

2001 DRAFTING REQUEST

Bill

Received: 11/01/2000

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1923

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - miscellaneous

Extra Copies: MJL

Pre Topic:

DOA:.....Maternowski -

Topic:

Eliminate obsolete DPI appropriations

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 11/03/2000	csicilia 11/06/2000		_____			
/1			martykr 11/06/2000	_____	lrb_docadmin 11/06/2000		
/2	grantpr 11/15/2000	csicilia 11/16/2000	martykr 11/16/2000	_____	lrb_docadmin 11/16/2000		
/3	grantpr 02/06/2001	wjackson 02/06/2001	kfollet 02/06/2001	_____	lrb_docadmin 02/06/2001		

FE Sent For:

<END>

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/2	grantpr 11/15/2000	csicilia 11/16/2000	martykr 11/16/2000		lrb_docadmin 11/16/2000		

13 WJ 2/6

Handwritten signatures and initials: KJL, TJP, PG, 2/6

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/1		1/2 cjs 11/16 00	martykr 11/06/2000		lrb_docadmin 11/06/2000		

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1?	grantpr	1 cjs 11/6 00	Km'6	RS Km'6			

FE Sent For:

<END>

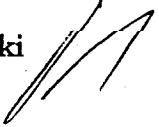
STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: October 30, 2000
To: Stephen Miller, Chief
Legislative Reference Bureau
From: Peter Maternowski 
Subject: 2001-2003 Budget Drafting Requests

Please draft the following items for possible inclusion in the Governor's 2001-2003 biennial budget bill. The items are arranged in three groups: 1) drafts that should be converted from agency requests to Governor's budget items, 2) agency requests that should be modified and drafted as Governor's items, 3) new drafting requests.

The agency requests that should be converted to Governor's drafts are included in the table below.

Convert to DOA Drafts	LRB Draft #	Drafter	
Eliminate Obsolete Appropriations (DPI)	0142/1	Grant	✓
MPCP Application Date (DPI)	0136/1	Grant	✓
Open Enrollment Applicability for Continuing Students (DPI)	0030/P2	Lief	✓
Administration of WKCE exams once per year (DPI)	0140/1	Grant	✓
Eliminate parental Opt-out (DPI)	0132/1	Grant	✓
Low Revenue Limit Ceiling Increase (DPI)	0120/P1	Lief	✓
Non-referenda School District Borrowing (DPI) cp. w/ Quarles & Brady proposal	0138/1	Grant	✓
Special Education Aid, High Cost Program (DPI)	0106/P3	Lief	✓
Bi-lingual/ bi-cultural aid (DPI)	0114/P1	Lief	✓
SAGE bonding changes (DPI)	0129/P1	Lief	✓
Assessment Appropriation consolidation	0125/P1	Lief	✓
Availability of Pupil Assessment Info (DPI)	0145/1	Grant	✓
Part-time open enrollment (DPI)	0137/1	Grant	✓

The items listed in the following table are agency drafts that should be drafted as Governor's budget items with the modifications indicated in the last column of the table.

**DEPARTMENT OF PUBLIC INSTRUCTION
2001-03 BIENNIAL BUDGET
DRAFTING REQUEST TO THE LEGISLATIVE REFERENCE BUREAU**

Draft for Possible 2001-03 Budget Bill Introduction (*Agency Decision Item No. XXXX*)

Subject: Eliminate Obsolete Appropriations

Request Date: July 27, 2000

Reviewed by: Michael J. TeRonde
Michael TeRonde, Agency Legislative Liaison

Agency Contact: Gayle Krueger
Policy and Budget Team
266-3892

Brief Description of Intent:

Remove from Chapter 20 language referring to obsolete appropriations.

Related Stat. Citations:

~~Section 20.255 (1) (hf)~~ (per Gayle)
Section 20.255 (2) (bi) — 20.255 (2) (ac), 121.15 (3m) (a) 11.
Section 20.255 (2) (br) — 115.88 (2), 115.882
Section 20.255 (2) (q) — 13.101 (6) (a), 16.50 (1) (b), 16.52 (10), 121.007, 121.09 (1),
121.105 (2) (a) 3., (3), 121.15 (1m) (a) 2., 121.85 (2) (e), (8), (9) (c)

⇒ Additional material(s) are attached if checked

2001

Date (time) needed

LRB-0886 / 1

DOA BUDGET DRAFT

PG: cjs

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

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

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

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

SECTION #.

LRB - 0886/1

PG: cjs

2001 BILL

1 AN ACT ~~to repeal 20.255 (2) (bi), 20.255 (2) (br), 20.255 (2) (r), 121.15 (1m) (a) 1,~~
 2 ~~and 121.15 (1m) (a) 2; to consolidate, renumber and amend 121.15 (1m) (a)~~
 3 ~~(intro.) and 3; and to amend 13.101 (6) (a), 16.50 (1) (b), 16.52 (10), 20.255 (2)~~
 4 ~~(ac), 115.88 (2), 115.882, 121.007, 121.09 (1), 121.105 (2) (a) 3, 121.105 (3),~~
 5 ~~121.15 (1m) (b), 121.15 (3m) (a) 1, 121.85 (6) (e), 121.85 (8) and 121.85 (9) (e)~~
 6 ~~of the statutes; relating to:~~ eliminating obsolete appropriations to the
 7 department of public instruction.

