



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBa2031/1  
FFK:cjs

**ASSEMBLY AMENDMENT 10,  
TO ASSEMBLY BILL 751**

February 9, 2016 - Offered by Representative POPE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 8: after “program” insert “; counting low-income pupils for state  
3 school aid purposes; calculating the amount to be appropriated for state general  
4 school aid; school aid factors; special adjustment aids; hold harmless aid; per pupil  
5 aid; school district revenue limits; the first dollar and school levy property tax  
6 credits; and making an appropriation”.

7 **2.** Page 2, line 1: before that line insert:

8 “**SECTION 1a.** 20.255 (2) (ac) of the statutes is amended to read:

9 20.255 (2) (ac) *General equalization aids.* ~~The amounts in the schedule A sum~~  
10 sufficient for the payment of educational aids under ss. 121.08, 121.09, 121.095,  
11 121.105, 121.137 and subch. VI of ch. 121 equal to the amount determined by the joint  
12 committee on finance under s. 121.15 (3m) (c) in the 2016-17 fiscal year and

1 biennially thereafter, and equal to the amount determined by law in the 2017-18  
2 fiscal year and biennially thereafter.

3 **SECTION 1b.** 20.255 (2) (aq) of the statutes is repealed.

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

5 20.255 (2) (bg) *Hold harmless aid.* A sum sufficient for hold harmless aid to  
6 school districts under s. 121.10.

7 **SECTION 1d.** 79.10 (4) of the statutes is amended to read:

8 79.10 (4) SCHOOL LEVY TAX CREDIT. Except as provided in sub. (5m), the amount  
9 appropriated under s. 20.835 (3) (b) shall be distributed to municipalities in  
10 proportion to their share of the sum of average school tax levies for all municipalities.  
11 No municipality shall receive a payment under this subsection after 2017.

12 **SECTION 1e.** 79.10 (5m) of the statutes is amended to read:

13 79.10 (5m) FIRST DOLLAR CREDIT. Each municipality shall receive, from the  
14 appropriation under s. 20.835 (3) (b), an amount determined by multiplying the  
15 school tax rate by the estimated fair market value, not exceeding the value  
16 determined under sub. (11) (d), of every parcel of real property with improvements  
17 that is located in the municipality. No municipality shall receive a payment under  
18 this subsection after 2017.

19 **SECTION 1f.** 79.14 of the statutes, as affected by 2015 Wisconsin Act 55, is  
20 amended to read:

21 **79.14 School levy tax credit.** The appropriation under s. 20.835 (3) (b), for  
22 the payments under s. 79.10 (4), is \$319,305,000 in 1994, 1995, and 1996;  
23 \$469,305,000 beginning in 1997 and ending in 2006; \$593,050,000 in 2007;  
24 \$672,400,000 in 2008; \$747,400,000 in 2009; \$732,550,000 in 2010, 2011, and 2012;

1 \$747,400,000 in 2013, 2014, and 2015; and \$853,000,000 in 2016 and ~~in each year~~  
2 thereafter 2017.

3 **SECTION 1g.** 79.15 of the statutes is amended to read:

4 **79.15 Improvements credit.** The total amount paid each year to  
5 municipalities from the appropriation account under s. 20.835 (3) (b) for the  
6 payments under s. 79.10 (5m) is \$75,000,000 in 2009, \$145,000,000 in 2010, and  
7 \$150,000,000 in 2011, 2012, 2013, 2014, 2015, 2016, and ~~in each year thereafter~~  
8 2017.

9 **SECTION 1h.** 115.437 of the statutes, as affected by 2015 Wisconsin Act 55, is  
10 repealed.”.

11 **3.** Page 7, line 15: after that line insert:

12 **“SECTION 19c.** 121.004 (7) (a) of the statutes is amended to read:

13 121.004 (7) (a) “Pupils enrolled” is the total number of pupils, as expressed by  
14 official enrollments, in all schools of the school district, except as provided in pars.  
15 (b) to ~~(f)~~ (g). If such total contains a fraction, it shall be expressed as the nearest whole  
16 number. The same method shall be used in computing the number of pupils enrolled  
17 for resident pupils, nonresident pupils or both.

