

2005 DRAFTING REQUEST

Bill

Received: 10/04/2005

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau 6-9917

By/Representing: Layla Merrifield

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Addl. Drafters:

Subject: Education - sch. dist. reorg.
Education - school finance

Extra Copies:

Submit via email: YES

Requester's email: layla.merrifield@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of new school district; effect on special adjustment aid and revenue limits

Instructions:

See Attached

Sent to Sen. Olsen per PG

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>
/?	pgrant 10/04/2005	kfollett 10/13/2005		_____			S&L
/P1	pgrant 10/18/2005	kfollett 10/25/2005	rschluet 10/13/2005	_____	Inorthro 10/13/2005		S&L
/1	pgrant 10/27/2005	kfollett 10/27/2005	rschluet 10/26/2005	_____	lemery 10/26/2005		S&L
/2	pgrant	kfollett	rschluet	_____	sbasford		S&L

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	10/27/2005	10/27/2005	10/27/2005 _____		10/27/2005		
/3	pgrant 11/11/2005	kfollett 11/15/2005	chaugen 10/27/2005 _____		lnorthro 10/27/2005		S&L
/4	pgrant 11/16/2005	kfollett 11/16/2005	pgreensl 11/15/2005 _____		sbasford 11/15/2005		S&L
/5			pgreensl 11/16/2005 _____		lnorthro 11/16/2005	lemery 12/07/2005	

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/2	pgrant	kfollett	rschlue	<u>11/16</u>	sbasford		S&L

Handwritten notes:
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/2	pgrant	kfollett 14 kjf 11/15	rschluet 14/15 p8	_____	sbasford		S&L

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/2		13 lcf 10/27	rschluet ↓	_____	sbasford		

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10/27/2005 *Ch 10-27* 10/27/2005

Ch 10-27
10/27/2005

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Topic:

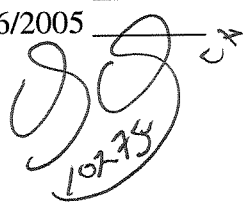
Creation of new school district; effect on special adjustment aid and revenue limits

Instructions:

See Attached

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10-27-05 CA

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/P1		1/kif 10/20/05	rschluet 10/13/2005		Inorthro 10/13/2005		

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[Handwritten signatures and initials]
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No specific pre topic given

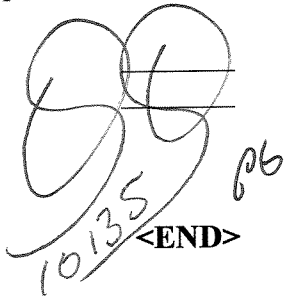
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1?	pgrant	1P1/gf 10/13					
FE Sent For:				10135	<END>		

10/4/05

LFB - Layla Merrifield

① after ~~reorg.~~ reorg. } if increased or if large territory } WI sd affected eligible for S.A. case

② for rev. lts. 12.91(2m) (v)

same prov. apply to ~~the~~ the ~~the~~ the as well

see Art 25 12.157(S)(5m)

how to prove use final had to prove this

option

- 1. sd signs if something
- 2. req. final bal decrease

Problem: d takes 1.5

David Carlson

Manda Phillipina Aard. e

2005

Date (time) needed

FRI. a.m.

LRB - 3781, P1

PG: kjf

BILL

Use the appropriate components and routines developed for bills.

Gen

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: the calculation of special adjustment aid and revenue limits when territory is detached from one or more school districts to create a new school district.

[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

anal: prelim

This is a preliminary draft. An analysis will be provided in a later version. FE-5L

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

SECTION #.

SEC. # CR. 121.105 (2) (c)

121.105 (2) (c) ^(b) Notwithstanding par. (a) ^m school district

in the school year in which a reorganization

takes effect under s. 117.105 ~~or 117.11~~,

any school district affected by the reorganization,

~~including the school district created under~~

~~s. 117.105 nor any school district affected~~

~~by a reorganization under s. 117.105 or 117.11~~

is eligible for aid under ^{this} subsection. (o)

*** NOTE: Should this also apply to

reorganizations under s. 117.11? If ^{so} _{so},

should the revenue limit calculation also
be adjusted for reorganizations under

s. 117.11?

