

**2001 DRAFTING REQUEST**

**Bill**

Received: **08/20/2001**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Gregg Underheim (608) 266-2254**

By/Representing: **himself**

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

Drafter: **mlief**

May Contact:

Addl. Drafters: **grantpr**

Subject: **Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Underheim@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

School construction board

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**Instructions:**

See Attached

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**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>
/?	mlief 08/20/2001	gilfokm 09/04/2001	pgreensl 09/05/2001	_____			S&L
/1		rschluet 09/07/2001	haugeca 09/07/2001	_____	lrb_docadmin 09/07/2001		S&L
/2			haugeca	_____	lrb_docadmin		S&L

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			09/07/2001 _____		09/07/2001		
/3	mliel 09/20/2001	gilfokm 10/01/2001	jfrantze 10/04/2001 _____ jfrantze 10/04/2001 _____		lrb_docadmin 10/04/2001 lrb_docadmin 10/08/2001	lrb_docadmin 10/19/2001	

FE Sent For:

L At Intro.

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			jfrantze 10/04/2001	_____	lrb_docadmin 10/08/2001		

lrb\_docadmin  
10/08/2001

re-submitted  
via e-mail  
(see attached)

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			jfrantze	_____			

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10/04/2001 \_\_\_\_\_

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/2		13-10/1 KMG	haugeca 09/07/2001	_____	lrb_docadmin 09/07/2001	_____	

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Handwritten signatures and dates: 10/4, 10/4, <END>

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1?	mlief	1-9/Kmg 14-01	CH 4-5	CH 4-5 KF			

FE Sent For:

<END>

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

LRBb0232/P1dn  
PG&MJL:kmg:jf

June 11, 2001

*Include in file for 01-3627*

*MANNA bill*

1. As drafted, this amendment would take effect on July 1, 2002, would first apply to school construction contracts entered into on that date, and would first affect school aid in the 2003-04 school year. OK? *yes*
2. Do you want to exempt projects that cost less than a specified amount, such as \$5,000? *yes*
3. Note that for some school districts excluding their debt service from their shared cost actually results in a higher state aid payment. *OK*

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

Madelon J. Lief  
Legislative Attorney  
Phone: (608) 267-7380

*Please judget For Assembly*  
*Tcw/Car - Draft introductory bill*  
*8/17*

2001

Date (time) needed

LRB - 3627, 1

BILL

MJL (+PV) [Signature] → kg

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: ... Creating a school construction board.

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

Analysis by the Legislative Reference Bureau

- If titles are needed in the analysis, in the component bar: For the main heading, execute: ... create -> anal: -> title: -> head For the subheading, execute: ... create -> anal: -> title: -> sub For the sub-subheading, execute: ... create -> anal: -> title: -> sub-sub For the analysis text, in the component bar: For the text paragraph, execute: ... create -> anal: -> text

INS - ANALYSIS



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

SECTION #.

## INS - ANALYSIS

This bill creates a <sup>three-member</sup> school construction board <sup>(board)</sup> attached to the department of administration, and requires school boards <sup>who wish to receive general school aid</sup> ~~to submit any~~ <sup>for</sup> ~~debt service~~ <sup>on</sup> ~~any~~ project that costs at least \$5,000 and ~~is~~ is financed through long-term borrowing to submit to the board a request for approval of the project. The board, which may approve a project in whole or in part, must base its decision <sup>on</sup> ~~on~~ the following criteria:

- 1) if the project <sup>entails</sup> ~~entails~~ remodeling, renovating, or replacing a building, the ~~age~~ <sup>age</sup> of the building;
- 2) whether the school district's enrollment <sup>is</sup> ~~is~~ increasing or decreasing;
- 3) whether there are health or safety risks to users of current buildings;
- 4) the date of

the most recent capital improvement; and 5) whether the new or renovated building will also be used by another school district. ~~The bill~~

Under current law, the state must determine <sup>of statewide costs</sup> how much general school aid to appropriate to ensure that partial school ~~aid~~ <sup>aid</sup> ~~from~~ general school aid and the property tax levy equals two-thirds of state school aids (general school aids, certain categorical aids, and the school levy tax credit).

Beginning in the 2004-05 school year,

this bill excludes from the definition of partial school revenues <sup>of</sup> the amount by which ~~debt service~~ property taxes <sup>used to pay</sup> debt service exceed <sup>\$1</sup> 320,000,000. In subsequent school years, this amount is adjusted for inflation.

$$FE - ST + LOC$$

In other words, the state must determine how much general school aid to appropriate to pay two-thirds of statewide school costs, (two-thirds funding).

The effect of this provision is to lower the amount of aid needed to meet <sup>two-thirds</sup> funding.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB0232/P1

~~W.K.M.G.J.F.~~  
M.T.L.P.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY AMENDMENT  
TO 2001 ASSEMBLY BILL 144

2001 BILL

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

2 1. Page 198, line 3: after that line insert:

3 SECTION 15.105 (27) of the statutes is created to read:

4 15.105 (27) SCHOOL CONSTRUCTION BOARD. There is created a school construction  
5 board, attached to the department of administration under s. 15.03. The board shall  
6 consist of 3 members appointed for 4-year terms. Two members shall be employees  
7 of the department of administration who have expertise in public finance and  
8 building construction, appointed by the secretary of administration. One member  
9 shall be an employee of the department of revenue who has expertise in public  
10 finance and building construction, appointed by the secretary of revenue.

11 2. Page 984, line 9: delete "s." and substitute "s".

12 3. Page 984, line 9: after "ch. 121" insert "ss. 121.15 (3m) (a) 1. a to c. and".

INS  
A

7-0305

4. Page 1156, line 12. after that line insert:

~~SECTION 27-10a.~~ 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, <sup>V</sup>~~V~~ and VII of ch. 115, ch. 121<sup>V</sup>~~2~~ and ss. 66.0235 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6)<sup>V</sup>~~3~~ and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26)<sup>STET</sup>~~26~~, 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35)<sup>2</sup> and (37), 120.138, 120.14 and 120.25 are applicable to a 1st class city school district and board.

