



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBb0896/1
FFK:klm

**ASSEMBLY AMENDMENT 6,
TO SENATE BILL 21**

July 8, 2015 - Offered by Representatives POPE, HEBL, BOWEN and SARGENT.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** At the appropriate places, insert all of the following:

4 “**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
5 insert the following amounts for the purposes indicated:

6 **2015-16** **2016-17**

7 **20.225 Educational communications board**

8 (1) INSTRUCTIONAL TECHNOLOGY

9 (f) Programming GPR A 625,000 625,000

10 **SECTION 2.** 20.255 (2) (aj) of the statutes is created to read:

11 20.255 (2) (aj) *Hold harmless aid.* A sum sufficient for hold harmless aid to
12 school districts under s. 121.10.

13 **SECTION 3.** 20.255 (2) (cd) of the statutes is created to read:

1 20.255 (2) (cd) *Bilingual-bicultural education grants*. The amounts in the
2 schedule for bilingual-bicultural education grants under s. 115.957.

3 **SECTION 4.** 20.255 (2) (dh) of the statutes is created to read:

4 20.255 (2) (dh) *Violence prevention and reduction grants*. The amounts in the
5 schedule for grants to school districts under s. 115.369.

6 **SECTION 5.** 49.45 (23) (a) of the statutes is amended to read:

7 49.45 (23) (a) The department shall request a waiver from the secretary of the
8 federal department of health and human services to permit the department to
9 conduct a demonstration project to provide health care coverage to adults who are
10 under the age of 65, who have family incomes not to exceed ~~100~~ 133 percent of the
11 poverty line ~~before application of the 5 percent income disregard under 42 CFR~~
12 435.603 (d), except as provided in s. 49.471 (4g), and who are not otherwise eligible
13 for medical assistance under this subchapter, the Badger Care health care program
14 under s. 49.665, or Medicare under 42 USC 1395 et seq.

15 **SECTION 6.** 49.471 (1) (cr) of the statutes is created to read:

16 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
17 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

18 **SECTION 7.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

19 49.471 (4) (a) 4. b. ~~The~~ Except as provided in sub. (4g), the individual’s family
20 income does not exceed ~~100~~ 133 percent of the poverty line ~~before application of the~~
21 5 percent income disregard under 42 CFR 435.603 (d).

22 **SECTION 8.** 49.471 (4g) of the statutes is created to read:

23 49.471 (4g) **MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE.** (a)
24 For services provided to individuals described under sub. (4) (a) 4. and s. 49.45 (23),
25 the department shall comply with all federal requirements to qualify for the highest

1 available enhanced federal medical assistance percentage. The department shall
2 submit any amendment to the state medical assistance plan, request for a waiver of
3 federal Medicaid law, or other approval required by the federal government to
4 provide services to the individuals described under sub. (4) (a) 4. and s. 49.45 (23) and
5 qualify for the highest available enhanced federal medical assistance percentage.

6 (b) If the department does not qualify for an enhanced federal medical
7 assistance percentage, or if the enhanced federal medical assistance percentage
8 obtained by the department is lower than printed in federal law as of July 1, 2013,
9 for individuals eligible under sub. (4) (a) 4. or s. 49.45 (23), the department shall
10 submit to the joint committee on finance a fiscal analysis comparing the cost to
11 maintain coverage for adults who are not pregnant and not elderly at up to 133
12 percent of the poverty line to the cost of limiting eligibility to those adults with family
13 incomes up to 100 percent of the poverty line. The department may reduce income
14 eligibility for adults who are not pregnant and not elderly from up to 133 percent of
15 the poverty line to up to 100 percent of the poverty line only if this reduction in income
16 eligibility levels is approved by the joint committee on finance.

17 **SECTION 2124de.** 71.05 (6) (b) 49. a. of the statutes is amended to read:

18 71.05 (6) (b) 49. a. Subject to the definitions provided in subd. 49. b. to g. and
19 the limitations specified in subd. 49. h. to j. for taxable years beginning after
20 December 31, 2013, and before January 1, 2015, tuition expenses that are paid by
21 a claimant for tuition for a pupil to attend an eligible institution.