18 **SECTION 19d.** 121.004 (7) (g) of the statutes is created to read:

19 121.004 (7) (g) A pupil who satisfies the income eligibility criteria for a free or  
20 reduced-price lunch under 42 USC 1758 (b) (1) shall be counted as the number  
21 specified in this subsection for the pupil plus an additional 30 percent of that number.

22 **SECTION 19e.** 121.07 (6) (d) of the statutes is amended to read:

23 121.07 (6) (d) The “secondary ceiling cost per member” in the ~~2001-02~~ 2016-17  
24 school year and in each school year thereafter is an amount determined by dividing

1 the state total shared cost in the previous school year by the state total membership  
2 in the previous school year and multiplying the result by 0.90.

3 **SECTION 19f.** 121.10 of the statutes is created to read:

4 **121.10 Hold harmless aid. (1)** In this section, “state aid” means the sum of  
5 the following:

6 (a) The payments made to a school district under ss. 121.08 and 121.105 and  
7 subch. VI.

8 (b) The payments that would be made to a school district under s. 121.136 if s.  
9 121.136 were still applicable.

10 (c) The amount that would be received by a school district under s. 79.10 (4) and  
11 (5m) if s. 79.10 (4) and (5m) were still applicable.

12 **(2)** (a) Except as provided in par. (b), in the 2016–17 school year, if a school  
13 district would receive less in equalization aid under s. 121.08 in the current school  
14 year before any adjustment is made under s. 121.15 (4) (b) than it would have  
15 received in state aid in the current school year, the department shall pay to the school  
16 district the amount equal to the difference.

17 (b) If a school district from which territory was detached to create a new school  
18 district under s. 117.105 would receive in equalization aid under s. 121.08 in the  
19 school year beginning on the first July 1 following the effective date of the  
20 reorganization less than the amount determined as follows, the department shall  
21 pay to the school district the difference between the former amount and the amount  
22 determined as follows:

23 1. Divide the school district’s membership in the preceding school year by the  
24 school district’s membership in the 2nd preceding school year.

1           2. Multiply the amount of state aid that would have been received by the school  
2 district in the preceding school year, as adjusted under s. 121.15 (4) (b) in the current  
3 school year, by the quotient under subd. 1.

4           **(3)** In the school year in which a school district consolidation takes effect under  
5 s. 117.08 or 117.09 and in each of the subsequent 4 school years, if the consolidated  
6 school district's equalization aid is less than the aggregate state aid to which the  
7 consolidating school districts would have been eligible in the school year prior to the  
8 school year in which the consolidation takes effect, the department shall pay the  
9 difference to the consolidated school district.

10           **(4)** Additional aid under this section shall be paid from the appropriation under  
11 s. 20.255 (2) (bg). No aid may be paid under this section after the 2016-17 school year.

12           **SECTION 19g.** 121.105 (2) (am) 1. of the statutes is amended to read:

13           121.105 **(2)** (am) 1. Except as provided in subd. 2., if a school district would  
14 receive less in state aid in the current school year before any adjustment is made  
15 under s. 121.15 (4) (b) than an amount equal to ~~85%~~ 90 percent of the amount of state  
16 aid that it received in the previous school year, as adjusted under s. 121.15 (4) (b) in  
17 the current school year, its state aid for the current school year shall be increased to  
18 an amount equal to ~~85%~~ 90 percent of the state aid received in the previous school  
19 year.

20           **SECTION 19h.** 121.105 (2) (am) 2. (intro.) of the statutes is amended to read:

21           121.105 **(2)** (am) 2. (intro.) If a school district from which territory was detached  
22 to create a new school district under s. 117.105 would receive in state aid in the school  
23 year beginning on the first July 1 following the effective date of the reorganization  
24 less than ~~85~~ 90 percent of the amount determined as follows, its state aid in the school  
25 year beginning on the first July 1 following the effective date of the reorganization

1 shall be increased to an amount equal to ~~85~~ 90 percent of the amount determined as  
2 follows:

3 **SECTION 19j.** 121.105 (5) of the statutes is created to read:

4 121.105 (5) A school district's state aid in any school year may not be less than  
5 an amount equal to \$3,000 multiplied by the school district's membership.