5. Page 1161, line 12. after that line insert:

~~SECTION 27-10a.~~ 120.138 of the statutes is created to read:

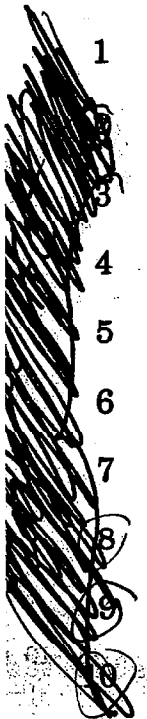
**120.138 School construction board.** (1) In this section:

(a) "Board" means the school construction board.

(b) "Capital project" means a project that <sup>costs at least \$5,000 and</sup> is financed through long-term borrowing, the debt service on which the school district wishes to include in its shared cost.

(2) Before entering into any contract for a capital project, a school board shall submit to the board a request for approval of the project. The school board shall include with its request a maintenance schedule for all of its current and projected facilities.

(3) The board may approve a project in whole or in part. The board shall base its decision on the following criteria:



*Handwritten notes:* as affected by 2001 W. Session Act (Senate Bills)

1 (a) If the project entails remodeling, renovating, or replacing a building, the age  
2 of the building.

3 (b) Whether the school district's membership, as defined in s. 121.004 (5), is  
4 increasing or decreasing.

5 (c) Whether there are health or safety risks to users of the current buildings.

6 (d) The date of the most recent capital improvement.

7 (e) Whether the new or renovated building will also be used by another school  
8 district.

replace  
INS  
B

9 6. Page 1162, line 14: after that line insert:

10 SECTION 2765w. 121.07 (6) (a) (intro.) of the statutes is amended to read:

11 121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
12 and the net cost of the debt service fund, except that "shared cost" excludes any costs,  
13 including attorney fees, incurred by a school district as a result of its participation  
14 in a lawsuit commenced against the state, beginning with such costs incurred in the  
15 fiscal year in which the lawsuit is commenced; excludes any expenditures from a  
16 capital improvement fund created under s. 120.135 and; excludes the costs of  
17 transporting those transfer pupils for whom the school district operating under ch.  
18 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
19 121.85 (6) (am); and excludes debt service on debt incurred to finance any capital  
20 project, as defined in s. 120.138 (1) (b), that is not approved by the school construction  
21 board under s. 120.138. In this paragraph, "net cost of the debt service fund" includes  
22 all of the following amounts:"

23 7. Page 1165, line 13; delete lines 13 to 21 and substitute:



INSC  
①

SECTION 2779b. 121.15 (3m) (a) 1. of the statutes is renumbered 121.15 (3m)

(a) 1. (intro.) and amended to read:

121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state school aids, other than the amounts amount appropriated under s. 20.255 (2) (bi) and (cv); property taxes levied for school districts; and aid paid to school districts under s. 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board's increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board, less the amount of any revenue limit increase under s. 121.91 (4) (a) 3. and, less the amount of any revenue limit increase under s. 121.91 (4) (h), and less the amount by which the amount of property taxes levied to pay debt service exceeds an amount determined as follows:

SECTION ~~2779a~~. 121.15 (3m) (a) 1. a., b. and c. of the statutes are created to read:

121.15 (3m) (a) 1. a. In the 2003-04 school year, \$320,000,000.

b. In the 2004-05 school year, \$320,000,000 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

c. In the 2005-06 school year and in any school year thereafter, the amount determined in the previous school year under this subd. 1. c. or under subd. 1. b. multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

Section # ~~2779a~~, Nonstatutory provision. (5)

~~Page 1737, line 12. after that line insert:~~

(2002) SCHOOL CONSTRUCTION BOARD, Notwithstanding section 15.105 (27) of the statutes, as created by this act, one of the initial members of the school construction

1 board shall be appointed for a term expiring on May 1, 2003; one of the initial  
2 members of the school construction board shall be appointed for a term expiring on  
3 May 1, 2005; and one of the initial members of the school construction board shall  
4 be appointed for a term expiring on May 1, 2007.

5 9. Page 1803, line 14 after that line insert:

6 Section ~~121.07~~ <sup>Initial applicability</sup>

7 (b) SCHOOL CONSTRUCTION APPROVAL

8 The treatment of section 120.138 of the statutes first applies to contracts  
9 entered into on the effective date of this paragraph.

10 The treatment of section 121.07 (6) (a) (intro.) of the statutes first applies  
11 to debt service on debt incurred to finance a capital project submitted to the school  
12 construction board for approval on the effective date of this paragraph.

13 10. Page 1823, line 11: after that line insert:

14 (b) SCHOOL CONSTRUCTION APPROVAL The treatment of sections 120.138 and

15 121.07 (6) (a) (intro.) of the statutes and SECTION 120.138 take effect on

16 July 1, 2002.

(END)

Section ~~121.07~~ Effective date <sup>S</sup>

This act takes effect on the day after publication, except as follows:

auto ref. "KA"  
(auto ref. "KB")

of this act  
of this act

School Construction Dist Service

as affected by 2001 Wisconsin Act ~~Senate~~  
R.U.S.S.H. 16)

2001 Senate Bill 55

2001 Wisconsin Act

ing the taxpayer's payment for tax liability, with the proceeds to be deposited into the fund.

SECTION 2204. 73.0305 of the statutes is amended to read:

73.0305 Revenue limits and, ~~intradistrict transfer aid calculations~~. The department of revenue shall annually determine and certify to the state superintendent of public instruction, no later than the 4th Monday in June, the allowable rate of increase under ~~ss. 73.0305 (1) (a) and~~ subch. VII of ch. 121. The allowable rate of increase is the percentage change in the consumer price index for all urban consumers, U.S. city average, between the preceding March 31 and the 2nd preceding March 31, as computed by the federal department of labor.