EDUCATION ^{head}
 PRIMARY AND SECONDARY EDUCATION _(sub)

Analysis by the Legislative Reference Bureau

This bill eliminates from the statutes three obsolete appropriations.

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

8 SECTION 1. 13.101 (6) (a) of the statutes is amended to read:
 9 13.101 (6) (a) As an emergency measure necessitated by decreased state
 10 revenues and to prevent the necessity for a state tax on general property, the

BILL**SECTION 1**

1 committee may reduce any appropriation made to any board, commission,
2 department, the University of Wisconsin System or to any other state agency or
3 activity by such amount as it deems feasible, not exceeding 25% of the
4 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
5 (cr) ~~and (q)~~, 20.395 (1), (2) (cq), (eq) to (ex), and (gq) to (gx), (3), (4) (aq) to (ax), and
6 (6) (aq) and (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
7 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
8 village, town or school district. Appropriations of receipts and of a sum sufficient
9 shall for the purposes of this section be regarded as equivalent to the amounts
10 expended under such appropriations in the prior fiscal year which ended June 30.
11 All functions of said state agencies shall be continued in an efficient manner, but
12 because of the uncertainties of the existing situation no public funds should be
13 expended or obligations incurred unless there shall be adequate revenues to meet the
14 expenditures therefor. For such reason the committee may make reductions of such
15 appropriations as in its judgment will secure sound financial operations of the
16 administration for said state agencies and at the same time interfere least with their
17 services and activities.

18 **SECTION 2.** 16.50 (1) (b) of the statutes is amended to read:

19 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
20 (2) (ac) ~~and (q)~~, 20.835, and 20.865 (4).

21 **SECTION 3.** 16.52 (10) of the statutes is amended to read:

22 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
23 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal
24 year shall not apply to the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
25 (q).

BILL

1 **SECTION 4.** 20.255 (2) (ac) of the statutes is amended to read:

2 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
3 educational aids under ss. 121.08, 121.09, and 121.105 and subch. VI of ch. 121 equal
4 to \$3,767,893,500 in the 1999-2000 fiscal year and equal to the amount determined
5 by the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year
6 thereafter, ~~less the amount appropriated under par. (bi).~~

7 **SECTION 5.** 20.255 (2) (bi) of the statutes is repealed.

8 **SECTION 6.** 20.255 (2) (br) of the statutes is repealed.

9 **SECTION 7.** 20.255 (2) (q) of the statutes is repealed.

10 **SECTION 8.** 115.88 (2) of the statutes is amended to read:

11 115.88 (2) **TRANSPORTATION AID.** If upon receipt of the plan under s. 115.77 (4)
12 the state superintendent is satisfied that the transportation of children with
13 disabilities has been maintained during the preceding year in accordance with the
14 law, the state superintendent shall certify to the department of administration in
15 favor of each county, cooperative educational service agency, or school district
16 transporting such pupils an amount equal to the amount expended for such
17 transportation as costs eligible for reimbursement from the ~~appropriations~~
18 appropriation under s. 20.255 (2) (b) and ~~(br)~~. Pupils for whom aid is paid under this
19 subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection
20 applies to any child with a disability who requires special assistance in
21 transportation, including any such child attending regular classes who requires
22 special or additional transportation. This subsection does not apply to any child with
23 a disability attending regular or special classes who does not require any special or
24 additional transportation.

25 **SECTION 9.** 115.882 of the statutes is amended to read:

BILL**SECTION 9**

1 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
2 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement
3 from the ~~appropriations~~ appropriation under s. 20.255 (2) (b) ~~and (br)~~ under ss.
4 115.88 (1m) to (3), (6), and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate
5 set to distribute the full amount appropriated for reimbursement for such costs, not
6 to exceed 100%.

7 **SECTION 10.** 121.007 of the statutes is amended to read:

8 **121.007 Use of state aid; exemption from execution.** All moneys paid to
9 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) ~~and (q)~~ shall be used by
10 the school district solely for the purposes for which paid. Such moneys are exempt
11 from execution, attachment, garnishment, or other process in favor of creditors,
12 except as to claims for salaries or wages of teachers and other school employees and
13 as to claims for school materials, supplies, fuel, and current repairs.

14 **SECTION 11.** 121.09 (1) of the statutes is amended to read:

15 **121.09 (1)** If, on or after July 1, 1980, the tax appeals commission or a court
16 makes a final redetermination on the assessment of property subject to taxation
17 under s. 70.995 that is lower than the previous assessment, or if, on or after January
18 1, 1982, the state board of assessors makes a final redetermination on the
19 assessment of property subject to taxation under s. 70.995 that is lower than the
20 previous assessment, the school board of the school district in which the property is
21 located may, within 4 years after the date of the determination, decision, or
22 judgment, file the determination of the state board of assessors, the decision of the
23 tax appeals commission, or the judgment of the court with the state superintendent,
24 requesting an adjustment in state aid to the school district. If the state
25 superintendent determines that the determination, decision, or judgment is final

BILL

1 and that it has been filed within the 4-year period, the state shall pay to the school
2 district in the subsequent fiscal year, from the ~~appropriations~~ appropriation under
3 s. 20.255 (2) (ac) and ~~(q)~~, an amount equal to the difference between the state aid
4 computed under s. 121.08 for the school year commencing after the year subject to
5 the valuation recertification, using the school district's equalized valuation as
6 originally certified, and the state aid computed under s. 121.08 for that school year
7 using the school district's equalized valuation as recertified under s. 70.57 (2).