6 **SECTION 19k.** 121.136 (3) of the statutes is created to read:

7 121.136 (3) No aid may be paid under this section after June 30, 2016.

8 **SECTION 19L.** 121.15 (1m) (a) (intro.) and 3. of the statutes are consolidated,  
9 renumbered 121.15 (1m) (a) and amended to read:

10 121.15 (1m) (a) Notwithstanding subs. (1) and (1g), ~~a portion of state aid to~~  
11 ~~school districts shall be distributed as follows: Beginning~~ beginning in the  
12 ~~1999-2000~~ 2015-16 school year, annually the state shall pay to school districts, from  
13 the appropriation under s. 20.255 (2) (ac), ~~\$75,000,000~~ \$972,400,000 on the 4th  
14 Monday in July of the following school year.

15 **SECTION 19m.** 121.15 (3m) of the statutes is created to read:

16 121.15 (3m) (a) In this subsection:

17 1. "Partial school revenues" means the sum of state school aids, property taxes  
18 levied for school districts, and aid paid to school districts under s. 79.095 (4), less all  
19 of the following:

20 a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a  
21 school board's increasing the services that it provides by adding responsibility for  
22 providing a service transferred to it from another school board.

23 b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.

24 c. The amount of any revenue limit increase under s. 121.91 (4) (h).

25 d. The amount of any property taxes levied for the purpose of s. 120.13 (19).

1 e. An amount equal to the amount estimated to be paid under s. 119.23 (4) and  
2 (4m) multiplied by the sum of the applicable percentages specified in s. 121.08 (4) (b)  
3 1. and 2.

4 f. The amount by which the property tax levy for debt service on debt that has  
5 been approved by a referendum exceeds \$490,000,000.

6 2. "State school aids" means those aids appropriated under s. 20.255 (1) (b) and  
7 (2), other than s. 20.255 (2) (az), (fm), (fp), (fr), (fs), (fu), (fv), (k), and (m), and under  
8 s. 20.285 (1) (r) and (rc), and those aids appropriated under s. 20.505 (4) (es) and (s)  
9 that are used to provide grants or educational telecommunications access to school  
10 districts under s. 16.995 or 16.997 (7).

11 (b) By May 15, 2016, and annually by May 15 thereafter, the department, the  
12 department of administration, and the legislative fiscal bureau shall jointly certify  
13 to the joint committee on finance an estimate of the amount necessary to appropriate  
14 under s. 20.255 (2) (ac) in the following school year to ensure that state school aids  
15 equal the following portion of partial school revenues:

16 1. For the 2016-17 school year, 64.5 percent.

17 2. For the 2017-18 school year, 65.2 percent.

18 3. For the 2018-19 school year, 65.9 percent.

19 4. For the 2019-20 school year and each school year thereafter, two-thirds.

20 (c) By June 30, 2016, and biennially by June 30 thereafter, the joint committee  
21 on finance shall determine the amount appropriated under s. 20.255 (2) (ac) in the  
22 following school year.

23 **SECTION 19n.** 121.15 (3m) (a) 2. of the statutes, as created by 2015 Wisconsin  
24 Act .... (this act), is amended to read:

1           121.15 **(3m)** (a) 2. “State school aids” means those aids appropriated under s.  
2           20.255 (1) (b) and (2), other than s. 20.255 (2) (az), (fm), (fp), (fr), (fs), (fu), (fv), (k),  
3           and (m), and under s. 20.285 (1) (r) ~~and (re)~~, and those aids appropriated under s.  
4           20.505 (4) (es) and (s) that are used to provide grants or educational  
5           telecommunications access to school districts under s. 16.995 or 16.997 (7).

6           **SECTION 19o.** 121.90 (2) (am) 1. of the statutes is amended to read:

7           121.90 **(2)** (am) 1. Aid under ss. 121.08, 121.09, 121.10, 121.105, and 121.136  
8           and subch. VI, as calculated for the current school year on October 15 under s. 121.15  
9           (4) and including adjustments made under s. 121.15 (4).