SECTION 2207m. 73.06 (3) of the statutes is amended to read:

73.06 (3) The department of revenue, through its supervisors of equalization, shall examine and test the work of assessors during the progress of their assessments and ascertain whether any of them is assessing property at other than full value or is omitting property subject to taxation from the roll. The department and such supervisors shall have the rights and powers of a local assessor for the examination of persons and property and for the discovery of property subject to taxation. If any property has been omitted or not assessed according to law, they shall bring the same to the attention of the local assessor of the proper district and if such local assessor shall neglect or refuse to correct the assessment they shall report the fact to the board of review. If it discovers errors in identifying or valuing property that is exempt under s. 70.11 (39) or (39m), the department shall change the specification of the property as taxable or exempt and shall change the value of the property. All disputes between the department, municipalities and property owners about the taxability or value of property that is reported under s. 79.095 (2) (a) or of the property under s. 70.995 (12r) shall be resolved by using the procedures under s. 70.995 (8).

SECTION 2208. 74.23 (1) (a) 2. of the statutes is amended to read:

74.23 (1) (a) 2. Pay to the proper treasurer all collections of special assessments, special charges and special taxes, except that occupational taxes under ss. 70.40 to 70.425 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under s. 74.25 (1) (a) 1. to 8.

SECTION 2209. 74.23 (1) (a) 5. of the statutes is created to read:

74.23 (1) (a) 5. Pay to each taxing jurisdiction within the district its proportionate share of the taxes and interest under s. 70.995 (12) (a).

SECTION 2211. 74.25 (1) (a) 2. of the statutes is amended to read:

74.25 (1) (a) 2. Pay to the proper treasurer all collections of special assessments, special charges and special

taxes; except that occupational taxes under ss. 70.40 to 70.425 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under subds. 5. to 8.

SECTION 2212. 74.25 (1) (a) 3. of the statutes is amended to read:

74.25 (1) (a) 3. Retain all collections of special assessments, special charges and special taxes due to the taxation district, except that occupational taxes under ss. 70.40 to 70.425 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under subds. 5. to 8.

SECTION 2213. 74.25 (1) (a) 4m. of the statutes is created to read:

74.25 (1) (a) 4m. Pay to each taxing jurisdiction within the district its proportionate share of the taxes and interest under s. 70.995 (12) (a).

SECTION 2216. 74.30 (1) (b) of the statutes is amended to read:

74.30 (1) (b) Pay to the proper treasurer all collections of special assessments, special charges and special taxes, except that occupational taxes under ss. 70.40 to 70.425 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under pars. (e) to (h).

SECTION 2217. 74.30 (1) (c) of the statutes is amended to read:

74.30 (1) (c) Retain all collections of special assessments, special charges and special taxes due to the taxation district, except that occupational taxes under ss. 70.40 to 70.425 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under pars. (e) to (h).

SECTION 2218. 74.30 (1) (dm) of the statutes is created to read:

74.30 (1) (dm) Pay to each taxing jurisdiction within the district its proportionate share of the taxes and interest under s. 70.995 (12) (a).

SECTION 2226. 74.41 (1) (d) of the statutes is created to read:

74.41 (1) (d) Have been corrected under s. 70.73 (1m).

SECTION 2231. 76.02 (1) of the statutes is amended to read:

76.02 (1) "Air carrier company" means any person engaged in the business of transportation in aircraft of persons or property for hire on regularly scheduled flights, except an air carrier company whose property is exempt from taxation under s. 70.11 (42) (b). In this subsection, "aircraft" means a completely equipped operating unit, including spare flight equipment, used as a means of conveyance in air commerce.

SECTION 2231m. 76.02 (6m) of the statutes is created to read:

76.02 (6m) "Repair facility" means property on which a roundhouse, a repair shop, and a turntable are

LPS:  
From Act 16

and  
s. 121.15  
(3m) (a)  
1 or c)

INSA

INS B

~~Stram~~

Costs for represented employees shall be based upon the costs of any collective bargaining agreements covering such employees for the previous school year. If, as of the time specified by the department for filing the report, the school district has not entered into a collective bargaining agreement for any portion of the previous school year with the recognized or certified representative of any of its employees and the school district and the representative have been required to submit final offers under s. 111.70 (4) (cm) 6., increased costs limited to the lower of the school district's offer or the representative's offer shall be reflected in the report. The school district shall amend the annual report to reflect any change in such costs as a result of any award or settlement under s. 111.70 (4) (cm) 6. between the date of filing the report and October 1. Any such amendment shall be concurred in by the licensed certified public accountant licensed or certified under ch. 442 certifying the school district audit.

SECTION 2761. 121.004 (6) of the statutes is amended to read:

121.004 (6) NET COST. The "net cost" of a fund means the gross cost of that fund minus all nonduplicative revenues and other financing sources of that fund except property taxes and general aid, and aid received under s. 79.095 (4). In this subsection, "nonduplicative revenues" includes federal financial assistance under 20 USC 236 to 245, to the extent permitted under federal law and regulations.

SECTION 2761d. 121.004 (7) (c) 1. c. of the statutes is created to read:

121.004 (7) (c) 1. c. A pupil enrolled in a 4-year-old kindergarten program who is not a child with a disability, as defined in s. 115.76 (5), shall be counted as 0.3 pupil.

SECTION 2761g. 121.004 (7) (cm) of the statutes is amended to read:

121.004 (7) (cm) A. Notwithstanding par. (c) (intro.) and 1. c., a pupil enrolled in a 4-year-old kindergarten program that provides the required number of hours of direct pupil instruction under s. 121.02 (1) (f) 2. shall be counted as 0.6 pupil if the program and that annually provides at least 87.5 additional hours of outreach activities shall be counted as 0.4 pupil if the child is not a child with a disability, as defined in s. 115.76 (5), and as 0.6 pupil if the pupil is a child with a disability.

SECTION 2762. 121.007 of the statutes is amended to read:

121.007 Use of state aid; exemption from execution. All moneys paid to a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) and (q) shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment, or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employees and as to claims for school materials, supplies, fuel, and current repairs.