8 **SECTION 12.** 121.105 (2) (a) 3. of the statutes is amended to read:

9 121.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. in the
10 1998–99 school year shall receive the greater of the aid amounts under subd. 1. or
11 2. The additional aid shall be paid from the ~~appropriations~~ appropriation under s.
12 20.255 (2) (ac) and ~~(q)~~.

13 **SECTION 13.** 121.105 (3) of the statutes is amended to read:

14 121.105 (3) In the school year in which a school district consolidation takes
15 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the
16 consolidated school district's state aid shall be an amount that is not less than the
17 aggregate state aid received by the consolidating school districts in the school year
18 prior to the school year in which the consolidation takes effect. The additional state
19 aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
20 ~~(q)~~.

21 **SECTION 14.** 121.15 (1m) (a) (intro.) and 3. of the statutes are consolidated,
22 renumbered 121.15 (1m) (a) and amended to read:

23 121.15 (1m) (a) Notwithstanding subs. (1) and (1g), ~~a portion of state aid to~~
24 ~~school districts shall be distributed as follows:~~ 3. ~~Beginning~~ beginning in the
25 1999–2000 school year, annually the state shall pay to school districts, from the

BILL

1 appropriation under s. 20.255 (2) (ac), \$75,000,000 on the 4th Monday in July of the
2 following school year.

3 **SECTION 15.** 121.15 (1m) (a) 1. of the statutes is repealed.

4 **SECTION 16.** 121.15 (1m) (a) 2. of the statutes is repealed.

5 **SECTION 17.** 121.15 (1m) (b) of the statutes is amended to read:

6 121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced
7 proportionally to reflect the ~~payments~~ payment made under par. (a). School districts
8 shall treat the ~~payments~~ payment made in July under par. (a) as if ~~they~~ it had been
9 received in the previous school year.

10 **SECTION 18.** 121.15 (3m) (a) 1. of the statutes is amended to read:

11 121.15 (3m) (a) 1. “Partial school revenues” means the sum of state school aids,
12 other than the ~~amounts~~ amount appropriated under s. 20.255 (2) (~~bi~~) and (cv);
13 property taxes levied for school districts; and aid paid to school districts under s.
14 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due
15 to a school board’s increasing the services that it provides by adding responsibility
16 for providing a service transferred to it from another school board, less the amount
17 of any revenue limit increase under s. 121.91 (4) (a) 3., and less the amount of any
18 revenue limit increase under s. 121.91 (4) (h).

19 **SECTION 19.** 121.85 (6) (e) of the statutes is amended to read:

20 121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be
21 paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and (q).

22 **SECTION 20.** 121.85 (8) of the statutes is amended to read:

23 121.85 (8) TRANSFERRED PUPILS. Pupils transferring schools under this section
24 shall be subject to the same rules and regulations as resident pupils and shall have
25 the responsibilities, privileges, and rights of resident pupils in the school district or

BILL

1 attendance area. Subject to this subsection, a pupil transferring schools under either
2 sub. (3) (a) or (b) has the right to complete his or her education at the elementary,
3 middle, or high school to which he or she transfers so long as full funding therefor
4 is available under s. 20.255 (2) (ac) and (q).

5 **SECTION 21.** 121.85 (9) (c) of the statutes is amended to read:

6 121.85 (9) (c) The obligation under par. (a) to organize planning councils shall
7 apply only with regard to school terms for which full pupil transfer aids are
8 appropriated under s. 20.255 (2) (ac) and (q) and planning council assistance funds
9 are appropriated under s. 20.255 (1) (a).

10

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0886/1

PG:js/km

SOON

2
P. 3

DOA:.....Maternowski - Eliminate obsolete DPI appropriations

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Do NOT
GEN

1 AN ACT ~~...~~; relating to: eliminating obsolete appropriations to the department
2 of public instruction.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill eliminates from the statutes three obsolete appropriations.

