



1995 SENATE BILL 610

March 7, 1996 - Introduced by Senators DARLING, FARROW, ROSENZWEIG, BURKE and GROBSCHMIDT, cosponsored by Representatives SCHNEIDERS, LA FAVE and OLSEN. Referred to Committee on Education and Financial Institutions.

1 **AN ACT to renumber and amend** 121.91 (2m) (b) 1., 121.91 (2m) (b) 3., 121.91
2 (2m) (c) 1., 121.91 (2m) (c) 4., 121.91 (2m) (d) 1. and 121.91 (2m) (d) 4.; **to amend**
3 121.90 (1) and 121.905 (3) (b); and **to create** 121.91 (2m) (b) 1. b., 121.91 (2m)
4 (b) 3. b., 121.91 (2m) (c) 1. b., 121.91 (2m) (c) 4. b., 121.91 (2m) (d) 1. b. and 121.91
5 (2m) (d) 4. b. of the statutes; **relating to:** the determination of the number of
6 pupils for calculating the Milwaukee public school district's revenue limits.

Analysis by the Legislative Reference Bureau

Current law limits the increase in the total amount of revenue that a school district may receive from general school aids and property taxes. In the 1995-96 school year, the maximum allowable increase per pupil is \$200. In each school year thereafter, the maximum allowable increase per pupil is \$206. The limit is based on the difference between the average number of pupils enrolled in the 3 previous school years and the average of the number of pupils enrolled in the current and 2 preceding school years. In the Milwaukee public school district, the number of pupils enrolled excludes the number of pupils attending private schools under the parental choice program.

This bill provides that for the Milwaukee public school district, beginning in the 1996-97 school year, the number of pupils enrolled excludes the number of pupils attending private schools under the parental choice program in the previous school year.

For further information see the *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:

1 **SECTION 1.** 121.90 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is
2 amended to read:

3 121.90 (1) “Number of pupils enrolled” means the number of pupils enrolled on
4 the 3rd Friday of September, ~~except that “number of pupils” excludes the number of~~
5 ~~pupils attending private schools under s. 119.23.~~

6 **SECTION 2.** 121.905 (3) (b) of the statutes, as created by 1995 Wisconsin Act 27,
7 is amended to read:

8 121.905 (3) (b) Divide the result in par. (a) by the sum of the average of the
9 number of pupils enrolled in the 3 previous school years and the number of pupils
10 enrolled who were school district residents and solely enrolled in a special education
11 program provided by a county handicapped children’s education board program in
12 the previous school year.

13 **SECTION 3.** 121.91 (2m) (b) 1. of the statutes, as affected by 1995 Wisconsin Act
14 27, is renumbered 121.91 (2m) (b) 1. a. and amended to read:

15 121.91 (2m) (b) 1. a. ~~Divide~~ Except as provided in subd. 1. b., divide the sum
16 of the amount of state aid received in the previous school year and property taxes
17 levied for the previous school year, excluding funds described under sub. (4) (c), by
18 the average of the number of pupils enrolled in the 3 previous school years.

19 **SECTION 4.** 121.91 (2m) (b) 1. b. of the statutes is created to read:

20 121.91 (2m) (b) 1. b. For a school district operating under ch. 119, divide the
21 sum of the amount of state aid received in the previous school year and property taxes

1 levied for the previous school year, excluding funds described under sub. (4) (c), by
2 a number calculated by adding the number of pupils enrolled in the 3 previous school
3 years, subtracting from that total the number of pupils attending private schools
4 under s. 119.23 in the 4th, 3rd and 2nd preceding school years, and dividing the
5 remainder by 3.

6 **SECTION 5.** 121.91 (2m) (b) 3. of the statutes, as affected by 1995 Wisconsin Act
7 27, is renumbered 121.91 (2m) (b) 3. a. and amended to read:

8 121.91 **(2m)** (b) 3. a. ~~Multiply~~ Except as provided in subd. 3. b., multiply the
9 result under subd. 2. by the average of the number of pupils enrolled in the current
10 and the 2 preceding school years.

11 **SECTION 6.** 121.91 (2m) (b) 3. b. of the statutes is created to read:

12 121.91 **(2m)** (b) 3. b. For a school district operating under ch. 119, multiply the
13 result under subd. 2. by a number calculated by adding the number of pupils enrolled
14 in the current and the 2 preceding school years, subtracting from that total the
15 number of pupils attending private schools under s. 119.23 in the 3 previous school
16 years, and dividing the remainder by 3.