SECTION 2762d. 121.02 (1) (a) 2. of the statutes is amended to read:

121.02 (1) (a) 2. Ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. The state superintendent shall promulgate rules defining "instructional staff" for purposes of this subdivision and s. 118.40 (2r) (d).

SECTION 2763m. 121.02 (1) (o) of the statutes is amended to read:

121.02 (1) (o) Annually distribute the performance disclosure report under comply with the requirements of s. 115.38 (2). The school board may include additional information in the report under s. 115.38 (2).

SECTION 2764c. 121.05 (1) (a) 8. of the statutes is amended to read:

121.05 (1) (a) 8. Pupils enrolled in the school operated by the Wisconsin School Educational Services Program for the Deaf and Hard of Hearing or the school operated by the Wisconsin Center for the Blind and Visually Impaired under subch. III of ch. 115 for whom the school district is paying tuition under s. 115.33 (2) determined by multiplying the total number of periods in each day in which the pupils are enrolled in the local public school by the total number of days for which the pupils are enrolled in the local public school and dividing the product by 1,080.

SECTION 2764L. 121.06 (4) of the statutes is amended to read:

121.06 (4) For purposes of computing state aid under s. 121.08, equalized valuations calculated under sub. (1) and certified under sub. (2) shall include the full value of computers property that are is exempt under s. 70.11 (39) and (39m) as determined under s. 79.095 (3).

SECTION 2764. 121.07 (6) (a) (intro.) of the statutes is amended to read:

121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund and the net cost of the debt service fund, except that "shared cost" excludes any costs, including attorney fees, incurred by a school district as a result of its participation in a lawsuit commenced against the state, beginning with such costs incurred in the fiscal year in which the lawsuit is commenced, excludes any expenditures from a capital improvement fund created under s. 120.135, excludes any expenditures made as a result of the revenue limit increase under s. 121.91 (4) (1), and excludes the costs of transporting those transfer pupils for whom the school district operating under ch. 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s. 121.85 (6) (am). In this paragraph, "net cost of the debt service fund" includes all of the following amounts:

SECTION 2765z. 121.07 (6) (d) of the statutes is repealed and recreated to read:

LPS:  
DO NOT get this from the act; DO get the text from stats. database.

delete

120.138

and excludes debt service on debt incurred to finance any capital project, as defined in

s. 120.138 (1) (b), that is not approved by the school construction board under s. 120.138

as affected by 2001 Wisconsin Act 1

as affected by 2001 Wisconsin Act 16  
(Senate Bill 55)

INS C

From Act 16

2001 Wisconsin Act

2001 Senate Bill 55

additional state aid shall be paid from the appropriations appropriation under s. 20.255 (2) (ac) and (q).

SECTION 2776. 121.15 (1m) (a) 1. of the statutes is repealed.

SECTION 2777. 121.15 (1m) (a) 2. of the statutes is repealed.

SECTION 2777g. 121.15 (1m) (a) 4. of the statutes is created to read:

121.15 (1m) (a) 4. Beginning in the 2002-03 school year, from the appropriation under s. 20.255 (2) (ac), annually the state shall pay to school districts an amount determined as follows on the 4th Monday in July of the following school year:

a. Subtract the amount transferred to the tax relief fund under s. 16.518 (4) from the amount calculated by the secretary of administration under s. 16.518 (4).

b. Subtract the remainder under subd. 4. a. from \$115,000,000.

SECTION 2777r. 121.15 (1m) (b) of the statutes is amended to read:

121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced proportionally to reflect the payments made under par. (a) 3. The percentage for June under subs. (1) (a) and (1g) (a) shall also be reduced to reflect the payment made under par. (a) 4. School districts shall treat the payments made in July under par. (a) as if they had been received in the previous school year.

SECTION 2779. 121.15 (3m) (a) 1. of the statutes is amended to read:

121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids, other than the amounts appropriated under s. 20.255 (2) (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), and (z), property taxes levied for school districts; and aid paid to school districts under s. 79.095 (4) ~~less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board's increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board, less the amount of any revenue limit increase under s. 121.91 (4) (a) 3. less the amount of any revenue limit increase under s. 121.91 (4) (j), less the amount of any revenue limit increase under s. 121.91 (4) (h) less the amount of any property taxes levied for the purpose of s. 120.13 (19), less an amount equal to 45% of the amount estimated to be paid under s. 119.23 (4) and (4m)~~

renumbered 121.15 (3m) (a) 1. (intro) and

SECTION 2779m. 121.15 (3m) (a) 2. of the statutes is amended to read:

121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s. 20.255 (1) (b) and (2), other than s. 20.255 (2) (am), (fm), (fu), (k), (kn), and (m), and under ss. 20.275 (1) (d), (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated under s. 20.275 (1) (s) that are used to provide grants or educational telecommunications access to school districts under s. 44.73

and less the amount by which the amount of property taxes levied to pay debt service exceeds an amount determined as follows:

SECTION 2779s. 121.54 (3) of the statutes is amended to read:

121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board shall provide transportation for children with disabilities, as defined in s. 115.76 (5), to any public or private elementary or high school, to the school operated by the Wisconsin Center for the Blind and Visually Impaired or the school operated by the Wisconsin School Educational Services Program for the Deaf and Hard of Hearing or to any special education program for children with disabilities sponsored by a state tax-supported institution of higher education, including a technical college, regardless of distance, if the request for such transportation is approved by the state superintendent. Approval shall be based on whether or not the child can walk to school with safety and comfort. Section 121.53 shall apply to transportation provided under this subsection.

SECTION 2780. 121.79 (1) (d) (intro.) of the statutes is amended to read:

121.79 (1) (d) (intro.) For pupils in foster homes, treatment foster homes, or group homes, if the foster home, treatment foster home, or group home is located outside the school district in which the pupil's parent or guardian resides and either of the following applies:

SECTION 2781. 121.79 (1) (d) 1. of the statutes is repealed.

