

**1999 DRAFTING REQUEST**

**Bill**

Received: **12/14/98**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-1923**

By/Representing: **Pahnke**

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

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - school finance**

Extra Copies: **MJL**

**Topic:**

DOA:.....Pahnke - Counting ch. 220 pupils in membership

**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<br>12/15/98 | jgeller<br>12/15/98 |                     | _____          |                          |                 | S&L             |
| /1           |                     |                     | lpaasch<br>12/16/98 | _____          | lrb_docadmin<br>12/16/98 |                 | S&L             |
| /2           | grantpr<br>01/4/99  | jgeller<br>01/4/99  | martykr<br>01/5/99  | _____          | lrb_docadmin<br>01/5/99  |                 | S&L             |
| /3           | grantpr<br>01/12/99 | jgeller<br>01/12/99 | lpaasch<br>01/12/99 | _____          | lrb_docadmin<br>01/12/99 |                 | S&L             |
| /4           | grantpr<br>01/14/99 | jgeller<br>01/14/99 | lpaasch<br>01/14/99 | _____          | lrb_docadmin<br>01/14/99 |                 | S&L             |
| /5           | grantpr<br>01/27/99 | jgeller<br>01/27/99 | martykr<br>01/27/99 | _____          | lrb_docadmin<br>01/27/99 |                 |                 |

Vers.    Drafted    Reviewed    Typist    Proofed    Submitted    Jacketed    Required

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FE Sent For:

*15/27 jg km/27 jg km/27*

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FE Sent For:

*4 1/4 jlg*  
*1-14 L.P.*  
*1-14 L.P.*  
*IS*  
*<END>*

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| /?           | grantpr<br>12/15/98 | ygeller<br>12/15/98 |                     | _____          |                          |                 | S&L             |
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| /2           | grantpr<br>01/4/99  | ygeller<br>01/4/99  | martykr<br>01/5/99  | _____          | lrb_docadmin<br>01/5/99  |                 |                 |

FE Sent For:

1/3 1/2 jlg

1/12  
L.P

1/12 L.P  
hnh  
<END>

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| /1           |                     | 1/2 1/4 jlg         | lpaasch<br>12/16/98 | _____          | lrh_docadmin<br>12/16/98 |                 |                 |

FE Sent For:

*Handwritten:* km 1/5, km 1/5

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|--------------|----------------|-----------------|--------------|-----------------------------|------------------|-----------------|-----------------|
| /?           | grantpr        | 11/12/98 JLG    | 11-15 L.P.   | <del>11-15 L.P.</del><br>KM |                  |                 |                 |

FE Sent For:

<END>

- Provide that MPS may not count pupils enrolled in the MPCP or Milwaukee Charter Schools in 1998-99 in their membership in the calculation of state aids paid out under the equalization aid formula in 1999-00.

PK 3. Permit districts participating in the inter-district Chapter 220 program to only count those pupils as .50 FTE (as opposed to 1.0 FTE currently) for both equalization aid purposes [s.121.85 (6)(b)] and revenue limit purposes [insert under s.121.90 (1)].

4. Please draft "technical" corrections to current school aid and revenue limit statutes to clarify administrative practice (see attached document from DPI).

PK 5. Please draft a technical correction to s.121.02 (1)(s) to clarify that the high school graduation test shall begin to be administered in 2000-01, not 1999-00 as indicated in the statutes (see s.118.30 (1m)(d)). Also see top of P.884 of Legislative Fiscal Bureau summary of 1997-99 Wisconsin State Budget for clarification.

Thank you for your cooperation regarding this request. Please contact me at 6-1923 if you have any questions.



One draft From DPI (via Brian)

**Secondary Guaranteed Valuation Per Member [s. 121.07(b)]**

Section 121.07(b) could be modified to reflect how DPI currently computes the secondary guarantee. These technical modifications would reflect how the secondary guarantee is, and was intended to be, computed. The following modifications could be offered:

**121.07(7)(b)** The "secondary guaranteed valuation per member" is an amount, rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09, ~~and 121.105/delete~~, 121.85 (6) (b) 2. and 3. and (c), ~~and 121.86/delete~~ fully distributes an amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac) plus \$75,000,000 in the 1997-98 school year and \$100,000,000 in the 1998-99 school year for payments under ss. 121.08, 121.105, and/delete 121.85 (6) (a) and (g) and 121.86.