Section #. 121.905 (3) (a) 1. of the statutes is amended to read:

subds. and 3.

121.905 (3) (a) 1. Except as provided under ~~subd. 2.~~ calculate the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under s. 121.91 (4) (c), and the costs of the county children with disabilities education board program, as defined in s. 121.135 (2) (a) 2., for pupils who were school district residents and solely enrolled in a special education program provided by a county children with disabilities education board in the previous school year.

History: 1995 a. 27; 1997 a. 27, 113, 164, 286; 1999 a. 9, 32; 2001 a. 16; 2003 a. 33; 2005 a. 25.

CR;
SECTION #. 121.905 (3) (a) 3.

121.905 (3) (a) 3. For a school district ^{from} which territory was detached to create a new school district under s. 117.105, ^{for} for the school year beginning with the effective date of the reorganization, perform the following calculations:

a. Calculate the sum under subd. 1. ^{for} for each ^{that} of the school district, ~~from which territory was detached to create a new school district.~~

b. Divide the result in subd. 3. a. by the number of pupils enrolled in that school district in the previous school year. (1)

c. Multiply the result in subd. 3. b. by the number of pupils enrolled in that school district who ^{reside} did not reside in the detached territory.

Section #. 121.905 (3) (b) 1. of the statutes is amended to read:

121.905 (3) (b) 1. Except as provided under ~~subd. 2.~~ ^{subds.} divide the result in par. (a) 1. by the sum of the average of the number of pupils enrolled in the 3 previous school years and the number of pupils enrolled who were school district residents and solely enrolled in a special education program provided by a county children with disabilities education board program in the previous school year. ^{subd 3.}

History: 1995 a. 27; 1997 a. 27, 113, 164, 286; 1999 a. 9, 32; 2001 a. 16; 2003 a. 33; 2005 a. 25.

✓
SEC. CR. 121.905 (3) (b) 3.

(b)
121.905 (3) (b) 3. For a school district

from which territory was detached to create a
new school district under s. 117.105, for the
school year beginning with the effective date of
the reorganization, divide the result in
par. (a) 3. by the number of pupils who in
the previous school year were enrolled in the
school district and not reside in the
detached territory, for the school year
beginning on the first July 1 following the effective
date of the reorganization, divide the result
in par. (a) 3. by the number of pupils in
the previous school year, one for the
school district beginning on the 2nd July 1

following the effective date of the
reorganization, divide the result in
par. (a) 3. by the average of the number
of pupils in the 2 previous school years.

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

or if territory is
detached ^{from} a
school district to
create a new school
district under s. 117.105

121.91 (2m) (r) 2. (intro.) If a school district is created under s. 117.105, the following adjustments to the calculations under pars. (c), (d) and (e) apply for the 2 school years beginning on the July 1 following the effective date of the reorganization:

History: 1993 a. 16; 1995 a. 27 ss. 4108m to 4114, 9145 (1); 1997 a. 27, 113, 164, 237, 286; 1999 a. 9, 17, 19, 32, 182; 2001 a. 16; 2005 a. 25.

SEK. WR. 121.91 (2m)(v)3.

(3) 121.91 (2m)(v)3: Notwithstanding pars. (c), (d), and
(e), if territory is detached from a school district
to create a new school district under s. 117.105,
the ^{former} revenue limit of the former school district
under this section for the school
year beginning with the effective date of the
reorganization shall be determined as follows

except as provided in subs. (3) and (4):

a. Divide the result under s. 121.905 (3)(a) 1.
by the total number of pupils who ⁱⁿ the previous
school year were enrolled ⁱⁿ the school district
and who did not reside in the detached territory.

b. Add an amount equal to the amount
of revenue increase per pupil allowed under
this subsection for the previous ^{school} year multiplied
by the sum of 1.0 ^{plus} the allowable rate of

increase under s. 73.0305[✓] expressed as a
subd.
decimal to the result under subd. 3. a.

c. Multiply the result under subd. 3. b.
by the number of pupils ^{who in} the previous
school year were enrolled in the school district
and who did not reside in the detached
territory.