SECTION 2782. 121.79 (1) (d) 3. of the statutes is created to read:

121.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5), and at least 4% of the pupils enrolled in the school district reside in foster homes, treatment foster homes, or group homes that are not exempt under s. 70.11. Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

strike "and"

SECTION 2783. 121.85 (6) (e) of the statutes is amended to read:

121.85 (6) (e) Sources of aid payments. State aid under this section shall be paid from the appropriations appropriation under s. 20.255 (2) (ac) and (q).

SECTION 2784. 121.85 (8) of the statutes is amended to read:

121.85 (8) TRANSFERRED PUPILS. Pupils transferring schools under this section shall be subject to the same rules and regulations as resident pupils and shall have the responsibilities, privileges, and rights of resident pupils in the school district or attendance area. Subject to this subsection, a pupil transferring schools under either sub. (3) (a) or (b) has the right to complete his or her education at the elementary, middle, or high school to which he or she transfers so long as full funding therefor is available under s. 20.255 (2) (ac) and (q).

SECTION 2785. 121.85 (9) (c) of the statutes is amended to read:

**BILL**

1 (d) The date of the most recent capital improvement.

2 (e) Whether the new or renovated building will also be used by another school  
3 district.

4 **SECTION 5.** 121.07 (6) (a) (intro.) of the statutes, as affected by 2001 Wisconsin  
5 Act 16, is amended to read:

6 121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
7 and the net cost of the debt service fund, except that "shared cost" excludes any costs,  
8 including attorney fees, incurred by a school district as a result of its participation  
9 in a lawsuit commenced against the state, beginning with such costs incurred in the  
10 fiscal year in which the lawsuit is commenced; <sup>(i)</sup> excludes any expenditures from a  
11 capital improvement fund created under s. 120.135 <sup>(i)</sup> and <sup>(i)</sup> excludes the costs of  
12 transporting those transfer pupils for whom the school district operating under ch.  
13 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
14 121.85 (6) (am); and excludes debt service on debt incurred to finance any capital  
15 project, as defined in s. 120.138 (1) (b), that is not approved by the school construction  
16 board under s. 120.138. In this paragraph, "net cost of the debt service fund" includes  
17 all of the following amounts:

18 **SECTION 6.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin Act  
19 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

20 121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state  
21 school aids, other than the amounts appropriated under s. 20.255 (2) <sup>(am) and</sup> and (cv) <sup>(i)</sup>;  
22 property taxes levied for school districts <sup>(i)</sup> and aid paid to school districts under s.  
23 79.095 (4) <sup>(i)</sup> less the amount of any revenue limit increase under s. 121.91 (4) <sup>(i)</sup> ~~due~~  
24 ~~to a school board's increasing the services that it provides by adding responsibility~~  
25 ~~for providing a service transferred to it from another school board, less the amount~~

STET



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3627/1<sup>2</sup>  
MJL&PG:kg:ch  
2

2001 BILL

1 AN ACT to renumber and amend 121.15 (3m) (a) 1.; to amend 73.0305, 119.04  
2 (1) and 121.07 (6) (a) (intro.); and to create 15.105 (27), 120.138 and 121.15  
3 (3m) (a) 1. a., b. and c. of the statutes; relating to: creating a school  
4 construction board.

---

*Analysis by the Legislative Reference Bureau*

This bill creates a three-member school construction board (board), attached to the department of administration, and requires school boards who wish to receive general school aid for debt service on any project that costs at least \$5,000 and is financed through long-term borrowing to submit to the board a request for approval of the project. The board, which may approve a project in whole or in part, must base its decision on the following criteria: 1) if the project entails remodeling, renovating, or replacing a building, the age of the building; 2) whether the school district's enrollment is increasing or decreasing; 3) whether there are health or safety risks to users of current buildings; 4) the date of the most recent capital improvement; and 5) whether the new or renovated building will also be used by another school district.

Under current law, the state must determine how much general school aid to appropriate to ensure that partial school aid (general school aid and the property tax levy) equals two-thirds of state school aids (general school aids, certain categorical aids, and the school levy tax credit). In other words, the state must determine how much general school aid to appropriate to pay two-thirds of statewide school costs (two-thirds funding). Beginning in the 2004-05 school year, this bill excludes from the definition of partial school revenues the amount by which property taxes levied

**BILL**

to pay debt service exceed \$320,000,000. In subsequent school years, this amount is adjusted for inflation. The effect of this provision is to lower the amount of aid needed to meet two-thirds funding.

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

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

1           **SECTION 1.** 15.105 (27) of the statutes is created to read:

2           **15.105 (27) SCHOOL CONSTRUCTION BOARD.** There is created a school construction  
3 board, attached to the department of administration under s. 15.03. The board shall  
4 consist of 3 members appointed for 4-year terms. Two members shall be employees  
5 of the department of administration who have expertise in public finance and  
6 building construction, appointed by the secretary of administration. One member  
7 shall be an employee of the department of revenue who has expertise in public  
8 finance and building construction, appointed by the secretary of revenue.

9           **SECTION 2.** 73.0305 of the statutes, as affected by 2001 Wisconsin Act 16, is  
10 amended to read:

11           **73.0305 Revenue limits and ~~intradistrict transfer aid calculations~~**  
12 **school construction debt service.** The department of revenue shall annually  
13 determine and certify to the state superintendent of public instruction, no later than  
14 the 4th Monday in June, the allowable rate of increase under subch. VII of ch. 121  
15 **and s. 121.15 (3m) (a) 1. c.** The allowable rate of increase is the percentage change  
16 in the consumer price index for all urban consumers, U.S. city average, between the  
17 preceding March 31 and the 2nd preceding March 31, as computed by the federal  
18 department of labor.

