

Assembly Bill 51

Date published:
November 18, 1967

CHAPTER 209, LAWS OF 1967

AN ACT to amend 38.16 (1) (a) and (b), as affected by chapters 92 and 108, laws of 1967; 40.70 (6) and (7), as affected by chapters 45 and 92, laws of 1967; 40.71 (6) (b), as affected by chapters 45 and 92, laws of 1967; 65.07 (1) (e), as affected by chapters 92 and 108, laws of 1967; 210.02 (1) and (4); and 341.10 (1); and to create 20.460 (3) (a) and (w), 20.535, 20.545, 66.75, 210.03 (4) and 341.35 of the statutes, relating to increased state school aids and making an appropriation.

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

SECTION 1. LEGISLATIVE DECLARATION. (1) The legislature declares that, because of the critical and unique problems now confronting the public schools in the city of Milwaukee's "inner core," it is in the best interests of the people of this state for state government to forthrightly meet this crisis by the investment of state resources to alleviate and resolve these dire and almost insurmountable problems. The legislature further declares that this effort must be immediate and direct and is designed as a stopgap measure to provide the initial impetus for the long-range program which must necessarily be continued by local efforts in the more traditional state-local partnership. The specific implementation of this intent is contained in SECTIONS 3 and 6.

(2) The legislature finds that there is an immediate need for the state to further co-operate in efforts to resolve the unique problems which confront citizens of the "inner core." Additional efforts are needed to help resolve the unemployment among unskilled citizens; to provide constructive employment experiences for youth residing in the "inner core"; to establish experimental programs designed to alleviate the problems of the economically and educationally disadvantaged; to help children of the economically disadvantaged to obtain scholarships for post-secondary school education; and to meet other challenges presented by conditions in the "inner core". The specific implementation of this intent is contained in SECTIONS 2 and 5.

SECTION 2. At the appropriate place in the schedule in section 20.005 of the statutes, insert the following amounts for the purposes indicated:

	1967-68	1968-69
20.535 <i>Local affairs and development, dept. of</i>		
(1) Milwaukee core area projects		
(a) General program opns. GPR C	1,000,000	

SECTION 3. At the appropriate place in section 20.005 of the statutes, insert the following amounts for the purposes indicated:

	1967-68	1968-69
20.545 <i>Milwaukee school system</i>		
(1) Emergency school programs		
(a) General program opns. GPR C	1,750,000	3,000,000

SECTION 4. 20.460 (3) (a) and (w) of the statutes are created to read:
20.460 (3) (a) *Reinsurance.* From the general fund, a sum sufficient for the purchase of reinsurance authorized under s. 210.02 (1) (a).

(w) *Transfer to general fund.* On January 1, 1968, \$3,000,000 shall be transferred from the state insurance fund to the general fund.

SECTION 5. 20.535 of the statutes is created to read:

20.535 LOCAL AFFAIRS AND DEVELOPMENT, DEPARTMENT OF. There is appropriated to the department of local affairs and development for the following programs:

(1) MILWAUKEE CORE AREA PROJECTS. (a) *General program operations.* As a continuing appropriation, the amounts in the schedule, to be released only upon the approval of the board on government operations and in the amounts approved by that board, for the purposes of projects designed to meet the problems of the disadvantaged in the Milwaukee "inner core". Such projects may either be new concepts of assistance including demonstration projects or the strengthening of existing programs, and may contain, but are not limited to, such projects as youth employment projects, employment training for under-skilled citizens, scholarship programs for inner core students and other projects that have as their purpose the alleviation of inner core conditions. Proposed programs shall be developed by the secretary of local affairs and development in consultation with residents of the inner core including but not limited to programs of state aid to employes designed to encourage the employment and job training of persons whose economic and social backgrounds hamper their ability to compete for jobs with others not so disadvantaged.