22 **SECTION 9.** 79.10 (4) of the statutes is amended to read:

23 79.10 (4) SCHOOL LEVY TAX CREDIT. Except as provided in sub. (5m), the amount
24 appropriated under s. 20.835 (3) (b) shall be distributed to municipalities in

1 proportion to their share of the sum of average school tax levies for all municipalities.

2 No municipality shall receive a payment under this subsection after 2015.

3 **SECTION 10.** 79.10 (5m) of the statutes is amended to read:

4 79.10 **(5m)** FIRST DOLLAR CREDIT. Each municipality shall receive, from the
5 appropriation under s. 20.835 (3) (b), an amount determined by multiplying the
6 school tax rate by the estimated fair market value, not exceeding the value
7 determined under sub. (11) (d), of every parcel of real property with improvements
8 that is located in the municipality. No municipality shall receive a payment under
9 this subsection after 2015.

10 **SECTION 11.** 79.15 of the statutes is amended to read:

11 **79.15 Improvements credit.** The total amount paid each year to
12 municipalities from the appropriation account under s. 20.835 (3) (b) for the
13 payments under s. 79.10 (5m) is \$75,000,000 in 2009, \$145,000,000 in 2010, and
14 \$150,000,000 beginning in 2011 and ~~in each year thereafter~~ ending in 2015.

15 **SECTION 12.** 115.369 of the statutes is created to read:

16 **115.369 Violence prevention and reduction grants.** (1) The department
17 shall award grants to school districts on a competitive basis to develop and
18 implement programs to prevent and reduce violence in schools.

19 (2) The department shall promulgate rules to implement and administer this
20 section, including rules that specify the criteria for receiving a grant under this
21 section.

22 **SECTION 13.** 115.957 of the statutes is created to read:

23 **115.957 Bilingual-bicultural education grants.** (1) A school board may
24 apply to the department for a grant to provide services to limited-English proficient

1 pupils attending public school in the school district for whom the school board is not
2 required to provide a bilingual-bicultural education program under s. 115.97.

3 (2) From the appropriation under s. 20.255 (2) (cd), the department shall award
4 grants under sub. (1) in an amount up to \$100 multiplied by the number of
5 limited-English proficient pupils enrolled in the school district for whom the school
6 board is not required to provide a bilingual-bicultural education program under s.
7 115.97.

8 (3) If the appropriation under s. 20.255 (2) (cd) in any fiscal year is insufficient
9 to pay the full amount of grants awarded under this section, the department shall
10 prorate the grant amounts provided to school districts entitled to grants in that fiscal
11 year.

12 (4) The department shall promulgate rules to implement and administer this
13 section.

14 **SECTION 14.** 119.04 (1) of the statutes is amended to read:

15 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
16 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
17 115.345, 115.363, 115.365 (3), 115.369, 115.38 (2), 115.415, 115.445, 118.001 to
18 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14,
19 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
20 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255,
21 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.53,
22 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to
23 (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.21
24 (3), and 120.25 are applicable to a 1st class city school district and board.

25 **SECTION 15.** 121.004 (7) (a) of the statutes is amended to read:

1 121.004 (7) (a) “Pupils enrolled” is the total number of pupils, as expressed by
2 official enrollments, in all schools of the school district, except as provided in pars.
3 (b) to (f) ~~(g)~~. If such total contains a fraction, it shall be expressed as the nearest whole
4 number. The same method shall be used in computing the number of pupils enrolled
5 for resident pupils, nonresident pupils or both.

6 **SECTION 16.** 121.004 (7) (g) of the statutes is created to read:

7 121.004 (7) (g) A pupil who is eligible for a free or reduced-price lunch under
8 42 USC 1758 (b) shall be counted as the number specified in this subsection for the
9 pupil plus an additional 30 percent of that number.