~~4. If territory is detached from a
school district to create a new school
district under s. 12.105, the following
adjustments to the calculations under pars.
(c), (d), and (e) apply for~~

INITIAL APPLICABILITY

- In the component bar:
 For the action phrase, execute: **create → action: → *NS: → inappl**
 For the budget action phrase, execute: **create → action: → *NS: → 93XX**
 For the text, execute: **create → text: → *NS: → inappl**
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

SECTION # 93 **Initial applicability;**

(#1) ()

The treatment of sections ..

of the statutes

first applies to

- In the component bar:
 For the action phrase, execute: **create → action: → *NS: → inappl**
 For the text, execute: **create → text: → *NS: → inapplA**
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

SECTION # **Initial applicability;**

(#1) ()

This act first

applies to school district reorganizations that take effect on July 1, 2006.

(End)

Nov 2

BY 15/28

~~SSSM~~

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

reorgan.

from one school district and attached to territory or another territory if detached

1 AN ACT *to amend* 121.905 (3) (a) 1., 121.905 (3) (b) 1. and 121.91 (2m) (r) 2.
 2 (intro.); and *to create* 121.05 (2) (c), 121.905 (3) (a) 3., 121.905 (3) (b) 3. and
 3 121.91 (2m) (r) 3. of the statutes; **relating to:** the calculation of special
 4 adjustment aid and revenue limits when territory is detached from one or more
 5 school districts to create a new school district.

Analysis by the Legislative Reference Bureau

(see attached)

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

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

stays →

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

6
7

SECTION 1. 121.05 (2) (c) of the statutes is created to read:

121.05 (2) (c) Notwithstanding par. (am), in the school year in which a school district reorganization takes effect under s. 117.105, no school district affected by the reorganization is eligible for aid under this subsection.

or 117.11

****NOTE: Should this also apply to reorganization under s. 117.11? If so, should the revenue limit calculation also be adjusted for reorganizations under s. 117.11?

1 SECTION 2. 121.905 (3) (a) 1. of the statutes is amended to read:

2 121.905 (3) (a) 1. Except as provided under ~~subd.~~ subds. 2. and 3., calculate the
3 sum of the amount of state aid received in the previous school year and property taxes
4 levied for the previous school year, excluding property taxes levied for the purpose
5 of s. 120.13 (19) and excluding funds described under s. 121.91 (4) (c), and the costs
6 of the county children with disabilities education board program, as defined in s.
7 121.135 (2) (a) 2., for pupils who were school district residents and solely enrolled in
8 a special education program provided by a county children with disabilities
9 education board in the previous school year.

10 SECTION 3. 121.905 (3) (a) 3. of the statutes is created to read:

11 (11) 121.905 (3) (a) 3. For a school district from which territory was detached to
12 (12) create a new school district under s. 117.105 for the school year beginning with the
13 effective date of the reorganization, perform the following calculations:

- 14 a. Calculate the sum under subd. 1. for that school district.
- 15 b. Divide the result in subd. 3. a. by the number of pupils enrolled in that school
- 16 district in the previous school year.
- 17 c. Multiply the result in subd. 3. b. by the number of pupils enrolled in that
- 18 school district who did not reside in the detached territory.

19 SECTION 4. 121.905 (3) (b) 1. of the statutes is amended to read:

20 121.905 (3) (b) 1. Except as provided under ~~subd.~~ subds. 2. and 3., divide the
21 result in par. (a) 1. by the sum of the average of the number of pupils enrolled in the
22 3 previous school years and the number of pupils enrolled who were school district

or to attach to an adjoining school district under s. 117.11

either

or to attach to an adjoining school district under s. 117.11

either

year

district

or to attach to an adjoining school district under s. 117.11

either

of the school district from which territory is detached

of which territory is detached

1 residents and solely enrolled in a special education program provided by a county
2 children with disabilities education board program in the previous school year.