19           **SECTION 3.** 119.04 (1) of the statutes is amended to read:



**BILL**

1           119.04 (1) Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c),  
2           115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
3           (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to  
4           118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,  
5           118.19, 118.20, 118.24 (1), (2) (c) to (f), (6), and (8), 118.245, 118.255, 118.258, 118.291,  
6           118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13  
7           (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), and (37), 120.138, 120.14, and  
8           120.25 are applicable to a 1st class city school district and board.

9           **SECTION 4.** 120.138 of the statutes is created to read:

10          **120.138 School construction board.** (1) In this section:

11          (a) "Board" means the school construction board.

12          (b) "Capital project" means a project that costs at least \$5,000 and is financed  
13 through long-term borrowing, the debt service on which the school district wishes  
14 to include in its shared cost.

15          (2) Before entering into any contract for a capital project, a school board shall  
16 submit to the board a request for approval of the project. The school board shall  
17 include with its request a maintenance schedule for all of its current and projected  
18 facilities.

19          (3) The board may approve a project in whole or in part. The board shall base  
20 its decision on the following criteria:

21          (a) If the project entails remodeling, renovating, or replacing a building, the age  
22 of the building.

23          (b) Whether the school district's membership, as defined in s. 121.004 (5), is  
24 increasing or decreasing.

25          (c) Whether there are health or safety risks to users of the current buildings.

**BILL**

1 (d) The date of the most recent capital improvement.

2 (e) Whether the new or renovated building will also be used by another school  
3 district.

4 **SECTION 5.** 121.07 (6) (a) (intro.) of the statutes, as affected by 2001 Wisconsin  
5 Act 16, is amended to read:

6 121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
7 and the net cost of the debt service fund, except that "shared cost" excludes any costs,  
8 including attorney fees, incurred by a school district as a result of its participation  
9 in a lawsuit commenced against the state, beginning with such costs incurred in the  
10 fiscal year in which the lawsuit is commenced; excludes any expenditures from a  
11 capital improvement fund created under s. 120.135 and; excludes the costs of  
12 transporting those transfer pupils for whom the school district operating under ch.  
13 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
14 121.85 (6) (am); and excludes debt service on debt incurred to finance any capital  
15 project, as defined in s. 120.138 (1) (b), that is not approved by the school construction  
16 board under s. 120.138. In this paragraph, "net cost of the debt service fund" includes  
17 all of the following amounts:

18 **SECTION 6.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin Act  
19 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

20 121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state  
21 school aids, other than the amounts appropriated under s. 20.255 (2) and (cv),  
22 property taxes levied for school districts and aid paid to school districts under s.  
23 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due  
24 to a school board's increasing the services that it provides by adding responsibility  
25 for providing a service transferred to it from another school board, less the amount

**BILL**

1 of any revenue limit increase under s. 121.91 (4) (a) 3., less the amount of any revenue  
2 limit increase under s. 121.91 (4) (j), less the amount of any revenue limit increase  
3 under s. 121.91 (4) (h), less the amount of any property taxes levied for the purpose  
4 of s. 120.13 (19), and less an amount equal to 45% of the amount estimated to be paid  
5 under s. 119.23 (4) and (4m), and less the amount by which the amount of property  
6 taxes levied to pay debt service exceeds an amount determined as follows:

7 **SECTION 7.** 121.15 (3m) (a) 1. a., b. and c. of the statutes are created to read:

8 121.15 (3m) (a) 1. a. In the 2003-04 school year, \$320,000,000.

9 b. In the 2004-05 school year, \$320,000,000 multiplied by the sum of 1.0 plus  
10 the allowable rate of increase under s. 73.0305 expressed as a decimal.

11 c. In the 2005-06 school year and in any school year thereafter, the amount  
12 determined in the previous school year under this subd. 1. c. or under subd. 1. b.  
13 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305  
14 expressed as a decimal.

15 **SECTION 8. Nonstatutory provisions.**

16 (1) Notwithstanding section 15.105 (27) of the statutes, as created by this act,  
17 one of the initial members of the school construction board shall be appointed for a  
18 term expiring on May 1, 2003; one of the initial members of the school construction  
19 board shall be appointed for a term expiring on May 1, 2005; and one of the initial  
20 members of the school construction board shall be appointed for a term expiring on  
21 May 1, 2007.

22 **SECTION 9. Initial applicability.** (1) The treatment of section 120.138 of the  
23 statutes first applies to contracts entered into on the effective date of this paragraph.

BILL

*auto ref "KA"*

*subsection*

1

~~2~~ The treatment of section 121.07 (6) (a) (intro.) of the statutes first applies  
2 to debt service on debt incurred to finance a capital project submitted to the school  
3 construction board for approval on the effective date of this paragraph.

2

3

4

**SECTION 10. Effective dates.** This act takes effect on the day after publication,

5

except as follows:

6

(1) The treatment of sections 120.138 and 121.07 (6) (a) (intro.) of the statutes

7

and SECTION 9 of this act take effect on July 1, 2002.

8

(END)

*a.r.*

*auto ref. "KA"*



From /  
LRB-3627/  
MJL&PG:kg:ch  
2

2001 BILL

RM run

Gen. Cat.  
regenerate

aid for school districts  
School construction costs  
and granting rule-  
making  
authority

1 AN ACT to renumber and amend 121.15 (3m) (a) 1., to amend 73.0305, 119.04  
2 (1) and 121.07 (6) (a) (intro.); and to create 15.105 (27), 120.138 and 121.15  
3 (3m) (a) 1. a., b. and c. of the statutes; relating to: ~~creating a school~~  
4 ~~construction board.~~

fund shared

Analysis by the Legislative Reference Bureau

~~This bill creates a three-member school construction board (board), attached to the department of administration, and requires school districts to receive general school aid for debt service on any project that costs at least \$5,000 and is financed through long-term borrowing to submit to the board a request for approval of the project. The board, which may approve a project in whole or in part, must base its decision on the following criteria: 1) if the project entails remodeling, renovating, or replacing a building, the age of the building; 2) whether the school district's enrollment is increasing or decreasing; 3) whether there are health or safety risks to users of current buildings; 4) the date of the most recent capital improvement; and 5) whether the new or renovated building will also be used by another school district.~~