SECTION 6. 20.545 of the statutes is created to read:

20.545 MILWAUKEE SCHOOL SYSTEM. There is appropriated to each board of school directors of a school system organized under ch. 38:

(1) EMERGENCY SCHOOL PROGRAMS. (a) *General program operations.* As a continuing appropriation, the amounts in the schedule, to be released only upon the approval of the board on government operations and in the amounts approved by that board, for the purposes of programs designed to meet the critical emergency educational needs of pupils in such school system, including, without limitation because of enumeration, such programs as classroom teacher aides, building security personnel, retraining programs for teachers, special classes for disrupters and after-school tutorial or recreational programs.

SECTION 7. 38.16 (1) (a) of the statutes, as affected by chapter 92, laws of 1967, is amended to read:

38.16 (1) (a) *Except for the report submitted in 1967 for the fiscal year 1968 which shall be submitted no later than November 20,* the board shall report to the common council of the city at or before the 2nd regular meeting of the council in October in each year the amount of money required for the next fiscal year for the operation of all public schools, including all trade schools established and maintained under s. 38.28, in said city and for the repair and keeping in order of school buildings, fixtures and the repair of broken or worn-out furniture, the making of material betterments to school property and the purchase of the necessary additions to school sites, in accordance with this chapter, and said common council shall levy and collect a tax upon all the property subject to taxation in said city, at the same time and in the same manner as other taxes are levied and collected by law, which, together with the other funds provided by law and placed at the disposal of said city for the same purposes, shall constitute the school operations fund and shall be equal to the amount of money so required by the board of school directors for the purposes provided in this chapter. Whenever the board deems it necessary by resolution adopted by two-thirds of the membership elect to provide moneys for the purchase of school sites or for the erection of school buildings and additions to school buildings, or both, or for the remodeling of existing buildings, which shall be in addition to the moneys received or which may be received from the sale of bonds, the board of school directors may send a communication to the common council of such city stating the amount of funds so needed;

and upon receipt of such request from the board the common council shall levy and collect a tax upon all property, real and personal, in such city subject to taxation in the same manner and at the time as other taxes are levied and collected, which shall constitute the construction fund and shall be equal to the amount of money so required by the board, for the purposes aforementioned, and such taxes shall be in addition to all other taxes which the city is authorized to levy.

SECTION 8. 38.16 (1) (b) of the statutes, as affected by chapters 92 and 108, laws of 1967, is amended to read:

38.16 (1) (b) The school operations fund taxes for the operation of all public schools, including trade schools, so levied upon each dollar of equalized valuation of all property in said city, subject to taxation, shall not in any one year exceed ~~15.0~~ 17 mills on the dollar of the total equalized valuation of all such property, except for the years: ~~1967 when such levy shall not exceed 12.5 mills;~~ 1968 when such levy shall not exceed ~~13.5~~ 15.5 mills; ~~and 1969 when such levy shall not exceed 14.25~~ 16.5 mills; ~~1970 when such levy shall not exceed 14.25 mills;~~ 1971 when such levy shall not exceed 14.5 mills; and the construction fund taxes shall not in any one year exceed six-tenths of a mill upon the dollar of the total assessed valuation of all such real and personal property, and said taxes for the purposes named in this section shall be in addition to all taxes provided for by law for other city purposes. The common council shall have the option: 1. to levy and collect such tax equal to the amount of money requested by the board for the school construction fund, or 2. to levy and collect a tax to realize part of the money so requested and provide the remainder thereof from taxes levied and collected by the common council for its permanent improvement fund, or 3. to decline to levy and collect a construction fund tax and provide the entire amount of money so requested for such school construction fund from its said permanent improvement fund. Such construction fund tax levy shall be reduced in any year only by the amount which the common council in such year provides from such permanent improvement fund. The school construction fund may be allowed to accumulate from year to year in the discretion of the board of school directors.