3 SECTION 5. 121.905 (3) (b) 3. of the statutes is created to read:

4 121.905 (3) (b) 3. For a school district from which territory was detached to
5 create a new school district under s. 117.105 for the school year beginning with the
6 effective date of the reorganization, divide the result in par. (a) 3. by the number of
7 pupils who in the previous school year were enrolled in the school district and who
8 did not reside in the detached territory; for the school year beginning on the first July
9 1 following the effective date of the reorganization, divide the result in par. (a) 3. by
10 the number of pupils in the previous school year; and for the school district beginning
11 on the 2nd July 1 following the effective date of the reorganization, divide the result
12 in par. (a) 3. by the average of the number of pupils in the 2 previous school years.

13 SECTION 6. 121.91 (2m) (r) 2. (intro.) of the statutes is amended to read:
14 121.91 (2m) (r) 2. (intro.) If a school district is created under s. 117.105, or if
15 territory is detached from a school district to create a new school district under s.
16 117.105, the following adjustments to the calculations under pars. (c), (d) and (e)
17 apply for the 2 school years beginning on the July 1 following the effective date of the
18 reorganization:

19 SECTION 7. 121.91 (2m) (r) 3. of the statutes is created to read:

20 121.91 (2m) (r) 3. Notwithstanding pars. (c), (d), and (e), if territory is detached
21 from a school district to create a new school district under s. 117.105 the revenue
22 limit of the former school district under this section for the school year beginning
23 with the effective date of the reorganization shall be determined as follows except as
24 provided in subs. (3) and (4):

4-10-11

Section #. 121.91 (2m) (r) of the statutes is created to read:

121.91 (2m) (r) 1. Notwithstanding pars. (c), (d) and (e), if a school district is created under s. 117.105, its revenue limit under this section for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided under subs. (3) and (4):

a. Divide the result under s. 121.905 (3) (a) 2. by the total number of pupils who in the previous school year were enrolled in a school district from which territory was detached to create the new school district and who resided in the detached territory.

b. Add an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a.

c. Multiply the result under subd. 1. b. by the number of pupils who in the previous school year were enrolled in a school district from which territory was detached to create the new school district and who resided in the detached territory, or by the number of pupils enrolled in the new school district in the current school year, whichever is greater.

LPS: from 121.91(2m) (r) 2.

If a school district is created under s. 117.105, the following adjustments to the calculations under pars. (c), (d), and (e) apply for the 2 school years beginning on the July 1 following the effective date of the reorganization: either to create a new school district or to attach to an adjoining school district under s. 117.11 to the school from which territory is detached

a. For the school year beginning on the first July 1 following the effective date of the reorganization the number of pupils in the previous school year shall be used under pars. (c) 1., (d) 1., and (e) 1. instead of the average of the number of pupils in the 3 previous school years, and for the school year beginning on the 2nd July 1 following the effective date of the reorganization the average of the number of pupils in the 2 previous school years shall be used under pars. (c) 1., (d) 1., and (e) 1. instead of the average of the number of pupils in the 3 previous school years.

b. For the school year beginning on the first July 1 following the effective date of the reorganization the average of the number of pupils in the current and the previous school years shall be used

4-10:2

X under pars. (c) 4., (d) 4., and (e) 3. instead of the average of the number of pupils in the current and the 2 preceding school years.

History: 1993 a. 16; 1995 a. 27 ss. 4108m to 4114, 9145 (1); 1997 a. 27, 113, 164, 237, 286; 1999 a. 9, 17, 19, 32, 182; 2001 a. 16; 2005 a. 25.

4-10:3

Section #. 121.91 (4) (f) 1. of the statutes is amended to read:

121.91 (4) (f) 1. For the 1999–2000 school year or any school year thereafter, if the average of the number of pupils enrolled in the current and the 2 preceding school years is less than the average of the number of pupils enrolled in the 3 previous school years, the limit otherwise applicable under sub. (2m) (e) is increased by the additional amount that would have been calculated had the decline in average enrollment been 25% of what it was.