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

3 SECTION 1. 13.101 (6) (a) of the statutes is amended to read:
4 13.101 (6) (a) As an emergency measure necessitated by decreased state
5 revenues and to prevent the necessity for a state tax on general property, the
6 committee may reduce any appropriation made to any board, commission,
7 department, the University of Wisconsin System or to any other state agency or

1 activity by such amount as it deems feasible, not exceeding 25% of the
2 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
3 (cr) ~~and (q)~~, 20.395 (1), (2) (cq), (eq) to (ex), and (gq) to (gx), (3), (4) (aq) to (ax), and
4 (6) (aq) and (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
5 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
6 village, town or school district. Appropriations of receipts and of a sum sufficient
7 shall for the purposes of this section be regarded as equivalent to the amounts
8 expended under such appropriations in the prior fiscal year which ended June 30.
9 All functions of said state agencies shall be continued in an efficient manner, but
10 because of the uncertainties of the existing situation no public funds should be
11 expended or obligations incurred unless there shall be adequate revenues to meet the
12 expenditures therefor. For such reason the committee may make reductions of such
13 appropriations as in its judgment will secure sound financial operations of the
14 administration for said state agencies and at the same time interfere least with their
15 services and activities.

16 **SECTION 2.** 16.50 (1) (b) of the statutes is amended to read:

17 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
18 (2) (ac) ~~and (q)~~, 20.835, and 20.865 (4).

19 **SECTION 3.** 16.52 (10) of the statutes is amended to read:

20 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
21 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal
22 year shall not apply to the appropriations appropriation under s. 20.255 (2) (ac) ~~and~~
23 (q).

24 **SECTION 4.** 20.255 (2) (ac) of the statutes is amended to read:

*** note: bud

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20.255 (2) (ac) *General equalization aids*. A sum sufficient for the payment of educational aids under ss. 121.08, 121.09, and 121.105 and subch. VI of ch. 121 equal to \$3,767,893,500 in the 1999-2000 fiscal year and equal to the amount determined by the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year thereafter, ~~less the amount appropriated under par. (bi).~~

SECTION 5. 20.255 (2) (bi) of the statutes is repealed.

SECTION 6. 20.255 (2) (br) of the statutes is repealed.

SECTION 7. 20.255 (2) (q) of the statutes is repealed.

SECTION 8. 115.88 (2) of the statutes is amended to read:

115.88 (2) **TRANSPORTATION AID.** If upon receipt of the plan under s. 115.77 (4) the state superintendent is satisfied that the transportation of children with disabilities has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency, or school district transporting such pupils an amount equal to the amount expended for such transportation as costs eligible for reimbursement from the appropriations appropriation under s. 20.255 (2) (b) ~~and (br)~~. Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection applies to any child with a disability who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with a disability attending regular or special classes who does not require any special or additional transportation.

SECTION 9. 115.882 of the statutes is amended to read:

1 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
2 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement
3 from the ~~appropriations~~ appropriation under s. 20.255 (2) (b) ~~and (br)~~ under ss.
4 115.88 (1m) to (3), (6), and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate
5 set to distribute the full amount appropriated for reimbursement for such costs, not
6 to exceed 100%.

7 **SECTION 10.** 121.007 of the statutes is amended to read:

8 **121.007 Use of state aid; exemption from execution.** All moneys paid to
9 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) ~~and (q)~~ shall be used by
10 the school district solely for the purposes for which paid. Such moneys are exempt
11 from execution, attachment, garnishment, or other process in favor of creditors,
12 except as to claims for salaries or wages of teachers and other school employees and
13 as to claims for school materials, supplies, fuel, and current repairs.

14 **SECTION 11.** 121.09 (1) of the statutes is amended to read:

15 **121.09 (1)** If, on or after July 1, 1980, the tax appeals commission or a court
16 makes a final redetermination on the assessment of property subject to taxation
17 under s. 70.995 that is lower than the previous assessment, or if, on or after January
18 1, 1982, the state board of assessors makes a final redetermination on the
19 assessment of property subject to taxation under s. 70.995 that is lower than the
20 previous assessment, the school board of the school district in which the property is
21 located may, within 4 years after the date of the determination, decision, or
22 judgment, file the determination of the state board of assessors, the decision of the
23 tax appeals commission, or the judgment of the court with the state superintendent,
24 requesting an adjustment in state aid to the school district. If the state
25 superintendent determines that the determination, decision, or judgment is final

1 and that it has been filed within the 4-year period, the state shall pay to the school
2 district in the subsequent fiscal year, from the ~~appropriations~~ appropriation under
3 s. 20.255 (2) (ac) and ~~(q)~~, an amount equal to the difference between the state aid
4 computed under s. 121.08 for the school year commencing after the year subject to
5 the valuation recertification, using the school district's equalized valuation as
6 originally certified, and the state aid computed under s. 121.08 for that school year
7 using the school district's equalized valuation as recertified under s. 70.57 (2).

8 **SECTION 12.** 121.105 (2) (a) 3. of the statutes is amended to read:

9 121.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. in the
10 1998-99 school year shall receive the greater of the aid amounts under subd. 1. or
11 2. The additional aid shall be paid from the ~~appropriations~~ appropriation under s.
12 20.255 (2) (ac) and ~~(q)~~.

13 **SECTION 13.** 121.105 (3) of the statutes is amended to read:

14 121.105 (3) In the school year in which a school district consolidation takes
15 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the
16 consolidated school district's state aid shall be an amount that is not less than the
17 aggregate state aid received by the consolidating school districts in the school year
18 prior to the school year in which the consolidation takes effect. The additional state
19 aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
20 ~~(q)~~.