**Special Adjustment Aids (s. 121.105)**

During deliberations over the 1993-95 biennial budget (1993 Act 16), the Legislature intended to guarantee that a school district's general school aid payment would be no less than a specific percentage of its prior year's level or the prior year payment minus \$1,000,000, whichever results in the greater aid payment. However, as drafted, the enrolled bill (1993 Senate Bill 44) would have provided that if a district is eligible for special adjustment aid under both hold harmless levels, it would receive the smaller, rather than the greater, aid payment. As a result of the Governor's partial veto of these provisions, if a school district which would qualify for aid under both hold harmless levels, it is only eligible for the hold-harmless based on the percentage of its prior year amount. Currently, the percentage is 85% of the prior year amount.

85%  
or  
1m,  
whichever  
is  
greater  
but  
state  
say

The Department has been administering the special adjustment aids provisions as intended by the Legislature and Governor. The provisions should be modified to reflect the original intent of the Legislature and Governor. The following modifications could be offered:

**s. 121.105(2) (a)1.** If a school district would receive less in state aid in the current school year than an amount equal to 85% of the state aid for the current school year than/delete that it received ~~as state aid/delete~~ in the previous school year, its state aid for the current school year shall be increased to an amount equal to 85% of the state aid received in the previous school year.

**s. 121.105(2)(a)3.** A school district eligible for aid under subd. 1. and 2. shall receive the greater of the aid amount determined under subd. 1. or 2. The additional aid shall be paid from the appropriations under s. 20.255 (2) (ac) and (q).

**Intradistrict Transfer Aid [s. 121.85(6)(f)]**

State aid is based on 25% of a school district's equalization aid per member multiplied by the number of eligible transfer pupils. The same formula is used to compute state aid for desegregation plans using merged attendance areas. Prior to 1996-97, the state aid was based on 32.5%, instead of the current 25%.

Under 1995 Act 27 (the 1995-97 biennial budget act), the Legislature and Governor reduced the percentage from 32.5% to 25%. The Legislative Fiscal Bureau summary of 1995 Act 27 provisions made no reference to changing the 32.5% for the merged attendance area payment or the exception for children with disabilities under s. 121.85(6)(f). However, the legislation did include the change for the intradistrict aid and merged attendance area payments and maintained the 32.5% under s. 121.85(6)(f). It is reasonable to conclude that the exception for children with disabilities under the intradistrict aid payment language was intended to be reduced to 25%, but was inadvertently omitted.

The Department recommends that the language be modified in order to be consistent with the actions of the Legislature and Governor when the percentage was reduced from 32.5% to 25%. The following change could be made:

**121.85(6)(f) Exception.** A pupil enrolled in a kindergarten program or in a preschool program under subch. V of ch. 115 shall be multiplied under par. (a) 2. by a number equal to the result obtained by multiplying 0.25 ~~0.325/delete~~ by the appropriate fraction under s. 121.004 (7) (c), (cm) or (d), and shall be counted under par. (b) 1. as a number equal to the result obtained by multiplying 1.0 by the appropriate fraction under s. 121.004 (7) (c), (cm) or (d).

#### **School District Revenue Limits -- Low Revenue School Districts [s. 121.905]**

Beginning in 1998-99, school districts with a revenue ceiling of \$6,100 are treated separately under school district revenue limits. The statutes are not clear on how these school districts are affected by the revenue limit calculations. In order to be consistent in applying these limits on a statewide basis, the Department has applied the eligible exemptions under ss. 121.91(4) and (6). In addition, the Department has applied the penalty provision under s. 121.92 to these low revenue school districts. A modification to the definition of state aids could be included to provide a cross-reference between the requirements of the DPI under the two-thirds statute [s. 121.15(4)] and the amount of state aid received by school districts. Other technical modifications could also be included.

The following modifications could be included to clarify the statutes:

**121.905(2)** The revenue limit calculation under s. 121.91(2m) does not apply to any school district in any school year in which its base revenue per member, as calculated under sub. (3), is less than its revenue ceiling.

1999

Date (time) needed

SOON

LRB - 1277, 1

DOA BUDGET DRAFT

PG: jLg:

Use the appropriate components and routines developed for bills.

>>FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: the budget. . . . .

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.....

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

(attached)

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

SECTION #.

Section #. 121.004 (7) (a) (intro.)<sup>✓</sup> of the statutes is amended to read:

121.004 (7) (a) (intro.) "Pupils enrolled" is the total number of pupils, as expressed by official enrollments, in all schools of the school district, except as provided in pars. (b) to ~~(e)~~<sup>(f)</sup><sup>✓</sup>. If such total contains a fraction, it shall be expressed as the nearest whole number. The same method shall be used in computing the number of pupils enrolled for resident pupils, nonresident pupils or both.

History: 1977 c. 29 ss. 1081, 1085e, 1085m; 1977 c. 418, 429; 1979 c. 34, 221; 1979 c. 346 s. 15; 1981 c. 20, 317; 1983 a. 27, 189; 1985 a. 29; 1987 a. 27; 1991 a. 39, 48; 1993 a. 16; 1997 a. 27, 164, 240.

SER. CR, 121.004(7)(f)<sup>x</sup>

121.004(7)(f) A pupil who transfers from one school district to another under

s. 121.85(3)(a)<sup>✓</sup> shall be counted by the school district in which the pupil resides

as 0.5<sup>✓</sup> pupil or, if appropriate,

as a number equal to the result <sup>obtained</sup> ~~obtained~~

by multiplying 0.5 by the appropriate fraction under par. (c), (cm) <sup>or</sup> ~~or~~ (d)<sup>✓</sup>.

Section #. 121.05 (1) (a) 11. of the statutes is amended to read:

121.05 (1) (a) 11. Pupils residing in the school district but attending a public school in another school district under s. 118.51, or 121.85 (3) (a)

History: 1971 c. 125; 1973 c. 89; 1975 c. 224; 1977 c. 29, 418; 1979 c. 34, 221, 244; 1981 c. 20, 251; 1983 a. 27, 192, 509; 1985 a. 29, 218; 1985 a. 225 s. 100; 1987 a. 27, 399; 1989 a. 336; 1991 a. 39; 1993 a. 16, 395; 1995 a. 27 ss. 4040x, 4042, 9145 (1); 1995 a. 225; 1997 a. 27, 113, 164.

Section #. 121.85 (6) (a) 2. of the statutes is amended to read:

*as counted for membership purposes*

121.85 (6) (a) 2. Multiply the number of transfer pupils by 0.25.

History: 1975 c. 220; 1977 c. 29, 418; 1979 c. 34 ss. 966m, 2102 (43) (a); 1979 c. 221; 1981 c. 20, 385; 1983 a. 27 s. 2202 (42); 1983 a. 189; 1985 a. 29; 1987 a. 399; 1989 a. 31, 259, 336; 1991 a. 39, 48; 1993 a. 16; 1995 a. 27 ss. 4095m to 4098, 9145 (1); 1997 a. 27.

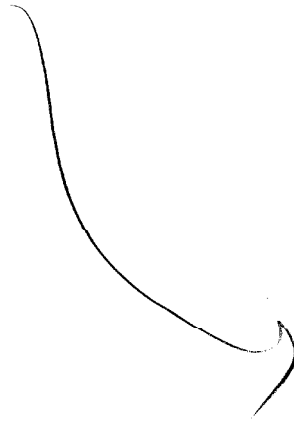
*[Faint handwritten notes, possibly bleed-through from the reverse side of the page]*

Section #. 121.85 (6) (b) 1. of the statutes is ~~amended to read:~~ <sup>x</sup> *repealed.*

~~121.85 (6) (b) 1. If a pupil transfers from one school district to another under sub. (3) (a), the school district of residence shall count each such pupil as 1.0 pupil in membership for general aid under subch. II.~~

~~History: 1975 c. 220; 1977 c. 29, 418; 1979 c. 34 ss. 966m, 2102 (43) (a); 1979 c. 221; 1981 c. 20, 385; 1983 a. 27 s. 2202 (42); 1983 a. 189; 1985 a. 29; 1987 a. 399; 1989 a. 31, 259, 336; 1991 a. 39, 48; 1993 a. 16; 1995 a. 27 ss. 4095m to 4098, 9145 (1); 1997 a. 27.~~

SEL RP, 121.85 (6)(f)<sup>x</sup>





1999

Nonstat File Sequence: **EEE**

LRB \_\_\_\_\_ / \_\_\_\_\_  
: : \_\_\_\_\_

**INITIAL APPLICABILITY**

- In the component bar:  
For the action phrase, execute: ..... create → action: → \*NS: → inappl  
For the budget phrase, execute: ..... create → action: → \*NS: → 93XX  
For the text, execute: ..... create → text: → \*NS: → inappl
- 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 3 9 7 **Initial applicability;** .....

③ → public instruction.

(#1) ( ) INTERDISTRICT TRANSFER AID ← CS

The treatment of sections ..  
121.004 (7) (a) (intro.) ✓ and (f) ✓, 121.05 (1) (a) 11. ✓ and  
121.85 (6) (a) 2. ✓ and (b) 1. ✓ and (f) ✓

..... of the statutes  
first applies to state aid paid in the 1999-2000  
school year .  
(End) ✓

- In the component bar:  
For the action phrase, execute: ..... create → action: → \*NS: → inappl  
For the text, execute: ..... create → text: → \*NS: → inapplA
- 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 .....

ANALYSIS

head → EDUCATION

sub → PRIMARY AND SECONDARY EDUCATION

¶ Under current law, a pupil who transfers from one school district to another under the special transfer program (commonly known as chapter 220) is counted <sup>as one pupil</sup> for state aid <sup>and revenue limit</sup> purposes by the ~~pupil's~~ school district in which the pupil resides.

~~a pupil~~ ¶ This bill provides for that each transfer pupil is ~~the~~ counted by the school district in which he or she resides as  $\frac{1}{2}$  one-half pupil for state aid and revenue limit ~~from~~ purposes.

FE-SL



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-12774 2  
PG:jlg:lp

soon

DOA:.....Pahnke - Counting ch. 220 pupils in membership  
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, a pupil who transfers from one school district to another under the special transfer program (commonly known as chapter 220) is counted as one pupil for state aid and revenue limit purposes by the school district in which the pupil resides.

This bill provides that each transfer pupil is counted by the school district in which he or she resides as one-half pupil for state aid and revenue limit purposes.

For further information see the *state and 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:*

2 SECTION 1. 121.004 (7) (a) (intro.) of the statutes is amended to read:

3 121.004 (7) (a) (intro.) "Pupils enrolled" is the total number of pupils, as  
4 expressed by official enrollments, in all schools of the school district, except as

1 provided in pars. (b) to (e) (f). If such total contains a fraction, it shall be expressed  
2 as the nearest whole number. The same method shall be used in computing the  
3 number of pupils enrolled for resident pupils, nonresident pupils or both.

4 **SECTION 2.** 121.004 (7) (f) of the statutes is created to read:

5 121.004 (7) (f) A pupil who transfers from one school district to another under  
6 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as  
7 0.5 pupil or, if appropriate, as a number equal to the result obtained by multiplying  
8 0.5 by the appropriate fraction under under par. (c), (cm) or (d).

9 **SECTION 3.** 121.05 (1) (a) 11. of the statutes is amended to read:

10 121.05 (1) (a) 11. Pupils residing in the school district but attending a public  
11 school in another school district under s. 118.51 or 121.85 (3) (a).

12 **SECTION 4.** 121.85 (6) (a) 2. of the statutes is amended to read:

13 121.85 (6) (a) 2. Multiply the number of transfer pupils, as counted for  
14 membership purposes, by 0.25.

15 **SECTION 5.** 121.85 (6) (b) 1. of the statutes is repealed.

16 **SECTION 6.** 121.85 (6) (f) of the statutes is repealed.

17 **SECTION 9339. Initial applicability; public instruction.**

18 (1) INTERDISTRICT TRANSFER <sup>pupils ← ES</sup> The treatment of sections 121.004 (7) (a) (intro.)  
19 and (f), 121.05 (1) (a) 11. and 121.85 (6) (a) 2., (b) 1. and (f) of the statutes first applies  
20 to state aid paid in the 1999-2000 school year.

21 (END)

and first applies to the  
1999-2000 enrollment count used  
for calculating a school district's  
revenue limit



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1277/2 3

PG:jlg:km

505m

2

DOA:.....Pahnke - Counting ch. 220 pupils in membership

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

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**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, a pupil who transfers from one school district to another under the special transfer program (commonly known as chapter 220) is counted as one pupil for state aid and revenue limit purposes by the school district in which the pupil resides.

This bill provides that each transfer pupil is counted by the school district in which he or she resides as one-half pupil for state aid and revenue limit purposes.

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

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7 0.5 pupil or, if appropriate, as a number equal to the result obtained by multiplying  
8 0.5 by the appropriate fraction under under par. (c), (cm) or (d).

9 SECTION 3. 121.05 (1) (a) 11. of the statutes is amended to read:

10 121.05 (1) (a) 11. Pupils residing in the school district but attending a public  
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12 SECTION 4. 121.85 (6) (a) 2. of the statutes is amended to read:

13 121.85 (6) (a) 2. Multiply the number of transfer pupils, as counted for  
14 membership purposes <sup>under s. 121.004 (7) ✓</sup> by 0.25.

15 SECTION 5. 121.85 (6) (b) 1. of the statutes is repealed.

16 SECTION 6. 121.85 (6) (f) of the statutes is repealed.

17 SECTION 9339. Initial applicability; public instruction.

18 (1) INTERDISTRICT TRANSFER PUPILS. The treatment of sections 121.004 (7) (a)  
19 (intro.) and (f), 121.05 (1) (a) 11. and 121.85 (6) (a) 2., (b) 1. and (f) of the statutes first  
20 applies to state aid paid in the 1999-2000 school year and first applies to the  
21 1999-2000 enrollment count used for calculating a school district's revenue limit.

22 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1277/8 4  
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2

DOA:.....Pahnke - Counting ch. 220 pupils in membership

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1

*do not gen*  
AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, a pupil who transfers from one school district to another under the special transfer program (commonly known as chapter 220) is counted as one pupil for state aid and revenue limit purposes by the school district in which the pupil resides.

This bill provides that each transfer pupil is counted by the school district in which he or she resides as one-half pupil for state aid and revenue limit purposes.

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

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2

SECTION 1. 121.004 (7) (a) (intro.) of the statutes is amended to read:

3

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4

expressed by official enrollments, in all schools of the school district, except as

1 provided in pars. (b) to (e) (f). If such total contains a fraction, it shall be expressed  
2 as the nearest whole number. The same method shall be used in computing the  
3 number of pupils enrolled for resident pupils, nonresident pupils or both.

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5 121.004 (7) (f) A pupil who transfers from one school district to another under  
6 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as  
7 0.5 pupil or, if appropriate, as a number equal to the result obtained by multiplying  
8 0.5 by the appropriate fraction under under par. (c), (cm) or (d).

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10 121.05 (1) (a) 11. Pupils residing in the school district but attending a public  
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22 (END)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1277/5  
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DOA:.....Pahnke - Counting ch. 220 pupils in membership

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

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21 ~~enrollment count used for calculating a school district's revenue limit.~~

22

(END)

✓  
2-16 →

2-16

SEC. # CR; 121.90 (1)(e) ✓

121.90 (1)(e) In determining a school district's revenue limit for the 1999-2000 school year or

~~the pupils enrolled under s. 121.604 (1)(b) pupils who transfer from one school district to another under s. 121.85 (2)(a) shall be counted as 0.5 p.~~

for any school year thereafter, the department

~~shall not recalculate the number of pupils enrolled in school years prior to the 1999-2000 school year~~

~~the number of pupils enrolled in school years prior to the 1999-2000 school year shall not be recalculated for the purpose of~~

to

(2-16-2)

The ~~Department~~ shall calculate the number  
of pupils enrolled in <sup>each</sup> school year prior to the  
1999-2000 school year as the number was  
calculated in that school year under

s. 121.85 (6)(b) 1. <sup>✓</sup> and (f) <sup>✓</sup>, 1997 stats.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1277/5

PG:jl:km

DOA:.....Pahnke - Counting ch. 220 pupils in membership

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to: the budget.**

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*Analysis by the Legislative Reference Bureau*

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3 121.004 (7) (a) (intro.) "Pupils enrolled" is the total number of pupils, as

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15 **SECTION 5.** 121.85 (6) (b) 1. of the statutes is repealed.

16 **SECTION 6.** 121.85 (6) (f) of the statutes is repealed.

17 **SECTION 7.** 121.90 (1) (e) of the statutes is created to read:

18 121.90 (1) (e) In determining a school district's revenue limit for the 1999–2000  
19 school year or for any school year thereafter, the department shall calculate the  
20 number of pupils enrolled in each school year prior to the 1999–2000 school year as  
21 the number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997  
22 stats.

23 **SECTION 9339. Initial applicability; public instruction.**