10 **SECTION 17.** 121.07 (6) (d) of the statutes is amended to read:

11 121.07 (6) (d) The “secondary ceiling cost per member” in the ~~2001-02~~ 2015-16
12 school year and in each school year thereafter is an amount determined by dividing
13 the state total shared cost in the previous school year by the state total membership
14 in the previous school year ~~and multiplying the result by 0.90.~~

15 **SECTION 18.** 121.10 of the statutes is created to read:

16 **121.10 Hold harmless aid. (1)** In this section, “state aid” means the sum of
17 the following:

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

20 (b) The payments that would be made to a school district under s. 121.136 if
21 payments were made under s. 121.136.

22 (c) The amount that would be received by a school district under s. 79.10 (4) and
23 (5m) if payments were made to municipalities under s. 79.10 (4) and (5m).

24 **(2)** (a) Except as provided in par. (b), in the 2016-17 school year, if the amount
25 a school district would receive in equalization aid under s. 121.08 in the current

1 school year before any adjustment is made under s. 121.15 (4) (b) is less than the
2 amount the school district would have received in state aid in the current school year,
3 the department shall pay to the school district the amount equal to the difference.

4 (b) If the amount a school district from which territory was detached to create
5 a new school district under s. 117.105 would receive in equalization aid under s.
6 121.08 in the school year beginning on the first July 1 following the effective date of
7 the reorganization is less than the amount determined as follows, the department
8 shall pay to the school district the difference between the former amount and the
9 amount determined as follows:

10 1. Divide the school district's membership in the preceding school year by the
11 school district's membership in the 2nd preceding school year.

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

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

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

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

24 121.105 **(2)** (am) 1. Except as provided in subd. 2., if a school district would
25 receive less in state aid in the current school year before any adjustment is made

1 under s. 121.15 (4) (b) than an amount equal to ~~85%~~ 90 percent of the amount of state
2 aid that it received in the previous school year, as adjusted under s. 121.15 (4) (b) in
3 the current school year, its state aid for the current school year shall be increased to
4 an amount equal to ~~85%~~ 90 percent of the state aid received in the previous school
5 year.

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

7 121.105 (2) (am) 2. (intro.) If a school district from which territory was detached
8 to create a new school district under s. 117.105 would receive in state aid in the school
9 year beginning on the first July 1 following the effective date of the reorganization
10 less than ~~85~~ 90 percent of the amount determined as follows, its state aid in the school
11 year beginning on the first July 1 following the effective date of the reorganization
12 shall be increased to an amount equal to ~~85~~ 90 percent of the amount determined as
13 follows:

14 **SECTION 21.** 121.105 (5) of the statutes is created to read:

15 121.105 (5) A school district's state aid in any school year may not be less than
16 an amount equal to \$3,000 multiplied by the school district's membership.

17 **SECTION 22.** 121.136 (3) of the statutes is created to read:

18 121.136 (3) No aid may be paid under this section after June 30, 2015.

19 **SECTION 23.** 121.90 (2) (am) 1. of the statutes is amended to read:

20 121.90 (2) (am) 1. Aid under ss. 121.08, 121.09, 121.10, 121.105, and 121.136
21 and subch. VI, as calculated for the current school year on October 15 under s. 121.15
22 (4) and including adjustments made under s. 121.15 (4).

23 **SECTION 24.** 121.905 (1) of the statutes is amended to read:

1 121.905 (1) In this section, “revenue ceiling” means ~~\$9,000~~ \$9,400 in the
2 ~~2011-12 school year and in the 2012-13~~ 2015-16 school year and ~~\$9,100~~ \$9,700 in
3 the ~~2013-14~~ 2016-17 school year and in any subsequent school year.

4 **SECTION 5.** 121.905 (3) (c) 5g. of the statutes is created to read:

5 121.905 (3) (c) 5g. For the limit for the 2015-16 school year and the 2016-17
6 school year, add \$150 to the result under par. (b).