21 **SECTION 14.** 121.15 (1m) (a) (intro.) and 3. of the statutes are consolidated,
22 renumbered 121.15 (1m) (a) and amended to read:

23 121.15 (1m) (a) Notwithstanding subs. (1) and (1g), ~~a portion of state aid to~~
24 ~~school districts shall be distributed as follows:~~ 3. Beginning beginning in the
25 1999-2000 school year, annually the state shall pay to school districts, from the

1 appropriation under s. 20.255 (2) (ac), \$75,000,000 on the 4th Monday in July of the
2 following school year.

3 **SECTION 15.** 121.15 (1m) (a) 1. of the statutes is repealed.

4 **SECTION 16.** 121.15 (1m) (a) 2. of the statutes is repealed.

5 **SECTION 17.** 121.15 (1m) (b) of the statutes is amended to read:

6 121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced
7 proportionally to reflect the ~~payments~~ payment made under par. (a). School districts
8 shall treat the ~~payments~~ payment made in July under par. (a) as if ~~they~~ it had been
9 received in the previous school year.

10 **SECTION 18.** 121.15 (3m) (a) 1. of the statutes is amended to read:

11 121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids,
12 other than the amounts amount appropriated under s. 20.255 (2) ~~(bi) and (cv)~~;
13 property taxes levied for school districts; and aid paid to school districts under s.
14 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due
15 to a school board's increasing the services that it provides by adding responsibility
16 for providing a service transferred to it from another school board, less the amount
17 of any revenue limit increase under s. 121.91 (4) (a) 3., and less the amount of any
18 revenue limit increase under s. 121.91 (4) (h).

19 **SECTION 19.** 121.85 (6) (e) of the statutes is amended to read:

20 121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be
21 paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (q)~~.

22 **SECTION 20.** 121.85 (8) of the statutes is amended to read:

23 121.85 (8) TRANSFERRED PUPILS. Pupils transferring schools under this section
24 shall be subject to the same rules and regulations as resident pupils and shall have
25 the responsibilities, privileges, and rights of resident pupils in the school district or

1 attendance area. Subject to this subsection, a pupil transferring schools under either
2 sub. (3) (a) or (b) has the right to complete his or her education at the elementary,
3 middle, or high school to which he or she transfers so long as full funding therefor
4 is available under s. 20.255 (2) (ac) ~~and (e)~~.

5 **SECTION 21.** 121.85 (9) (c) of the statutes is amended to read:

6 121.85 (9) (c) The obligation under par. (a) to organize planning councils shall
7 apply only with regard to school terms for which full pupil transfer aids are
8 appropriated under s. 20.255 (2) (ac) ~~and (e)~~ and planning council assistance funds
9 are appropriated under s. 20.255 (1) (a).

10 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0886/2

PG:cjs:kw

ZL WLJ

DN

DOA:.....Maternowski - Eliminate obsolete DPI appropriations

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

TODAY

DO NOT GEN

1 AN ACT ...; relating to: eliminating obsolete appropriations to the department
2 of public instruction.

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill eliminates from the statutes three obsolete appropriations.

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

3 SECTION 1. 13.101 (6) (a) of the statutes is amended to read:

4 13.101 (6) (a) As an emergency measure necessitated by decreased state
5 revenues and to prevent the necessity for a state tax on general property, the
6 committee may reduce any appropriation made to any board, commission,
7 department, the University of Wisconsin System or to any other state agency or

or

↑

(fg) to (fx)

1 activity ⁵ (by such amount as it deems feasible, not exceeding 25% of the
 2 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
 3 (cr) and (q), 20.395 (1), (2) (cq), ~~(eq) to (ex)~~, and (gq) to (gx), (3), (4) (aq) to (ax), and
 4 (6) (aq) and (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
 5 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
 6 village, town, or school district. Appropriations of receipts and of a sum sufficient
 7 shall for the purposes of this section be regarded as equivalent to the amounts
 8 expended under such appropriations in the prior fiscal year which ended June 30.
 9 All functions of said state agencies shall be continued in an efficient manner, but
 10 because of the uncertainties of the existing situation no public funds should be
 11 expended or obligations incurred unless there shall be adequate revenues to meet the
 12 expenditures therefor. For such reason the committee may make reductions of such
 13 appropriations as in its judgment will secure sound financial operations of the
 14 administration for said state agencies and at the same time interfere least with their
 15 services and activities.

SECTION 2. 16.50 (1) (b) of the statutes is amended to read:

16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255 (2) (ac) and (q), 20.835, and 20.865 (4).

SECTION 3. 16.52 (10) of the statutes is amended to read:

16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the appropriations appropriation under s. 20.255 (2) (ac) and (q).