History: 1993 a. 16; 1995 a. 27 ss. 4108m to 4114, 9145 (1); 1997 a. 27, 113, 164, 237, 286; 1999 a. 9, 17, 19, 32, 182; 2001 a. 16; 2005 a. 25.

In the school year in which a school district reorganization takes effect under s. 117.105 or 117.11, this subdivision does not apply to any school district affected by the reorganization.

Analysis

Under current law, ~~if~~ a school district would receive less state aid than ~~than 85% of the amount it received in the~~ to receive in the next school year is guaranteed at least 85 percent of the ^{amount} of state aid that it received in the

previous school year. The additional aid is called special adjustment aid.

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This bill provides that if territory is more either detached from one or more school districts or to create a new school district or to attach the territory to another school district, ~~none~~ of the school districts affected by the

reorganization are eligible for special adjustment aid or for the revenue ^{increase described above} limit in the school year in which the reorganization takes effect. ~~none of the school districts affected by the reorganization~~

~~one eligible for special adjustment aid
or for the revenue limit increase described
above.~~

¶ The bill also provides a revised
method for calculating the revenue limit
of a school district affected by a reorganization
described above for the three years immediately
following the effective date of the reorganization.
The method

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(A)

Current law also increases a school district's revenue limit, if the average enrollment of the school district and of the district in the current and 2 preceding school years is less than the average of the enrollment in the 3 previous school years, by the additional amount that would have been calculated had the decline in enrollment been what it was of what it was.

2005 BILL

FROM
LFB 10/27/05

1 AN ACT *to amend* 121.905 (3) (a) 1., 121.905 (3) (b) 1. and 121.91 (4) (f) 1.; and
2 *to create* 121.105 (2) (c), 121.905 (3) (a) 3., 121.905 (3) (b) 3., 121.91 (2m) (r) 3.
3 and 121.91 (2m) (r) 4. of the statutes; **relating to:** the calculation of special
4 adjustment aid and revenue limits when territory is detached from one school
5 district and attached to another or territory is detached from one or more school
6 districts to create a new school district.

Analysis by the Legislative Reference Bureau

Under current law, a school district is guaranteed to receive in each school year at least 85 percent of the amount of state aid that it received in the previous school year. The additional aid is called special adjustment aid.

Current law also increases a school district's revenue limit, if the average enrollment of the school district in the current and 2 preceding school years is less than the average enrollment in the 3 previous school years, by the additional amount that would have been calculated had the decline in enrollment been 25 percent of what it was.

This bill provides that if territory is detached from one or more school districts either to create a new school district or to attach the territory to another school district, none of the school districts affected by the reorganization are eligible for special adjustment aid or for the revenue limit increase described above in the school year in which the reorganization takes effect.

BILL

The bill also provides a revised method for calculating the revenue limit of a school district affected by a reorganization described above for the three years immediately following the effective date of the reorganization.

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

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

1 **SECTION 1.** 121.105 (2) (c) of the statutes is created to read:

2 121.105 (2) (c) Notwithstanding par. (am), in the school year in which a school
3 district reorganization takes effect under s. 117.105 or 117.11, no school district
4 affected by the reorganization is eligible for aid under this subsection.

5 **SECTION 2.** 121.905 (3) (a) 1. of the statutes is amended to read:

6 121.905 (3) (a) 1. Except as provided under ~~subd. subds. 2. and 3.~~, calculate the
7 sum of the amount of state aid received in the previous school year and property taxes
8 levied for the previous school year, excluding property taxes levied for the purpose
9 of s. 120.13 (19) and excluding funds described under s. 121.91 (4) (c), and the costs
10 of the county children with disabilities education board program, as defined in s.
11 121.135 (2) (a) 2., for pupils who were school district residents and solely enrolled in
12 a special education program provided by a county children with disabilities
13 education board in the previous school year.

