JUNE 2009.

21 (a) There is lapsed to the general fund \$1³³~~78~~,000,000 in the 2008-09 fiscal year
22 from the appropriation account under section 20.255 (2) (ac) of the statutes. The
23 department of public instruction shall use the balance in that appropriation account

2008-09

1 and a portion of the amount appropriated in the 2009-10 fiscal year under section
2 20.255 (2) (p) of the statutes, as created by this act, determined by the secretary of
3 administration, to make payments to school districts in June 2009 under section
4 121.15 (1) and (1g) of the statutes.

5 (b) The department of public instruction shall make the June 2009 payment
6 under paragraph (a) by subtracting from each school district's equalization aid
7 entitlement in June 2009 the amount the school district will receive in that fiscal
8 year under section 13002 (a) (3) of the federal American Recovery and Reinvestment
9 Act of 2009. If the result is a positive number, the department shall pay that amount
10 to the school district from the appropriation under section 20.255 (2) (ac) of the
11 statutes. If the result is a negative number, the department shall deduct from other
12 state aid payments made to the school district in that fiscal year from the
13 appropriations under section 20.255 (2) of the statutes an amount equal to that
14 amount or the amount of those aids, whichever is less, and add the amount of the
15 deduction to the total amount to be distributed as equalization aid under paragraph
16 (a).

17

(END)

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # _____ . Effective date.

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # _____ . Effective dates;

..... This act takes effect on the day after publication, except as follows:

(#1) () The treatment of sections of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute:.. **create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the **9400** department code.

SECTION 94 3⁹ . Effective dates; ... public instruction

(#1) () CALCULATION OF STATE AID The treatment of sections 20.255(2)(p) of the statutes takes effect on the day after publication

and SECTION CS 9139 (2) of this act (Encl) a.p.

Grant, Peter

From: Skwarczek, Marta A - DOA [Marta.Skwarczek@Wisconsin.gov]
Sent: Wednesday, February 04, 2009 11:47 AM
To: Grant, Peter
Cc: Beadles, Kathleen - DOA; Kraus, Jennifer - DOA; Hanle, Bob - DOA
Subject: RE: LRB Draft: 09-1862/2 Calculation of June 2009 and 2009-2011 state aid

Peter,
Please change the 2008-09 lapse to \$109,000,000.

Thanks.

From: Henry, Patty [mailto:Patty.Henry@legis.wisconsin.gov]
Sent: Friday, January 30, 2009 10:30 AM
To: Skwarczek, Marta A - DOA
Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1862/2 Calculation of June 2009 and 2009-2011 state aid

Following is the PDF version of draft 09-1862/2.

DOA:.....Skwarczek, BB0552 - Calculation of June 2009 and 2009-2011 state aid

FOR 2009-11 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill directs DPI to use a portion of the federal funds received by the state pursuant to the American Recovery and Reinvestment Act of 2009, as determined by the secretary of administration, to make state aid payments to schools in June 2009 and in the 2009-10 and 2010-11 fiscal years. The bill lapses to the general fund ~~\$133,000,000~~ in state school aids in the 2008-09 fiscal year.

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:

2 **SECTION 1.** 20.255 (2) (p) of the statutes is created to read:

3 20.255 (2) (p) *Federal aids; education fund.* All federal moneys received, as
4 authorized by the governor, under section 13002 (a) of the American Recovery and
5 Reinvestment Act of 2009, for primary and secondary education aid.

\$109,000,000

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 9139. Nonstatutory provisions; Public Instruction.**

2 (1) CALCULATION OF STATE AID; 2009-11 FISCAL BIENNIUM.

3 (a) The department of public instruction shall calculate state aid to school
4 districts under section 121.08 of the statutes for the 2009-10 fiscal year and the
5 2010-11 fiscal year using the sum of the amount appropriated under section 20.255

6 (2) (ac) of the statutes and a portion of the amount appropriated under section 20.255
7 (2) (p) of the statutes, as created by this act, determined by the secretary of
8 administration.

9 (b) From the amount calculated for each school district under paragraph (a),
10 the department of public instruction shall subtract the amount that the school
11 district will receive in that fiscal year under section 13002 (a) (3) of the federal
12 American Recovery and Reinvestment Act of 2009. If the result is a positive number,
13 the department shall pay that amount to the school district from the appropriation
14 under section 20.255 (2) (ac) of the statutes. If the result is a negative number, the
15 department shall deduct from other state aid payments made to the school district
16 in that fiscal year from the appropriations under section 20.255 (2) of the statutes
17 an amount equal to that amount or the amount of those aids, whichever is less, and
18 add the amount of the deduction to the total amount to be distributed as equalization
19 aid under paragraph (a).

20 (2) STATE AID; JUNE 2009.

21 (a) There is lapsed to the general fund \$1⁰⁹~~35~~,000,000 in the 2008-09 fiscal year
22 from the appropriation account under section 20.255 (2) (ac) of the statutes. The
23 department of public instruction shall use the balance in that appropriation account

1 and a portion of the amount appropriated in the 2008–09 fiscal year under section
2 20.255 (2) (p) of the statutes, as created by this act, determined by the secretary of
3 administration, to make payments to school districts in June 2009 under section
4 121.15 (1) and (1g) of the statutes.

5 (b) The department of public instruction shall make the June 2009 payment
6 under paragraph (a) by subtracting from each school district's equalization aid
7 entitlement in June 2009 the amount the school district will receive in that fiscal
8 year under section 13002 (a) (3) of the federal American Recovery and Reinvestment
9 Act of 2009. If the result is a positive number, the department shall pay that amount
10 to the school district from the appropriation under section 20.255 (2) (ac) of the
11 statutes. If the result is a negative number, the department shall deduct from other
12 state aid payments made to the school district in that fiscal year from the
13 appropriations under section 20.255 (2) of the statutes an amount equal to that
14 amount or the amount of those aids, whichever is less, and add the amount of the
15 deduction to the total amount to be distributed as equalization aid under paragraph
16 (a).

17 **SECTION 9439. Effective dates; Public Instruction.**

18 (1) CALCULATION OF STATE AID. The treatment of section 20.255 (2) (p) of the
19 statutes and SECTION 9139 (2) of this act takes effect on the day after publication.

20 (END)

Grant, Peter

From: Skwarczek, Marta A - DOA [Marta.Skwarczek@Wisconsin.gov]
Sent: Thursday, February 05, 2009 2:29 PM
To: Grant, Peter
Cc: Hanle, Bob - DOA; Beadles, Kathleen - DOA; Kraus, Jennifer - DOA
Subject: new education draft

Peter,
We would like a draft that directs the DOA Secretary, in setting the base for general equalization aid (20.255(2)(ac)) in the 2011-13 biennium, to include the sum of the amounts in the schedule for the 20.255(2)(ac) appropriation in the 2010-11 fiscal year and the amount appropriated under section 20.255(2)(p) used to calculate equalization aid in the 2010-11 fiscal year.

Thanks.

Marta Skwarczek
Executive Policy and Budget Analyst
Education and Workforce Development Team
Wisconsin Department of Administration
(608) 266-5468

2011-12
2012-13

shall assume the base level
to be the sum of