17 **SECTION 7.** 121.91 (2m) (c) 1. of the statutes, as created by 1995 Wisconsin Act
18 27, is renumbered 121.91 (2m) (c) 1. a. and amended to read:

19 121.91 **(2m)** (c) 1. a. ~~Divide~~ Except as provided in subd. 1. b., divide the sum
20 of the amount of state aid received in the previous school year and property taxes
21 levied for the previous school year, excluding funds described under sub. (4) (c), by
22 the average of the number of pupils enrolled in the 3 previous school years.

23 **SECTION 8.** 121.91 (2m) (c) 1. b. of the statutes is created to read:

24 121.91 **(2m)** (c) 1. b. For a school district operating under ch. 119, divide the
25 sum of the amount of state aid received in the previous school year and property taxes

1 levied for the previous school year, excluding funds described under sub. (4) (c), by
2 a number calculated by adding the number of pupils enrolled in the 3 previous school
3 years, subtracting from that total the number of pupils attending private schools
4 under s. 119.23 in the 4th, 3rd and 2nd preceding school years, and dividing the
5 remainder by 3.

6 **SECTION 9.** 121.91 (2m) (c) 4. of the statutes, as created by 1995 Wisconsin Act
7 27, is renumbered 121.91 (2m) (c) 4. a. and amended to read:

8 121.91 (2m) (c) 4. a. ~~Multiply~~ Except as provided in subd. 4. b., multiply the
9 result under subd. 3. by the average of the number of pupils enrolled in the current
10 and the 2 preceding school years.

11 **SECTION 10.** 121.91 (2m) (c) 4. b. of the statutes is created to read:

12 121.91 (2m) (c) 4. b. For a school district operating under ch. 119, multiply the
13 result under subd. 3. by a number calculated by adding the number of pupils enrolled
14 in the current and the 2 preceding school years, subtracting from that total the
15 number of pupils attending private schools under s. 119.23 in the 3 previous school
16 years, and dividing the remainder by 3.

17 **SECTION 11.** 121.91 (2m) (d) 1. of the statutes, as created by 1995 Wisconsin Act
18 27, is renumbered 121.91 (2m) (d) 1. a. and amended to read:

19 121.91 (2m) (d) 1. a. ~~Divide~~ Except as provided in subd. 1. b., divide the sum
20 of the amount of state aid received in the previous school year and property taxes
21 levied for the previous school year, excluding funds described under sub. (4) (c), by
22 the average of the number of pupils enrolled in the 3 previous school years.

23 **SECTION 12.** 121.91 (2m) (d) 1. b. of the statutes is created to read:

24 121.91 (2m) (d) 1. b. For a school district operating under ch. 119, divide the
25 sum of the amount of state aid received in the previous school year and property taxes

1 levied for the previous school year, excluding funds described under sub. (4) (c), by
2 a number calculated by adding the number of pupils enrolled in the 3 previous school
3 years, subtracting from that total the number of pupils attending private schools
4 under s. 119.23 in the 4th, 3rd and 2nd preceding school years, and dividing the
5 remainder by 3.

6 **SECTION 13.** 121.91 (2m) (d) 4. of the statutes, as created by 1995 Wisconsin Act
7 27, is renumbered 121.91 (2m) (d) 4. a. and amended to read:

8 121.91 **(2m)** (d) 4. a. ~~Multiply~~ Except as provided in subd. 4. b., multiply the
9 result under subd. 3. by the average of the number of pupils enrolled in the current
10 and the 2 preceding school years.

11 **SECTION 14.** 121.91 (2m) (d) 4. b. of the statutes is created to read:

12 121.91 **(2m)** (d) 4. b. For a school district operating under ch. 119, multiply the
13 result under subd. 3. by a number calculated by adding the number of pupils enrolled
14 in the current and the 2 preceding school years, subtracting from that total the
15 number of pupils attending private schools under s. 119.23 in the 3 previous school
16 years, and dividing the remainder by 3.

17 **SECTION 15. Initial applicability.**

18 (1) This act first applies to the calculation of a school district's revenue limit
19 for the 1996-97 school year.

20

(END)