SECTION 4. 20.255 (2) (ac) of the statutes is amended to read:

2-15

1 20.255 (2) (ac) *General equalization aids*. A sum sufficient for the payment of
2 educational aids under ss. 121.08, 121.09, and 121.105 and subch. VI of ch. 121 equal
3 to \$3,767,893,500 in the 1999-2000 fiscal year and equal to the amount determined
4 by the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year
5 thereafter, ~~less the amount appropriated under par. (bi).~~

6 **SECTION 5.** 20.255 (2) (bi) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 6.** 20.255 (2) (br) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 7.** 20.255 (2) (q) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 8.** 115.88 (2) of the statutes is amended to read:

10 115.88 (2) **TRANSPORTATION AID.** If upon receipt of the plan under s. 115.77 (4)
11 the state superintendent is satisfied that the transportation of children with
12 disabilities has been maintained during the preceding year in accordance with the
13 law, the state superintendent shall certify to the department of administration in
14 favor of each county, cooperative educational service agency, or school district
15 transporting such pupils an amount equal to the amount expended for such
16 transportation as costs eligible for reimbursement from the ~~appropriations~~
17 appropriation under s. 20.255 (2) (b) ~~and (br)~~. Pupils for whom aid is paid under this
18 subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection
19 applies to any child with a disability who requires special assistance in
20 transportation, including any such child attending regular classes who requires
21 special or additional transportation. This subsection does not apply to any child with

1 a disability attending regular or special classes who does not require any special or
2 additional transportation.

3 **SECTION 9.** 115.882 of the statutes is amended to read:

4 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
5 shall be used first for the purpose of s. ~~115.88 (4)~~. Costs eligible for reimbursement
6 from the ~~appropriations~~ appropriation under s. 20.255 (2) (b) and ~~(br)~~ under ss.
7 115.88 (1m) to (3), (6), and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate
8 set to distribute the full amount appropriated for reimbursement for such costs, not
9 to exceed 100%.

10 **SECTION 10.** 121.007 of the statutes is amended to read:

11 **121.007 Use of state aid; exemption from execution.** All moneys paid to
12 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) and ~~(e)~~ shall be used by
13 the school district solely for the purposes for which paid. Such moneys are exempt
14 from execution, attachment, garnishment, or other process in favor of creditors,
15 except as to claims for salaries or wages of teachers and other school employees and
16 as to claims for school materials, supplies, fuel, and current repairs.

17 **SECTION 11.** 121.09 (1) of the statutes is amended to read:

18 121.09 (1) If, on or after July 1, 1980, the tax appeals commission or a court
19 makes a final redetermination on the assessment of property subject to taxation
20 under s. 70.995 that is lower than the previous assessment, or if, on or after January
21 1, 1982, the state board of assessors makes a final redetermination on the
22 assessment of property subject to taxation under s. 70.995 that is lower than the
23 previous assessment, the school board of the school district in which the property is
24 located may, within 4 years after the date of the determination, decision, or
25 judgment, file the determination of the state board of assessors, the decision of the

1 tax appeals commission, or the judgment of the court with the state superintendent,
2 requesting an adjustment in state aid to the school district. If the state
3 superintendent determines that the determination, decision, or judgment is final
4 and that it has been filed within the 4-year period, the state shall pay to the school
5 district in the subsequent fiscal year, from the ~~appropriations~~ appropriation under
6 s. 20.255 (2) (ac) ~~and (q)~~, an amount equal to the difference between the state aid
7 computed under s. 121.08 for the school year commencing after the year subject to
8 the valuation recertification, using the school district's equalized valuation as
9 originally certified, and the state aid computed under s. 121.08 for that school year
10 using the school district's equalized valuation as recertified under s. 70.57 (2).

11 **SECTION 12.** 121.105 (2) (a) 3. of the statutes is amended to read:

12 ~~121.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. in the~~
13 ~~1998-99 school year shall receive the greater of the aid amounts under subd. 1. or~~
14 ~~2. The additional aid shall be paid from the ~~appropriations~~ appropriation under s.~~
15 ~~20.255 (2) (ac) and (q).~~

16 **SECTION 13.** 121.105 (3) of the statutes is amended to read:

17 121.105 (3) In the school year in which a school district consolidation takes
18 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the
19 consolidated school district's state aid shall be an amount that is not less than the
20 aggregate state aid received by the consolidating school districts in the school year
21 prior to the school year in which the consolidation takes effect. The additional state
22 aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and~~
23 ~~(q).~~

24 **SECTION 14.** 121.15 (1m) (a) (intro.) and 3. of the statutes are consolidated,
25 renumbered 121.15 (1m) (a) and amended to read:

1 121.15 (1m) (a) Notwithstanding subs. (1) and (1g), ~~a portion of state aid to~~
2 ~~school districts shall be distributed as follows:~~ 3. ~~Beginning~~ beginning in the
3 1999–2000 school year, annually the state shall pay to school districts, from the
4 appropriation under s. 20.255 (2) (ac), \$75,000,000 on the 4th Monday in July of the
5 following school year.

6 **SECTION 15.** 121.15 (1m) (a) 1. of the statutes is repealed.

7 **SECTION 16.** 121.15 (1m) (a) 2. of the statutes is repealed.

8 **SECTION 17.** 121.15 (1m) (b) of the statutes is amended to read:

9 121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced
10 proportionally to reflect the ~~payments~~ payment made under par. (a). School districts
11 shall treat the ~~payments~~ payment made in July under par. (a) as if ~~they~~ it had been
12 received in the previous school year.