10          **SECTION 19p.** 121.905 (1) of the statutes is amended to read:

11          121.905 **(1)** In this section, “revenue ceiling” means \$9,000 in the 2011-12  
12          school year and in the 2012-13 school year and, \$9,100 in the 2013-14, 2014-15, and  
13          2015-16 school year years, \$9,300 in the 2016-17 school year, and \$9,600 in any  
14          subsequent school year.

15          **SECTION 19q.** 121.905 (3) (c) 6. of the statutes is amended to read:

16          121.905 **(3)** (c) 6. For the limit for the 2015-16 school year ~~or any school year~~  
17          ~~thereafter~~, make no adjustment to the result under par. (b).

18          **SECTION 19r.** 121.905 (3) (c) 7. of the statutes is created to read:

19          121.905 **(3)** (c) 7. For the limit for the 2016-17 school year, add \$275 to the  
20          result under par. (b)

21          **SECTION 19s.** 121.905 (3) (c) 8. of the statutes is created to read:

22          121.905 **(3)** (c) 8. For the limit for the 2017-18 school year and any school year  
23          thereafter, add the result under s. 121.91 (2m) (j) 2. to the result under par. (b).

24          **SECTION 19t.** 121.91 (2m) (i) (intro.) of the statutes is amended to read:



1           121.91 **(2m)** (i) (intro.) Except as provided in subs. (3), (4), and (8), no school  
2 district may increase its revenues for the 2015-16 school year ~~or for any school year~~  
3 ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

4           **SECTION 19u.** 121.91 (2m) (im) of the statutes is created to read:

5           121.91 **(2m)** (im) Except as provided in subs. (3), (4), and (8), no school district  
6 may increase its revenues for the 2016-17 school year to an amount that exceeds the  
7 amount calculated as follows:

8           1. Divide the sum of the amount of state aid received in the previous school year  
9 and property taxes levied for the previous school year, excluding property taxes  
10 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
11 (c), by the average of the number of pupils enrolled in the 3 previous school years.

12           2. Add \$275 to the result under subd. 1.

13           3. Multiply the result under subd. 2. by the average of the number of pupils  
14 enrolled in the current school year and the 2 preceding school years.

15           **SECTION 19v.** 121.91 (2m) (j) of the statutes is created to read:

16           121.91 **(2m)** (j) Except as provided in subs. (3), (4), and (8), no school district  
17 may increase its revenues for the 2017-18 school year or for any school year  
18 thereafter to an amount that exceeds the amount calculated as follows:

19           1. Divide the sum of the amount of state aid received in the previous school year  
20 and property taxes levied for the previous school year, excluding property taxes  
21 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
22 (c), by the average of the number of pupils enrolled in the 3 previous school years.

23           2. Multiply the amount of the revenue increase per pupil allowed under this  
24 subsection for the previous school year by the sum of 1.0 plus the allowable rate of  
25 increase under s. 73.0305 expressed as a decimal.

1           3. Add the result under subd. 1. to the result under subd. 2.

2           4. Multiply the result under subd. 3. by the average of the number of pupils  
3 enrolled in the current and the 2 preceding school years.

4           **SECTION 19w.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

5           121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. (c) to ~~(i)~~ (j), if a school district  
6 is created under s. 117.105, its revenue limit under this section for the school year  
7 beginning with the effective date of the reorganization shall be determined as follows  
8 except as provided under subs. (3) and (4):

9           **SECTION 19x.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

10           121.91 **(2m)** (r) 1. b. Add an amount equal to the amount of revenue increase  
11 per pupil allowed under this subsection for the previous school year multiplied by the  
12 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
13 to the result under subd. 1. a., except that in calculating the limit for the 2013-14  
14 school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., and  
15 in calculating the limit for the 2015-16 school year ~~and any school year thereafter,~~  
16 make no adjustment to the result under subd. 1. a., in calculating the limit for the  
17 2016-17 school year, add \$275 to the result under subd. 1. a., and in calculating the  
18 limit for the 2017-18 school year and any school year thereafter, add the amount  
19 calculated under s. 121.91 (2m) (j) 3. for that school year to the result under subd.  
20 1. a.