SECTION 9. 40.70 (6) and (7) of the statutes, as affected by chapters 45 and 92, laws of 1967, are amended to read:

40.70 (6) (a) State aids shall be paid to integrated aid districts for both elementary and high school resident pupils on the following basis: The state shall provide a sum equal to the amount produced by applying the required mill rate levied by the district on that equalized valuation indicated in sub. (5) (a) upon which the eligibility for receipt of aids is determined up to 17 mills on the amount by which that equalized valuation per resident pupil in average daily membership for the current year not exceeding 25 resident pupils in average daily membership per teacher is less than ~~\$34,000~~ \$39,000 in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$28,000~~ \$39,000 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based and in such districts as levy the required mill rate of 17 mills for operation the state aid shall include the amount of the required operating costs in excess of the amount produced by such 17 mill levy, but in no case shall the state pay less than ~~\$42~~ \$45 per resident elementary pupil in average daily membership in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$44~~ \$45 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based and ~~\$55~~ \$58 per resident high school pupil in average daily membership in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$57~~ \$58 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based not exceeding 25 resident pupils in aver-

age daily membership per teacher. Aids under this subsection shall be payable only to such integrated districts which did levy a tax of 5 mills or more in the year in which the aid is granted on the equalized valuation of the districts for the year prior to the levy of such tax.

(b) State aid shall be paid to integrated districts for nonresident high school pupils at the rate of ~~\$55~~ \$58 per nonresident high school pupil in average daily membership in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$57~~ \$58 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based which sum shall be deducted from the nonresident tuition claim made under s. 40.91 (4).

(7) (a) State aids shall be paid to each elementary school district providing education from 1st to 8th grade or kindergarten to 8th grade, in a sum equal to the amount produced by applying the required mill rate levied in the elementary school districts on that equalized valuation of the districts indicated in this section upon which eligibility for receipt of aids is determined up to 17 mills, on the amount by which the equalized valuation per resident pupil in average daily membership for the current year in such elementary school district, not exceeding 25 resident pupils in average daily membership per teacher, is less than ~~\$28,500~~ \$30,500 in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$29,500~~ \$30,500 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based if the elementary school district meets the requirements of s. 40.67 (2) (a), (b), (d), (e), (f) and (g) 1, 3 and 4, and provided such elementary district has been at some prior date a part of an integrated school district, or employs not less than 4 teachers in the elementary school.

(b) In no case shall any elementary school district to which this subsection applies receive state aid of less than ~~\$42~~ \$45 per resident elementary pupil in average daily membership, in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$44~~ \$45 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based not exceeding 25 resident pupils in average daily membership per teacher. Aids under this subsection shall be payable only to those elementary school districts which levied a tax of 3 mills or more in the year in which the aid is granted on the basis of the equalized valuation of the district for the year prior to the levy of the tax.

SECTION 10. 40.71 (6) (b) of the statutes, as affected by chapters 45 and 92, laws of 1967, is amended to read:

40.71 (6) (b) If the state superintendent is satisfied that the educational program of any union high school district meets the requirements of s. 40.67 (1), (2) (d), (f), (g) 2 and 3 and that the district did levy a tax of 3 mills, or more in the year in which the aid is granted on the equalized valuation of the district for the year prior to the levy of such tax, the state superintendent shall grant in aids an amount equal to the required mill levy made by the district up to 10 mills on the amount by which the equalized valuation per resident pupil in average daily membership up to 25 resident pupils in average daily membership per teacher is less than ~~\$72,000~~ \$76,000 in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$75,000~~ \$76,000 in the year on which aids paid in ~~1966-67~~ 1968-69 and subsequent years are based, but not less than ~~\$55~~ \$58 per resident pupil in average daily membership in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$57~~ \$58 in the year on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based up to 25 resident pupils in average daily membership per teacher. State aids shall be paid on account of nonresident union high school pupils at the rate of ~~\$55~~ \$58 per nonresident in average daily membership in the year on which the aids paid in ~~1965-66~~ 1967-68 are based and ~~\$57~~ \$58 in the year

on which the aids paid in ~~1966-67~~ 1968-69 and subsequent years are based which \$55 shall be deducted from the nonresident tuition claims under s. 40.91 (4) ~~in the year on which the aids paid in 1965-66 are based and \$57 in the year on which the aids paid in 1966-67 and subsequent years are based.~~