13 **SECTION 18.** 121.15 (3m) (a) 1. of the statutes is amended to read:

14 121.15 (3m) (a) 1. “Partial school revenues” means the sum of state school aids,
15 other than the ~~amounts~~ amount appropriated under s. 20.255 (2) ~~(bi) and (cv);~~
16 property taxes levied for school districts; and aid paid to school districts under s.
17 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due
18 to a school board’s increasing the services that it provides by adding responsibility
19 for providing a service transferred to it from another school board, less the amount
20 of any revenue limit increase under s. 121.91 (4) (a) 3., and less the amount of any
21 revenue limit increase under s. 121.91 (4) (h).

22 **SECTION 19.** 121.85 (6) (e) of the statutes is amended to read:

23 121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be
24 paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (g).~~

25 **SECTION 20.** 121.85 (8) of the statutes is amended to read:

~~SECRET~~

2-15

~~SECRET~~ ^(C) NOTE: This is reconciled

s. 13.101 (b) (a). This section has been
affected by draft with the following

LRB - 0599 and LRB - 0886 (1)

(DN)

¶ This draft deletes the treatment
of §. 1150882. That treatment is
in recompiled LRB-16940.

~~DE~~

¶ This draft deletes the treatment
of §. 120105(2)(a)3. That section is
recompiled in LRB-13950.

¶ This draft recompile LRB-0886
and LRB-0599. Both ^{should} ~~should~~ ^{continue} ~~continue~~
to appear in the compiled bill.

PL

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0886/3dn
PG:wlj:kjf

February 6, 2001

This redraft deletes the treatment of s. 115.882. That treatment is in reconciled LRB-1690.

This redraft deletes the treatment of s. 121.105 (2) (a) 3. That section is repealed in LRB-1395.

This redraft reconciles LRB-0886 and LRB-0099. Both should continue to appear in the compiled bill.

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



DOA:.....Maternowski – Eliminate obsolete DPI appropriations

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** eliminating obsolete appropriations to the department
2 of public instruction.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill eliminates from the statutes three obsolete appropriations.

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

3 **SECTION 1.** 13.101 (6) (a) of the statutes is amended to read:

4 13.101 (6) (a) As an emergency measure necessitated by decreased state
5 revenues and to prevent the necessity for a state tax on general property, the
6 committee may reduce any appropriation made to any board, commission,
7 department, or the University of Wisconsin System, or to any other state agency or

1 activity, by such amount as it deems feasible, not exceeding 25% of the
2 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
3 (cr) ~~and (q)~~, 20.395 (1), (2) (cq), ~~(eq) to (ex)~~ (fq) to (fx), and (gq) to (gx), (3), (4) (aq) to
4 (ax), and (6) (aq) and (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for
5 forestry purposes under s. 20.370 (1), or any other moneys distributed to any county,
6 city, village, town, or school district. Appropriations of receipts and of a sum
7 sufficient shall for the purposes of this section be regarded as equivalent to the
8 amounts expended under such appropriations in the prior fiscal year which ended
9 June 30. All functions of said state agencies shall be continued in an efficient
10 manner, but because of the uncertainties of the existing situation no public funds
11 should be expended or obligations incurred unless there shall be adequate revenues
12 to meet the expenditures therefor. For such reason the committee may make
13 reductions of such appropriations as in its judgment will secure sound financial
14 operations of the administration for said state agencies and at the same time
15 interfere least with their services and activities.

****NOTE: This is reconciled s. 13.101 (6) (a). This SECTION has been affected by
LRB-0099 and LRB-0886.

16 **SECTION 2.** 16.50 (1) (b) of the statutes is amended to read:

17 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
18 (2) (ac) ~~and (q)~~, 20.835, and 20.865 (4).

19 **SECTION 3.** 16.52 (10) of the statutes is amended to read:

20 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
21 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal
22 year shall not apply to the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and~~
23 ~~(q)~~.

1 **SECTION 4.** 20.255 (2) (ac) of the statutes is amended to read:

2 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
3 educational aids under ss. 121.08, 121.09, and 121.105 and subch. VI of ch. 121 equal
4 to \$3,767,893,500 in the 1999-2000 fiscal year and equal to the amount determined
5 by the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year
6 thereafter, ~~less the amount appropriated under par. (bi).~~

7 **SECTION 5.** 20.255 (2) (bi) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 6.** 20.255 (2) (br) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 7.** 20.255 (2) (q) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 8.** 115.88 (2) of the statutes is amended to read:

11 115.88 (2) **TRANSPORTATION AID.** If upon receipt of the plan under s. 115.77 (4)
12 the state superintendent is satisfied that the transportation of children with
13 disabilities has been maintained during the preceding year in accordance with the
14 law, the state superintendent shall certify to the department of administration in
15 favor of each county, cooperative educational service agency, or school district
16 transporting such pupils an amount equal to the amount expended for such
17 transportation as costs eligible for reimbursement from the ~~appropriations~~
18 appropriation under s. 20.255 (2) (b) and ~~(br)~~. Pupils for whom aid is paid under this
19 subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection
20 applies to any child with a disability who requires special assistance in
21 transportation, including any such child attending regular classes who requires

1 special or additional transportation. This subsection does not apply to any child with
2 a disability attending regular or special classes who does not require any special or
3 additional transportation.

4 **SECTION 9.** 121.007 of the statutes is amended to read:

5 **121.007 Use of state aid; exemption from execution.** All moneys paid to
6 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) ~~and (q)~~ shall be used by
7 the school district solely for the purposes for which paid. Such moneys are exempt
8 from execution, attachment, garnishment, or other process in favor of creditors,
9 except as to claims for salaries or wages of teachers and other school employees and
10 as to claims for school materials, supplies, fuel, and current repairs.

11 **SECTION 10.** 121.09 (1) of the statutes is amended to read:

12 121.09 (1) If, on or after July 1, 1980, the tax appeals commission or a court
13 makes a final redetermination on the assessment of property subject to taxation
14 under s. 70.995 that is lower than the previous assessment, or if, on or after January
15 1, 1982, the state board of assessors makes a final redetermination on the
16 assessment of property subject to taxation under s. 70.995 that is lower than the
17 previous assessment, the school board of the school district in which the property is
18 located may, within 4 years after the date of the determination, decision, or
19 judgment, file the determination of the state board of assessors, the decision of the
20 tax appeals commission, or the judgment of the court with the state superintendent,
21 requesting an adjustment in state aid to the school district. If the state
22 superintendent determines that the determination, decision, or judgment is final
23 and that it has been filed within the 4-year period, the state shall pay to the school
24 district in the subsequent fiscal year, from the appropriations appropriation under
25 s. 20.255 (2) (ac) ~~and (q)~~, an amount equal to the difference between the state aid

1 computed under s. 121.08 for the school year commencing after the year subject to
2 the valuation recertification, using the school district's equalized valuation as
3 originally certified, and the state aid computed under s. 121.08 for that school year
4 using the school district's equalized valuation as recertified under s. 70.57 (2).

5 **SECTION 11.** 121.105 (3) of the statutes is amended to read:

6 121.105 (3) In the school year in which a school district consolidation takes
7 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the
8 consolidated school district's state aid shall be an amount that is not less than the
9 aggregate state aid received by the consolidating school districts in the school year
10 prior to the school year in which the consolidation takes effect. The additional state
11 aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
12 ~~(q)~~.

13 **SECTION 12.** 121.15 (1m) (a) (intro.) and 3. of the statutes are consolidated,
14 renumbered 121.15 (1m) (a) and amended to read:

15 121.15 (1m) (a) Notwithstanding subs. (1) and (1g), ~~a portion of state aid to~~
16 ~~school districts shall be distributed as follows:~~ 3. Beginning ~~beginning~~ in the
17 1999-2000 school year, annually the state shall pay to school districts, from the
18 appropriation under s. 20.255 (2) (ac), \$75,000,000 on the 4th Monday in July of the
19 following school year.

20 **SECTION 13.** 121.15 (1m) (a) 1. of the statutes is repealed.

21 **SECTION 14.** 121.15 (1m) (a) 2. of the statutes is repealed.

22 **SECTION 15.** 121.15 (1m) (b) of the statutes is amended to read:

23 121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced
24 proportionally to reflect the ~~payments~~ payment made under par. (a). School districts

1 shall treat the ~~payments~~ payment made in July under par. (a) as if ~~they~~ it had been
2 received in the previous school year.

3 **SECTION 16.** 121.15 (3m) (a) 1. of the statutes is amended to read:

4 121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids,
5 other than the ~~amounts~~ amount appropriated under s. 20.255 (2) ~~(bi) and (cv)~~;
6 property taxes levied for school districts; and aid paid to school districts under s.
7 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due
8 to a school board's increasing the services that it provides by adding responsibility
9 for providing a service transferred to it from another school board, less the amount
10 of any revenue limit increase under s. 121.91 (4) (a) 3., and less the amount of any
11 revenue limit increase under s. 121.91 (4) (h).

12 **SECTION 17.** 121.85 (6) (e) of the statutes is amended to read:

13 121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be
14 paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (q)~~.

15 **SECTION 18.** 121.85 (8) of the statutes is amended to read:

16 121.85 (8) TRANSFERRED PUPILS. Pupils transferring schools under this section
17 shall be subject to the same rules and regulations as resident pupils and shall have
18 the responsibilities, privileges, and rights of resident pupils in the school district or
19 attendance area. Subject to this subsection, a pupil transferring schools under either
20 sub. (3) (a) or (b) has the right to complete his or her education at the elementary,
21 middle, or high school to which he or she transfers so long as full funding therefor
22 is available under s. 20.255 (2) (ac) ~~and (q)~~.

23 **SECTION 19.** 121.85 (9) (c) of the statutes is amended to read:

24 121.85 (9) (c) The obligation under par. (a) to organize planning councils shall
25 apply only with regard to school terms for which full pupil transfer aids are

1 appropriated under s. 20.255 (2) (ac) and ~~(q)~~ and planning council assistance funds
2 are appropriated under s. 20.255 (1) (a).

3 (END)