21           **SECTION 19y.** 121.91 (2m) (s) 1. (intro.) of the statutes is amended to read:

22           121.91 **(2m)** (s) 1. (intro.) Notwithstanding pars. (e) to ~~(i)~~ (j), if territory is  
23 detached from a school district to create a new school district under s. 117.105, the  
24 revenue limit under this section of the school district from which territory is detached

1 for the school year beginning with the effective date of the reorganization shall be  
2 determined as follows except as provided in subs. (3) and (4):

3 **SECTION 19z.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

4 121.91 **(2m)** (s) 1. b. Add an amount equal to the amount of revenue increase  
5 per pupil allowed under this subsection for the previous school year multiplied by the  
6 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
7 to the result under subd. 1. a., except that in calculating the limit for the 2013-14  
8 school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., and  
9 in calculating the limit for the 2015-16 school year ~~and any school year thereafter,~~  
10 make no adjustment to the result under subd. 1. a., in calculating the limit for the  
11 2016-17 school year, add \$275 to the result under subd. 1. a., and in calculating the  
12 limit for the 2017-18 school year and any school year thereafter, add the amount  
13 calculated under s. 121.91 (2m) (j) 3. for that school year to the result under subd.  
14 1. a.

15 **SECTION 19zb.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

16 121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under  
17 s. 117.08 or 117.09, except as follows, in the 2013-14 school year and the 2014-15  
18 school year, the consolidated school district's revenue limit shall be determined as  
19 provided under par. (hm), ~~and in the 2015-16 school year and in each school year~~  
20 ~~thereafter,~~ the consolidated school district's revenue limit shall be determined as  
21 provided under par. (i), in the 2016-17 school year, the consolidated school district's  
22 revenue limit shall be determined as provided under par. (im), and in the 2017-18  
23 school year and in each school year thereafter, the consolidated school district's  
24 revenue limit shall be determined as provided under par. (j):”.

1           **4.** Page 8, line 1: after that line insert:

2           **“SECTION 21d. Nonstatutory provisions.**

3           (1) **SECONDARY GUARANTEE.** Notwithstanding section 121.07 (7) (b) of the  
4 statutes, for the purpose of setting the secondary guaranteed valuation per member  
5 in the 2016-17 school year, the department of public instruction shall treat the  
6 appropriation under section 20.255 (2) (ac) of the statutes as if an additional  
7 \$897,400,000 were appropriated in the 2016-17 fiscal year.

8           **SECTION 21f. Fiscal changes.**

9           (1) **HIGH POVERTY AID.** In the schedule under section 20.005 (3) of the statutes  
10 for the appropriation to the department of public instruction under section 20.255  
11 (2) (bb) of the statutes, as affected by the acts of 2015, the dollar amount is decreased  
12 by \$16,830,000 for the 2nd fiscal year of the fiscal biennium in which this subsection  
13 takes effect to decrease funding for the purposes for which the appropriation is made.

14           **SECTION 21g. Initial applicability.**

15           (1) **STATE AID.** The treatment of sections 20.255 (2) (ac), 121.004 (7) (a) and (g),  
16 121.07 (6) (d), and 121.105 (2) (am) 1. and 2. (intro.) and (5) of the statutes first  
17 applies to the distribution of school aid in, and the calculation of revenue limits for,  
18 the 2016-17 school year.

19           (2) **DELAYED PAYMENT.** The treatment of section 121.15 (1m) (a) (intro.) and 3.  
20 of the statutes first applies to the payment made under section 121.15 (1m) (a) of the  
21 statutes on the 4th Monday in July 2017.

22           **SECTION 21h. Effective dates.** This act takes effect on the day after  
23 publication, except as follows:

1 (1) PER PUPIL AID. The treatment of sections 20.255 (2) (aq) and 115.437 of the  
2 statutes takes effect on July 1, 2016.

3 (2) PAYMENT OF STATE AID; DEFINITION OF STATE SCHOOL AIDS. The amendment of  
4 section 121.15 (3m) (a) 2. of the statutes takes effect on July 1, 2017.”.

5 (END)