14 **SECTION 3.** 121.905 (3) (a) 3. of the statutes is created to read:

15 121.905 (3) (a) 3. For a school district from which territory was detached either
16 to create a new school district under s. 117.105 or to attach to an adjoining school
17 district under s. 117.11, for the school year beginning with the effective date of the
18 reorganization, perform the following calculations:

19 a. Calculate the sum under subd. 1. for that school district.

BILL

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b. Divide the result in subd. 3. a. by the number of pupils enrolled in that school district in the previous school year.

c. Multiply the result in subd. 3. b. by the number of pupils enrolled in that school district ~~who did not reside in the detached territory.~~

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SECTION 4. 121.905 (3) (b) 1. of the statutes is amended to read:

121.905 (3) (b) 1. Except as provided under ~~subd.~~ subds. 2. and 3., divide the result in par. (a) 1. by the sum of the average of the number of pupils enrolled in the 3 previous school years and the number of pupils enrolled who were school district residents and solely enrolled in a special education program provided by a county children with disabilities education board program in the previous school year.

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SECTION 5. 121.905 (3) (b) 3. of the statutes is created to read:

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121.905 (3) (b) 3. For a school district from which territory was detached either to create a new school district under s. 117.105 or to attach to an adjoining school district under s. 117.11, for the school year beginning with the effective date of the reorganization, divide the result in par. (a) ~~3.~~ ¹ by the ^{average of the} number of pupils who in the ~~previous school year~~ ^s were enrolled in the school district ~~and who did not reside in the detached territory~~; for the school year beginning on the first July 1 following the effective date of the reorganization, divide the result in par. (a) ~~3.~~ ¹ by the number of pupils in the previous school year; and for the school year beginning on the 2nd July 1 following the effective date of the reorganization, divide the result in par. (a) ~~3.~~ ¹ by the average of the number of pupils in the 2 previous school years.

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

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121.91 (2m) (r) 3. Notwithstanding pars. (c), (d), and (e), if territory is detached from a school district either to create a new school district under s. 117.105 or to attach to an adjoining school district under s. 117.11, the revenue limit under this

BILL**SECTION 6**

1 section of the school district from which territory is detached for the school year
 2 beginning with the effective date of the reorganization shall be determined as follows
 3 except as provided in subs. (3) and (4):

4 a. Divide the result under s. 121.905 (3) (a) 1. by the ^{average of the} total number of pupils who
 5 in the previous school year were enrolled in the school district ~~and who did not reside~~
 6 ~~in the detached territory.~~

7 b. Add an amount equal to the amount of revenue increase per pupil allowed
 8 under this subsection for the previous school year multiplied by the sum of 1.0 plus
 9 the allowable rate of increase under s. 73.0305 expressed as a decimal to the result
 10 under subd. 3. a.

11 c. Multiply the result under subd. 3. b. by the number of pupils who in the
 12 previous school year were enrolled in the school district and who did not reside in the
 13 detached territory, or by the number of pupils enrolled in the school district in the
 14 current school year, whichever is greater.

15 **SECTION 7.** 121.91 (2m) (r) 4. of the statutes is created to read:

16 121.91 **(2m)** (r) 4. If territory is detached from a school district either to create
 17 a new school district under s. 117.105 or to attach to an adjoining school district
 18 under s. 117.11, the following adjustments to the calculations under pars. ~~(c), (d), and~~
 19 (e) apply to the school from which territory is detached for the 2 school years
 20 beginning on the July 1 following the effective date of the reorganization:

21 a. For the school year beginning on the first July 1 following the effective date
 22 of the reorganization the number of pupils in the previous school year shall be used
 23 under pars. ~~(c) 1., (d) 1., and (e) 1.~~ instead of the average of the number of pupils in
 24 the 3 previous school years, and for the school year beginning on the 2nd July 1
 25 following the effective date of the reorganization the average of the number of pupils

BILL

1 in the 2 previous school years shall be used under pars. (c) 1., (d) 1., and (e) 1. instead
2 of the average of the number of pupils in the 3 previous school years.