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

8 121.905 (3) (c) 6. For the limit for the ~~2015-16~~ 2017-18 school year or any
9 school year thereafter, ~~make no adjustment~~ add the amount determined under s.
10 121.91 (2m) (i) to the result under par. (b).

11 **SECTION 7.** 121.91 (2m) (i) (intro.) of the statutes is amended to read:

12 121.91 (2m) (i) (intro.) Except as provided in subs. (3), (4), and (8), no school
13 district may increase its revenues for the 2015-16 school year or ~~for any~~ the 2016-17
14 school year ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

15 **SECTION 8.** 121.91 (2m) (i) 1m. of the statutes is created to read:

16 121.91 (2m) (i) 1m. Add \$150 to the result under subd. 1.

17 **SECTION 9.** 121.91 (2m) (i) 2. of the statutes is amended to read:

18 121.91 (2m) (i) 2. Multiply the result under subd. 1. 1m. by the average of the
19 number of pupils enrolled in the current and the 2 preceding school years.

20 **SECTION 10.** 121.91 (2m) (j) of the statutes is created to read:

21 121.91 (2m) (j) Except as provided in subs. (3), (4), and (8), no school district
22 may increase its revenues for the 2017-18 school year or for any school year
23 thereafter to an amount that exceeds the amount calculated as follows:

24 1. Divide the sum of the amount of state aid received in the previous school year
25 and property taxes levied for the previous school year, excluding property taxes

1 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
2 (c), by the average of the number of pupils enrolled in the 3 previous school years.

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

4 a. For the 2016-17 school year, \$150 multiplied by the sum of 1.0 plus the
5 allowable rate of increase under s. 73.0305 expressed as a decimal.

6 b. For the 2017-18 school year and each school year thereafter, the per pupil
7 amount under this subdivision multiplied by the sum of 1.0 plus the allowable rate
8 of increase under s. 73.0305 expressed as a decimal.

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

11 **SECTION 11.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

12 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c) to (i) ~~(j)~~, if a school district
13 is created under s. 117.105, its revenue limit under this section for the school year
14 beginning with the effective date of the reorganization shall be determined as follows
15 except as provided under subs. (3) and (4):

16 **SECTION 12.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

17 121.91 (2m) (r) 1. b. Add an amount equal to the amount of revenue increase
18 per pupil allowed under this subsection for the previous school year multiplied by the
19 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal
20 to the result under subd. 1. a., except that in calculating the limit for the 2013-14
21 school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., and
22 in calculating the limit for the 2015-16 and 2016-17 school year years, add \$150 to
23 the result under subd. 1. a., and in calculating the limit for the 2017-18 school year
24 and any school year thereafter, make no adjustment to the result under subd. 1. a.
25 add the amount determined under par. (j) 2. to the result under subd. 1. a.

1 **SECTION 13.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

2 121.91 **(2m)** (s) 1. b. Add an amount equal to the amount of revenue increase
3 per pupil allowed under this subsection for the previous school year multiplied by the
4 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal
5 to the result under subd. 1. a., except that in calculating the limit for the 2013-14
6 school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., and
7 in calculating the limit for the 2015-16 school year ~~and any school year thereafter,~~
8 ~~make no adjustment to the result under subd. 1. a. and for the 2016-17 school year,~~
9 add \$150 to the result under subd. 1. a., and in calculating the limit for the 2017-18
10 school year and any school year thereafter, add the amount determined under par.
11 (j) 2. to the result under subd. 1. a.

12 **SECTION 25.** 121.91 (4) (q) 1. of the statutes is amended to read:

13 121.91 **(4)** (q) 1. The limit otherwise applicable to a school district under sub.
14 (2m) is increased by an amount equal to the amount of any refunded or rescinded
15 property taxes ~~paid~~ payable by the school board in the year of the levy if the valuation
16 represented by the refunded or rescinded property taxes result in a redetermination
17 of the school district's equalized valuation by the department of revenue under s.
18 74.41.