SECTION 11. 65.07 (1) (e) of the statutes, as affected by chapters 92 and 108, laws of 1967, is amended to read:

65.07 (1) (e) A school operations fund for the operation of all public schools, including trade schools, not exceeding ~~15.0~~ 17 mills, except for the years: ~~1967 when such levy shall not exceed 12.5 mills;~~ 1968 when such levy shall not exceed ~~13.5~~ 15.5 mills; ~~and 1969 when such levy shall not exceed 14.25~~ 16.5 mills; ~~1970 when such levy shall not exceed 14.25~~ 16.5 mills; ~~1971 when such levy shall not exceed 14.5~~ 16.5 mills, all based on equalized valuation subject to s. 38.16 (1) (a) and (b).

SECTION 12. 66.75 of the statutes is created to read:

66.75 ROOM TAX. The governing body of a town, village or city may enact an ordinance imposing a tax on the privilege of furnishing, at retail, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. In this section "transient," "hotel" and "motel" have the meaning set forth in s. 77.52 (2) (a) 1. Any tax so imposed shall not be subject to the selective sales tax imposed by s. 77.52 (2) (a) 1.

SECTION 13. 210.02 (1) of the statutes is amended to read:

210.02 (1) The commissioner of insurance shall provide for the insurance by the state of all state property and property for which the state is liable subject to damage or destruction by fire, windstorm or any other loss or damage from any cause to property (excepting public liability and property damage insurance; aircraft insurance; loss by explosion, rupture or bursting of steam boilers, steam pipes, steam turbines, steam engines, flywheels owned, operated or controlled by the state or located in buildings owned or controlled by the state; insurance against loss to livestock due to disease or accident but including fire and extended cover insurance on livestock; insurance on accounts, bills, currency, deeds, evidences of debt, money or securities) for an amount equal to at least 90% of the actual cash value of such property, in the following manner: The person or board having charge of any public property shall furnish the commissioner a list of all such property with its insurable value; the commissioner shall compute the premium based upon the rates fixed by actuarial or rating bureaus operating in this state. For this purpose, the commissioner is authorized to have the state insurance fund be a member or subscriber to said actuarial or rating bureaus. He shall then ascertain the amount of insurance in force upon all state property and provide for such additional insurance as is necessary to cover at least 90% of the actual cash value of the property in the following manner: He shall submit to the department of administration a statement of the amount of required insurance on such property and the amount payable therefor, computed at such deviation from the aforesaid rates as the commissioner ~~may determine~~ determines. The amount due for insurance shall be paid to a separate fund which shall be kept by the state treasurer and known as the "state insurance fund." Payment shall be made in conformity with s. 20.550 (35). The commissioner of insurance may with the approval of the governor purchase such reinsurance as may in the opinion of said commissioner be necessary to *protect the surplus of the fund or to properly distribute the risk*; ~~provided~~. No such reinsurance shall be effected when the net risk carried by the "state insurance fund" shall not equal or exceed ~~\$100,000~~ \$2,000,000, nor where the rate for assuming a proportionate amount of the

~~risk insurance on other than state property~~ exceeds that received by the "state insurance fund". The commissioner of insurance shall collect such reinsurance upon any loss and pay the same into the "state insurance fund".

SECTION 14. 210.02 (4) of the statutes is amended to read:

210.02 (4) When the surplus of the state insurance fund exceeds ~~\$5,000,000~~ \$2,000,000 at the end of any calendar year the commissioner of insurance will discontinue the collection of premiums on state property and property for which the state is liable.