Under current law, the state must determine how much general school aid to appropriate to ensure that partial school aid (general school aid and the property tax levy) equals two-thirds of state school aids (general school aid, certain categorical aids, and the school levy tax credit). In other words, the state must determine how much general school aid to appropriate to pay two-thirds of statewide school costs ~~(two-thirds funding)~~. Beginning in the 2004-05 school year, this bill excludes from the definition of partial school revenues the amount ~~by which~~ property taxes levied

start analysis here

fund shared cost (school district expenditures that are aidable through the general school aid for ~~in~~) In

fund from shared cost

fund cost

**BILL**

*paid school districts*

*on debt incurred to finance construction other than the construction of academic classrooms*

*agreed to*

to pay debt service ~~exceed \$220,000,000~~. *use* ~~On subsequent school years, this amount is adjusted for inflation. The effect of this provision is to lower the amount of aid needed to meet two-thirds funding.~~ *but it includes the*

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

*and to reduce the amount of general school aid paid to school districts who incur such debt service*  
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**BILL INSERT**

**1** SECTION 1. 15.105 (27) of the statutes is created to read:

2 15.105 (27) SCHOOL CONSTRUCTION BOARD. There is created a school construction  
3 board, attached to the department of administration under s. 15.03. The board shall  
4 consist of 3 members appointed for 4-year terms. Two members shall be employees  
5 of the department of administration who have expertise in public finance and  
6 building construction, appointed by the secretary of administration. One member  
7 shall be an employee of the department of revenue who has expertise in public  
8 finance and building construction, appointed by the secretary of revenue.

9 SECTION 2. 73.0305 of the statutes, as affected by 2001 Wisconsin Act 16, is  
10 amended to read:

11 ~~73.0305 Revenue limits and intradistrict transfer aid calculations~~  
12 ~~school construction debt service.~~ The department of revenue shall annually  
13 determine and certify to the state superintendent of public instruction, no later than  
14 the 4th Monday in June, the allowable rate of increase under subch. VII of ch. 121  
15 and s. 121.15 (3m) (a) 1. c. The allowable rate of increase is the percentage change  
16 in the consumer price index for all urban consumers, U.S. city average, between the  
17 preceding March 31 and the 2nd preceding March 31, as computed by the federal  
18 department of labor.

19 SECTION 3. 119.04 (1) of the statutes is amended to read:

**BILL**

1 119.04 (1) Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c),  
2 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
3 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to  
4 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,  
5 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6), and (8), 118.245, 118.255, 118.258, 118.291,  
6 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (29), 120.125, 120.13  
7 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), and (37), 120.138, 120.14, and  
8 120.25 are applicable to a 1st class city school district and board.

9 **SECTION 4.** 120.138 of the statutes is created to read:

10 **120.138 School construction board. (1)** In this section:

11 (a) "Board" means the school construction board.

12 (b) "Capital project" means a project that costs at least \$5,000 and is financed  
13 through long-term borrowing, the debt service on which the school district wishes  
14 to include in its shared cost.

15 (2) Before entering into any contract for a capital project, a school board shall  
16 submit to the board a request for approval of the project. The school board shall  
17 include with its request a maintenance schedule for all of its current and projected  
18 facilities.

19 (3) The board may approve a project in whole or in part. The board shall base  
20 its decision on the following criteria:

21 (a) If the project entails remodeling, renovating, or replacing a building, the age  
22 of the building.

23 (b) Whether the school district's membership, as defined in s. 121.004 (5), is  
24 increasing or decreasing.

25 (c) Whether there are health or safety risks to users of the current buildings.

## BILL

1 (d) The date of the most recent capital improvement.

2 (e) Whether the new or renovated building will also be used by another school  
3 district.

4 **SECTION 5.** 121.07 (6) (a) (intro.) of the statutes, as affected by 2001 Wisconsin  
5 Act 16, is amended to read:

6 121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
7 and the net cost of the debt service fund, except that "shared cost" excludes any costs,  
8 including attorney fees, incurred by a school district as a result of its participation  
9 in a lawsuit commenced against the state, beginning with such costs incurred in the  
10 fiscal year in which the lawsuit is commenced; excludes any expenditures from a  
11 capital improvement fund created under s. 120.135 and; excludes the costs of  
12 transporting those transfer pupils for whom the school district operating under ch.  
13 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
14 121.85 (6) (am); and excludes debt service on debt incurred to finance any capital  
15 project, as defined in s. 120.138 (1) (b), that is not approved by the school construction  
16 board under s. 120.138. In this paragraph, "net cost of the debt service fund" includes  
17 all of the following amounts:

18 **SECTION 6.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin Act  
19 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

20 121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state  
21 school aids, other than the amounts appropriated under s. 20.255 (2) and (cv),  
22 property taxes levied for school districts and aid paid to school districts under s.  
23 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due  
24 to a school board's increasing the services that it provides by adding responsibility  
25 for providing a service transferred to it from another school board, less the amount



**BILL**

1 of any revenue limit increase under s. 121.91 (4) (a) 3., less the amount of any revenue  
 2 limit increase under s. 121.91 (4) (j), less the amount of any revenue limit increase  
 3 under s. 121.91 (4) (h), less the amount of any property taxes levied for the purpose  
 4 of s. 120.13 (19), and less an amount equal to 45% of the amount estimated to be paid  
 5 under s. 119.23 (4) and (4m), and less the amount by which the amount of property  
 6 taxes levied to pay debt service exceeds an amount determined as follows:

7 **SECTION 7.** 121.15 (3m) (a) 1. a., b. and c. of the statutes are created to read:

8 121.15 (3m) (a) 1. a. In the 2003-04 school year, \$320,000,000.

9 b. In the 2004-05 school year, \$320,000,000 multiplied by the sum of 1.0 plus  
 10 the allowable rate of increase under s. 73.0305 expressed as a decimal.

11 c. In the 2005-06 school year and in any school year thereafter, the amount  
 12 determined in the previous school year under this subd. 1. c. or under subd. 1. b.  
 13 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305  
 14 expressed as a decimal.

15 **SECTION 8. Nonstatutory provisions.**

16 (1) Notwithstanding section 15.105 (27) of the statutes, as created by this act,  
 17 one of the initial members of the school construction board shall be appointed for a  
 18 term expiring on May 1, 2003; one of the initial members of the school construction  
 19 board shall be appointed for a term expiring on May 1, 2005; and one of the initial  
 20 members of the school construction board shall be appointed for a term expiring on  
 21 May 1, 2007.

22 **SECTION 9. Initial applicability.** (1) The treatment of section 120.138 of the  
 23 statutes first applies to contracts entered into on the effective date of this paragraph.

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**BILL**

1 ~~(2) The treatment of section 121.07 (6) (a) (intro.) of the statutes first applies~~  
2 ~~to debt service on debt incurred to finance a capital project submitted to the school~~  
3 ~~construction board for approval on the effective date of this paragraph.~~

4 **SECTION 10. Effective dates.** This act takes effect on the day after publication,  
5 except as follows:

6 ~~(1) The treatment of sections 120.138 and 121.07 (6) (a) (intro.) of the statutes~~  
7 ~~and SECTION 9 of this act take effect on July 1, 2002.~~

8

**(END)**

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB  
.....

BILL INSERT 19 -3627/2

(Inserts to this bill insert are attached)

SECTION 1. 121.07(6) (a) of the statutes is amended to read:

[INSERT A] (circled)

SECTION 2. 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids, other than the amounts appropriated under s. 20.255 (2) and (cv), property taxes levied for school districts and aid paid to school districts under s. 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board's increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board, less the amount of any revenue limit increase under s. 121.91 (4) (a) 3., less the amount of any revenue limit increase under s. 121.91 (4) (j), less the amount of any revenue limit increase under s. 121.91 (4) (h), less the amount of any property taxes levied for the purpose of s. 120.13 (19), and less an amount equal to 45% of the amount estimated to be paid under s. 119.23 (4) and (4m), and less the amount of property taxes levied to pay debt service on debt incurred to finance ~~any~~ construction other than the construction of academic classrooms, as defined by the department by rule.

4/01 Act 16

SECTION 3. Nonstatutory provisions.

# (1) [INSERT NONSTAT]

SECTION 4. Initial applicability.

# (1) [INSERT INITIAL APP]



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0232/P2  
PG&MJL:kmg:kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY AMENDMENT,  
TO 2001 ASSEMBLY BILL 144

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

2 ~~W. Page 1162, line 14: after that line insert.~~

*JWS A to EN / 2 ins*

3 ~~SECTION 2765~~ 121.07 (6) (a) (intro.) of the statutes is amended to read:

4 121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
5 and the net cost of the debt service fund, except that "shared cost" excludes any costs,  
6 including attorney fees, incurred by a school district as a result of its participation  
7 in a lawsuit commenced against the state, beginning with such costs incurred in the  
8 fiscal year in which the lawsuit is commenced; excludes any expenditures from a  
9 capital improvement fund created under s. 120.135 and; excludes the costs of  
10 transporting those transfer pupils for whom the school district operating under ch.  
11 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
12 121.85 (6) (am); and excludes debt service on debt incurred to finance construction

*Other inserts in back*

1 other than the construction of academic classrooms, as defined by the department  
2 by rule. In this paragraph, "net cost of the debt service fund" includes all of the  
3 following amounts:

4 2. Page 1165, line 20: delete ", and" and substitute "and."

5 3. Page 1165, line 21: after "(b)" insert "and less the amount of property taxes  
6 levied to pay debt service on debt incurred to finance any construction other than the  
7 construction of academic classrooms, as defined by the department by rule".

8 4. Page 1737, line 12: after that line insert:

9 "(20w) SCHOOL CONSTRUCTION. The departments of administration and revenue,  
10 in consultation with the legislative fiscal bureau, shall determine the average cost  
11 of constructing public academic classrooms for kindergarten through 12th grade. By  
12 January 1, 2002, the departments shall jointly submit a report to the governor, and  
13 to the legislature in the manner provided under section 13.172 (2) of the statutes,  
14 recommending a formula for determining the percentage of academic classroom  
15 construction cost that should be included in a school district's shared cost and in  
16 partial school revenues, as defined in section 121.15 (3m) (a) 1. of the statutes.

17 5. Page 1803/ line 14: after that line insert:

18 "(3a) SPECIAL CONSTRUCTION. The treatment of sections 121.07 (6) (a) (intra.)  
19 and 121.15 (3m) (a) 1 of the statutes first applies to state aid distributed in the  
20 2002-03 school year.

21 (END)

Keep

~~Handwritten signature/initials~~

INS NONSTI  
to 12115

INS  
INIT.  
APP  
to  
12115

September 12, 2001

To: Madelon J. Lief, Legislative Attorney

From: Representative Gregg Underheim

Re: LRB 3627/1

Please redraft LRB 3627/1 to reflect the language in budget amendment LRBb0232/P2. If you have question, please contact Gary Radloff of my legislative staff at 266-2254.

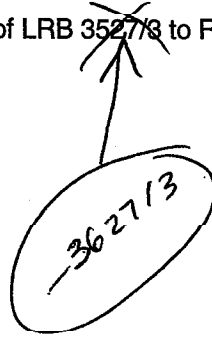
**Barman, Mike**

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**From:** Radloff, Gary  
**Sent:** Friday, October 05, 2001 1:04 PM  
**To:** Barman, Mike  
**Subject:** LRB 3627/3 electronic version request

Mike:

Could you please email an electronic version of LRB ~~3527/3~~ to Rep. Underheim? Thank you.





# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

October 4, 2001

### MEMORANDUM

To: Representative Underheim

From: Madelon J. Lief, Legislative Attorney

Re: LRB-3627/3 School construction board

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY     JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7380 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.