19 **SECTION 9334. Initial applicability; Public Instruction.**

20 (1) STATE AID. The treatment of sections 121.004 (7) (a) and (g), 121.07 (6) (d),
21 121.105 (2) (am) 1. and 2. (intro.) and (4), and 121.91 (4) (q) 1. of the statutes first
22 applies to the distribution of school aid in, and the calculation of revenue limits for,
23 the 2015-16 school year.

24 **SECTION 9434. Effective dates; Public Instruction.**

1 (1) BILINGUAL-BICULTURAL EDUCATION GRANTS. The treatment of sections 20.255
2 (2) (cd) and 115.957 of the statutes takes effect on July 1, 2016.”.

3 **2.** Page 118, line 14: increase the dollar amount for fiscal year 2016-17 by
4 \$5,000,000 for the purpose for which the appropriation is made.

5 **3.** Page 119, line 2: increase the dollar amount for fiscal year 2016-17 by
6 \$10,000,000 for the purpose of making payments of aid for special education under
7 ss. 115.88 and 118.255.

8 **4.** Page 119, line 3: increase the dollar amount for fiscal year 2015-16 by
9 \$2,500,000 and increase the dollar amount for fiscal year 2016-17 by \$2,500,000 for
10 the purposes for which the appropriation is made.

11 **5.** Page 119, line 5: increase the dollar amount for fiscal year 2015-16 by
12 \$3,000,000 and increase the dollar amount for fiscal year 2016-17 by \$3,000,000 for
13 the purpose for which the appropriation is made.

14 **6.** Page 119, line 11: increase the dollar amount for fiscal year 2015-16 by
15 \$3,949,200 and increase the dollar amount for fiscal year 2016-17 by \$4,256,200 for
16 the purpose for which the appropriation is made.

17 **7.** Page 119, line 11: after that line insert:

18 “(dh) *Bilingual-bicultural education*
19 *grants.* GPR A \$0 \$2,300,000”.

20 **8.** Page 120, line 4: after that line insert:

21 “(dh) *Violence prevention and reduc-*
22 *tion grant.* GPR A \$0 \$2,000,000”.

1 **9.** Page 195, line 7: decrease the dollar amount for fiscal year 2015-16 by
2 \$113,100,000 and decrease the dollar amount for fiscal year 2016-17 by
3 \$247,400,000 for the purpose of providing Medical Assistance to certain adults with
4 incomes up to 133 percent of the federal poverty line.

5 **10.** Page 294, line 22: delete the material beginning with that line and ending
6 with page 295, line 3.

7 **11.** Page 296, line 17: after that line insert:

8 “**SECTION 564m.** 20.255 (2) (cu) of the statutes, as affected by 2015 Wisconsin
9 Act 53, is amended to read:

10 20.255 (2) (cu) *Achievement gap reduction guarantee contracts.* The amounts
11 in the schedule for aid to school districts and the program evaluation under ss. s.
12 118.43 and ~~118.44.~~”.

13 **12.** Page 432, line 4: delete that line.

14 **13.** Page 800, line 13: delete lines 13 to 19 and substitute:

15 “**SECTION 2539e.** 79.14 of the statutes is amended to read:

16 **79.14 School levy tax credit.** The appropriation under s. 20.835 (3) (b), for
17 the payments under s. 79.10 (4), is \$319,305,000 in 1994, 1995, and 1996;
18 \$469,305,000 beginning in 1997 and ending in 2006; \$593,050,000 in 2007;
19 \$672,400,000 in 2008; \$747,400,000 in 2009; \$732,550,000 in 2010, 2011, and 2012;
20 and \$747,400,000 beginning in 2013 and ~~in each year thereafter~~ ending in 2015.”.

21 **14.** Page 1011, line 9: after that line insert:

22 “**SECTION 3270b.** 118.38 (1) (a) 9. of the statutes, as affected by 2015 Wisconsin
23 Act 53, is amended to read:

