

1999 DRAFTING REQUEST

Bill

Received: **02/16/99**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **John Lehman (608) 266-0634**

By/Representing: **Michael Browne**

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

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - school finance**
Education - state superintendent

Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

Revenue limit adjustment for unanticipated expenditures

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>
/?	grantpr 02/16/99	ygeller 02/19/99		_____			S&L
/P1			jfrantze 02/22/99	_____	lrb_docadmin 02/22/99		S&L
/1	grantpr 03/12/99	ygeller 03/12/99	martykr 03/15/99	_____	lrb_docadmin 03/15/99	lrb_docadmin 03/18/99	

FE Sent For:

↳ 04-21-99

<END>

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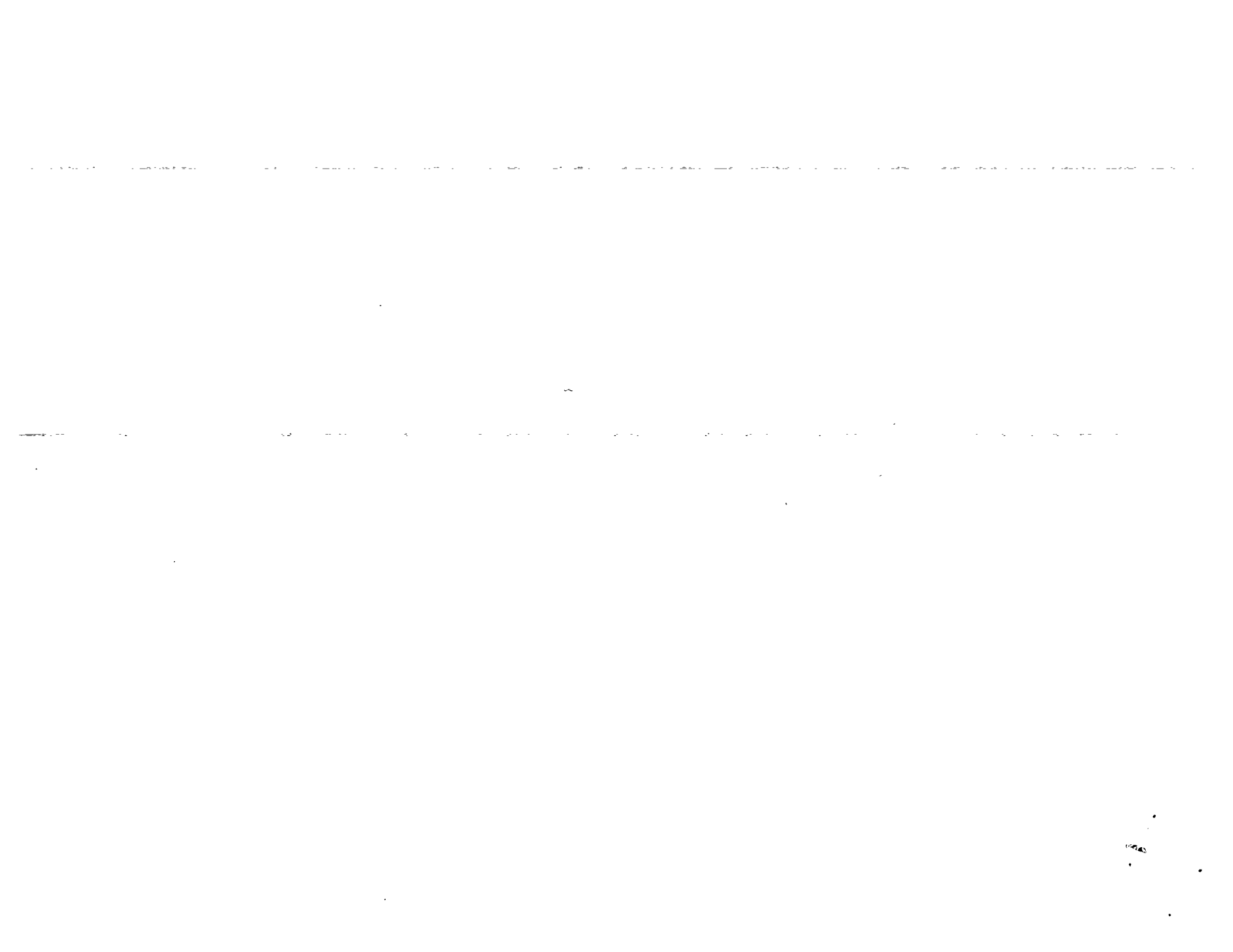
See Attached

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/1	grantpr 03/12/99	ygeller 03/12/99	martykr 03/15/99	_____	lrb_docadmin 03/15/99		

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/?	grantpr 02/16/99	ygeller 02/19/99	<i>jm</i> ³ / ₁₂	_____			S&L
/P1			jfrantze 02/22/99	<i>JA</i> ³ / ₁₂	lrb_docadmin 02/22/99		

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	grantpr	1/21/99 JLS	2/11/99	2/22/99			

Please submit

FE Sent For:

<END>

Grant, Peter

From: Browne, Michael
Sent: Monday, February 15, 1999 1:59 PM
To: Grant, Peter
Subject: Rep. John Lehman drafting request

6-634

February 15, 1999

To: Peter Grant

From: Mike Browne

Re: Components of proposed bill draft for Representative John Lehman

- School Districts would be able to apply to DPI to waive cost controls for certain "unanticipated expenditures" incurred during their fiscal year.
- The application would be made after the cost has been incurred and would provide the district with the ability to levy, without referendum approval and without revenue cap constraints, for one year to recoup the unanticipated cost. (An associated question here is whether or not school districts are able under current law to borrow for short terms during their budget cycle to cover unanticipated costs.)
- Unanticipated expenditures would be defined as those in excess of the three-year average expenditure in each category plus the rate of equalization and categorical aid increase
- The categories would include utility costs due to increases in PSC set rates, scheduled interior and exterior maintenance, school security, debt service to comply with federal mandates, transportation costs, inservice costs associated with technology upgrades or new curricular adoptions, legal costs, and added cost associated with the development of peer review and mentoring programs.

*or other costs
decided by dpr by rule*

*unplanned
+ unanticipated costs
+ above 3-yr. average*

1999

Date (time) needed _____

LRB - 2239/P1

BILL

PG: jlg: _____

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the

statutes; relating to: *adjusting a school district's revenue limit for unanticipated expenditures and granting rule-making authority.*

(S)

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

- For the main heading [old =M], execute: create → anal: → title: → head
- For the subheading [old =S], execute: create → anal: → title: → sub
- For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

This is a preliminary draft. An analysis will be provided on a later version.

JFE-5L

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

SECTION #.



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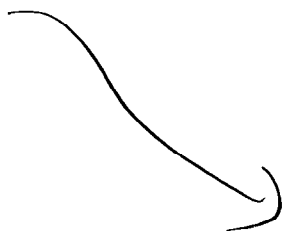
Section #. 121.91 (2m) (d) ^(intro.) of the statutes is amended to read:

121.91 (2m) (d) ^(intro.) Except as provided in subs. (3) ~~and (4)~~ ^{to (7)}, no school district may increase its revenues for the 1998-99 school year or for any school year thereafter to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding funds described under sub. (4) (c), by a number calculated by adding the number of pupils enrolled in the 3 previous school years, subtracting from that total the number of pupils attending charter schools under s. 118.40 (2r) and private schools under s. 119.23 in the 4th, 3rd and 2nd preceding school years and dividing the remainder by 3.
2. Multiply the amount of the revenue increase per pupil allowed under this subsection for the previous school year by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.
3. Add the result under subd. 1. to the result under subd. 2.
4. Multiply the result under subd. 3. by a number calculated by adding the number of pupils enrolled in the current and the 2 preceding school years, subtracting from that total the number of pupils attending charter schools under s. 118.40 (2r) and private schools under s. 119.23 in the 3 previous school years and dividing the remainder by 3.

History: 1993 a. 16; 1995 a. 27 ss. 4108m to 4114, 9145 (1); 1997 a. 27, 113, 164, 237, 286; s. 13.93 (2) (c).

ser. # CR, 121.91 (7) ⁴



In this subsection, 2 "Unanticipated expenditure" means an expenditure for any of the following purposes that ~~exceeds~~ ^{most recent} exceeds the 3-year average ~~of~~ of school district expenditures for that purpose as determined by the state superintendent:

(21.91(7)) (a) In this ^{sub} section:

¶ 1. "Eligible purpose" means any of the following:

¶ a. Utilities.

¶ b. ~~Major~~ Maintenance.

¶ c. Security.

¶ d. Debt service on obligations issued to pay ^{for} costs of complying with federal laws and regulations.

¶ e. Transportation.

¶ f. In service related to ^{educational} technology ~~or~~ changes in the curriculum.

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expenses
Pg. Legal expenses.

Ph: Development of peer review or
mentoring programs for school district staff.

Pi. Any other purpose specified by
the department ✓ by rule.

2. "State school aid" has the meaning given in s. 121.15 (3m)(a) 2.

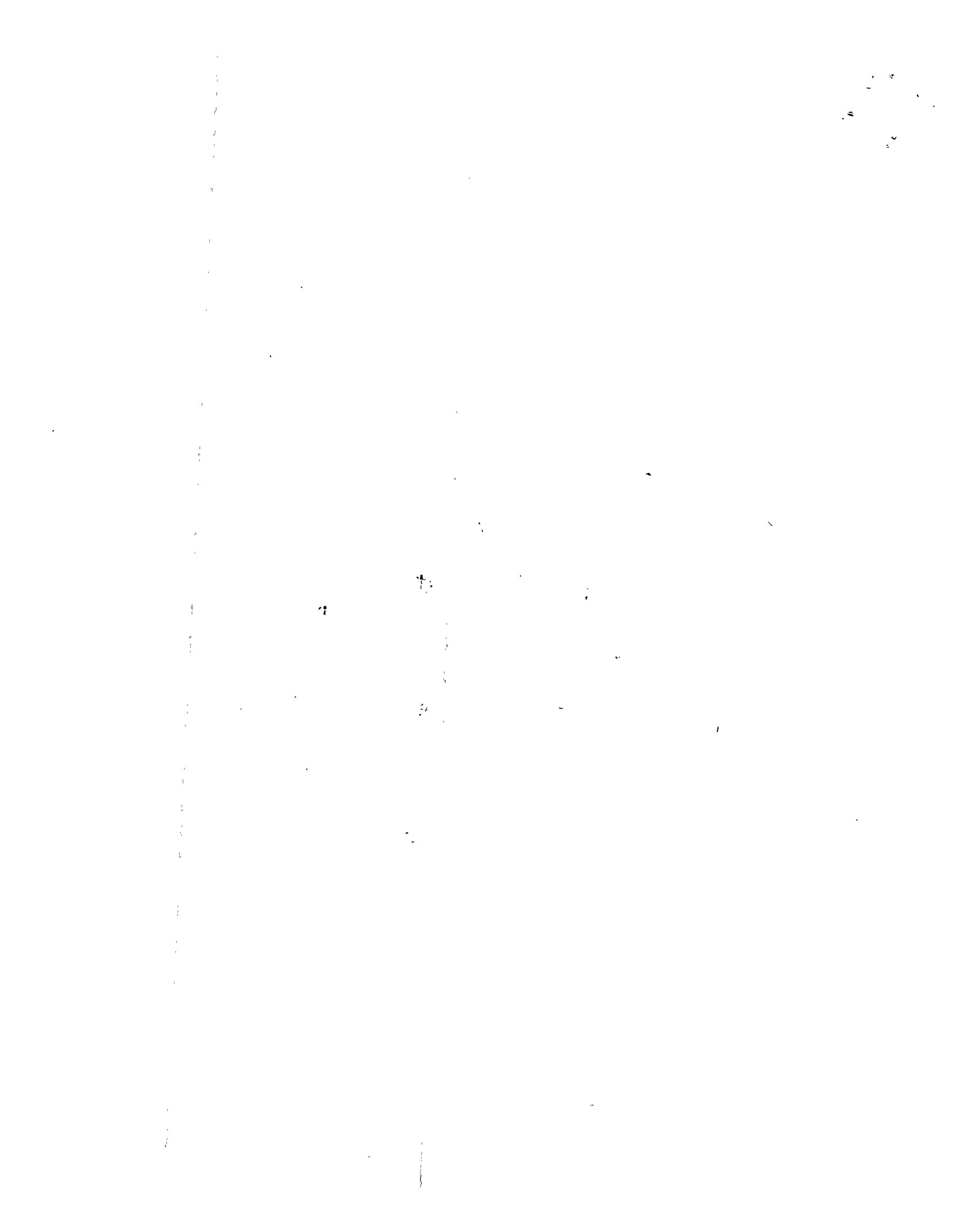
¶ 2. "Unanticipated expenditure"

means an expenditure for an ~~if the~~ ^{eligible} purpose that exceeds the school district's average ^{expenditures} for that

eligible purpose for the 3 previous school years ~~school district's expenses for that purpose~~ as determined by the state superintendent.

10 plus the rate of increase

b. Calculate the average percentage increase in state school aid to the school district over the most recent 3 years.



(b) Upon request by a school board, the state superintendent shall increase the school districts' limit under sub. (2m) in any school year by the amount equal to the sum of the school districts' unanticipated expenditures in the previous ~~the~~ school year.



INITIAL APPLICABILITY

1. In the component bar:

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

For the budget action phrase, execute: create → action: → *NS: → 93XX

For the text, execute: create → text: → *NS: → inappl

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9300 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # **[93** **].** Initial applicability;

(#1) ()

The treatment of sections ..

of the statutes

first applies to

1. In the component bar:

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

For the text, execute: create → text: → *NS: → inapplA

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # . Initial applicability;

(#1) This act first ap-

plies to a school district's revenue limit for the
 fiscal year beginning after the effective
 date of this subsection.