SECTION 15. 210.03 (4) of the statutes is created to read:

210.03 (4) Upon the request of the commissioner, the attorney general may proceed in the courts of this or any other state or in any other jurisdiction to recover from the responsible party, other than the insured, for any loss or damage to any property covered by a policy of insurance issued in accordance with this chapter. Any funds recovered shall be paid into the state insurance fund.

SECTION 16. 341.10 (1) of the statutes is amended to read:

341.10 (1) The required *state* fee has not been paid *and any municipal vehicle registration fee imposed by a town, village or city in which the vehicle is customarily kept has not been paid*; or

SECTION 17. 341.35 of the statutes is created to read:

341.35 MUNICIPAL VEHICAL REGISTRATION FEE. (1) ANNUAL REGISTRATION FEE. In this section "municipality" means a town, village or city and "motor vehicle" means an automobile or station wagon. The governing body of a municipality may enact an ordinance imposing an annual flat municipal registration fee on all motor vehicles registered in this state and which are customarily kept in the municipality, which fee shall be in addition to state registration fees but not more than 50% of the state registration fee.

(2) EXEMPTIONS. The following vehicles are exempted from any municipal vehicle registration fee.

(a) All vehicles exempted by this chapter from payment of a state vehicle registration fee.

(b) All vehicles registered by the state under this chapter for an annual fee of less than \$5.

(3) SITUS; PLACE OF PAYMENT. A motor vehicle shall be recorded as customarily kept in the city, village or town which receives the tax distribution attributable to such vehicle under s. 341.34 (1). The municipal vehicle registration fee shall be paid to the treasurer of the municipality. A municipal vehicle registration fee paid to one unit of government on any vehicle shall be valid in all other units of government through the date for which originally paid, if no change of ownership or registration occurs in such period.

(4) NOTICE OF FEES. A municipal governing body which enacts a municipal vehicle registration fee shall notify the department that it has so elected and report the amount of such fee. The municipality shall report any change in such amount to the department. The notification shall be made at the time and in the form prescribed by the department.

(5) NOTICE AND PAYMENT OF FEE. (a) The department shall require evidence of payment of the municipal vehicle registration fee on all vehicles subject thereto as a condition of registration under this chapter.

(b) Prior to the return of his registration renewal application to the department, the applicant shall pay the municipal vehicle registration fee to the municipal treasurer, who shall record on the registration re-

newal application or on a separate statement, if required by the department, the fact that the municipal vehicle registration fee has been paid.

(c) The department shall refuse an original or renewal application for registration unless the application bears an authentic indication that the municipal vehicle registration fee has been paid. The department may provide for temporary original registrations for such periods as are necessary to permit payment thereof to the local treasurer.

(d) The department shall establish uniform specifications for all receipts and payment stamps used by a municipality in certifying payment of this tax.

(6) REIMBURSEMENT. At the end of each calendar year the department shall determine the average cost of preparing and submitting the information required by this section for a vehicle, and shall bill each municipality levying such a fee for the number of vehicles registered therein. The municipality shall reimburse the state for such administrative costs.

(7) REPLACEMENTS. No municipal vehicle registration fee may be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current municipal vehicle registration fee has been paid.

SECTION 18. The appropriation made by section 20.650 (2) (b) of the statutes, as affected by the laws of 1967, is increased by \$10,200,000 for the 1967-69 biennium for the purpose of providing funds for increased state aid payments under this act.

SECTION 19. SECTIONS 3 and 7 to 11 remain subject to the changes, effective January 1, 1968, made by chapter 92, laws of 1967. The revisor shall incorporate the changes made by SECTIONS 3 and 7 to 11 into Title XIV of the statutes, as created by that act.

SECTION 20. SECTIONS 12, 16 and 17 shall take effect January 1, 1968.

SECTION 24. Every school district deemed an integrated aid district or that received integrated aids in the 1966-67 school year shall be classed as an integrated district for the purpose of receiving state aids as such during the 1967-68 and 1968-69 school years.

Approved November 16, 1967.