3/11/99

John Lehman
- 2234

add AB-8 to list
(=U330)

~~Tom Orade~~
~~66960~~



DN

2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

1 AN ACT to amend 121.91 (2m) (d) (intro.); and to create 121.91 (7) of the statutes;
2 relating to: adjusting a school district's revenue limit for unanticipated
3 expenditures and granting rule-making authority.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided on a later version.~~

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

INSERT A ✓

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

4 SECTION 1. 121.91 (2m) (d) (intro.) of the statutes is amended to read:
5 121.91 (2m) (d) (intro.) Except as provided in subs. (3) and (4) to (7), no school
6 district may increase its revenues for the 1998-99 school year or for any school year
7 thereafter to an amount that exceeds the amount calculated as follows:

8 SECTION 2. 121.91 (7) of the statutes is created to read:

9 121.91 (7) (a) In this subsection:

INSERT FROM
p. 2, lines 12-14

1 ~~1. "Eligible purpose" means any of the following:~~

2 1. ~~2~~ Utilities.

3 2. ~~4~~ Maintenance.

4 3. ~~2~~ Security.

5 4. ~~2~~ Debt service on obligations issued to pay the costs of complying with federal
6 laws and regulations.

7 5. ~~2~~ Transportation.

8 6. ~~2~~ Inservice related to educational technology changes in the curriculum.

9 7. ~~2~~ Legal expense.

10 8. ~~2~~ Development of peer review or mentoring programs for school district staff.

11 10. ~~2~~ Any other purpose specified by the department by rule.

INS.
2-10

12 ~~2~~ "Unanticipated expenditure" means an expenditure for ~~an eligible purpose~~
13 that exceeds the school district's average expenditures for that ~~eligible purpose for~~
14 the 3 previous school years, as determined by the state superintendent.

any of the following purposes

move to p-1

15 (b) Upon request by a school board, the state superintendent shall increase the
16 school district's limit under sub. (2m) in any school year by an amount equal to the
17 sum of the school districts' unanticipated expenditures in the previous school year.

18 **SECTION 3. Initial applicability.**

19 (1) This act first applies to a school district's revenue limit for the ~~fiscal~~ ^{school} year
20 beginning after the effective date of this subsection.

21 (END)

INSERTA

1999 ASSEMBLY BILL 8

January 14, 1999 - Introduced by Representatives SCHNEIDER, J. LEHMAN, BOYLE, BERCEAU and LASSA, by request of Wisconsin Rapids School District. Referred to Committee on Ways and Means.

1 AN ACT to create 121.91 (4) (h) of the statutes; relating to: the treatment of
2 special assessments under school district revenue limits.

Analysis by the Legislative Reference Bureau

Current law generally limits the increase in the total amount of revenue that a school district may receive from general school aids and property taxes to approximately \$209 per pupil in the 1998-99 school year and, in subsequent school years, to the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the consumer price index. ~~The limit is based on the difference between the average of the number of pupils enrolled in the three previous school years and the average of the number of pupils enrolled in the current and two previous school years.~~

This bill increases the school district's revenue limit in any school year by the amount ~~spent by the school district~~ in the previous school year ~~for special assessments for public improvements.~~ ^{an}

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

3 SECTION 1. 121.91 (4) (h) of the statutes is created to read:
4 121.91 (4) (h) The limit otherwise applicable to a school district's revenue under
5 sub. (2m) in any school year is increased by an amount equal to the amount spent by

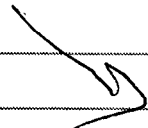
equal to the sum of the unanticipated expenditures

(A) (continued)

~~on an unanticipated expenditure~~

~~NO~~ An unanticipated expenditure is an expenditure for any of the following purposes that exceeds the school district's average expenditures for that purpose for the three previous school years:

- utilities, maintenance, security, debt service or obligations issued to pay the costs of complying with federal laws and regulations, transportation, inservice related to educational technology changes in the curriculum, legal expense, development of peer review or mentoring programs for school





INS A cont

district staff, special assessments for
public improvements, and any other
purpose specific by the department of
public instruction by administrative rule.

(end ins A)

2-10

§ 9. Special assessments for
public improvements.

DN

Representative Lehman:

I took the liberty of restructuring
the draft to ~~improve~~ make it more
concise. OK?

PG

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2234/1dn
PG:jlg:km

March 15, 1999

Representative Lehman:

I took the liberty of restructuring the draft to make it more concise? OK?

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: Peter.Grant@legis.state.wi.us

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 3/15/99

To: Representative J. Lehman

Relating to LRB drafting number: LRB-2234

Topic

Revenue limit adjustment for unanticipated expenditures

Subject(s)

Education - school finance, Education - state superintendent

1. **JACKET** the draft for introduction _____



in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362