3 b. For the school year beginning on the first July 1 following the effective date
4 of the reorganization the average of the number of pupils in the current and the
5 previous school years shall be used under pars. (c) 4., (d) 4., and (e) 3. instead of the
6 average of the number of pupils in the current and the 2 preceding school years.

7 **SECTION 8.** 121.91 (4) (f) 1. of the statutes is amended to read:

8 121.91 (4) (f) 1. For the 1999–2000 school year or any school year thereafter,
9 if the average of the number of pupils enrolled in the current and the 2 preceding
10 school years is less than the average of the number of pupils enrolled in the 3 previous
11 school years, the limit otherwise applicable under sub. (2m) (e) is increased by the
12 additional amount that would have been calculated had the decline in average
13 enrollment been 25% of what it was. In the school year in which a school district
14 reorganization takes effect under s. 117.105 or 117.11, this subdivision does not apply
15 to any school district affected by the reorganization.

16 **SECTION 9. Initial applicability.**

17 (1) This act first applies to school district reorganizations that take effect on
18 July 1, 2006.

19

(END)

TODAY

2005 BILL

1 AN ACT *to amend* 121.905 (3) (a) 1., 121.905 (3) (b) 1. and 121.91 (4) (f) 1.; and
 2 *to create* 121.105 (2) (c), 121.905 (3) (a) 3., 121.905 (3) (b) 3., 121.91 (2m) (r) 3.
 3 and 121.91 (2m) (r) 4. of the statutes; **relating to:** the calculation of special
 4 adjustment aid and revenue limits when territory is detached from one school
 5 district and attached to another or when territory is detached from one or more school
 6 districts to create a new school district.

Analysis by the Legislative Reference Bureau

Under current law, a school district is guaranteed to receive in each school year at least 85 percent of the amount of state aid that it received in the previous school year. The additional aid is called special adjustment aid.

Current law also increases a school district's revenue limit, if the average enrollment of the school district in the current and 2 preceding school years is less than the average enrollment in the 3 previous school years, by the additional amount that would have been calculated had the decline in enrollment been 25 percent of what it was.

This bill provides that if territory is detached from one or more school districts either to create a new school district or to attach the territory to another school district, none of the school districts affected by the reorganization are eligible for special adjustment aid or for the revenue limit increase described above in the school year in which the reorganization takes effect.

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The bill also ^{revises the} ~~provides a revised~~ method for calculating the revenue limit of a school district affected by a reorganization described above for the three years immediately following the effective date of the reorganization.

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

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

1 **SECTION 1.** 121.105 (2) (c) of the statutes is created to read:

2 121.105 (2) (c) Notwithstanding par. (am), in the school year in which a school
3 district reorganization takes effect under s. 117.105 or 117.11, no school district
4 affected by the reorganization is eligible for aid under this subsection.

5 **SECTION 2.** 121.905 (3) (a) 1. of the statutes is amended to read:

6 121.905 (3) (a) 1. Except as provided under ~~subd.~~ subds. 2. and 3., calculate the
7 sum of the amount of state aid received in the previous school year and property taxes
8 levied for the previous school year, excluding property taxes levied for the purpose
9 of s. 120.13 (19) and excluding funds described under s. 121.91 (4) (c), and the costs
10 of the county children with disabilities education board program, as defined in s.
11 121.135 (2) (a) 2., for pupils who were school district residents and solely enrolled in
12 a special education program provided by a county children with disabilities
13 education board in the previous school year.

14 **SECTION 3.** 121.905 (3) (a) 3. of the statutes is created to read:

15 121.905 (3) (a) 3. For a school district from which territory was detached either
16 to create a new school district under s. 117.105 or to attach to an adjoining school
17 district under s. 117.11, for the school year beginning with the effective date of the
18 reorganization, perform the following calculations:

19 a. Calculate the sum under subd. 1. for that school district.

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b. Divide the result in subd. 3. a. by the number of pupils enrolled in that school district in the previous school year.

c. Multiply the result in subd. 3. b. by the number of pupils enrolled in that school district who did not reside in the detached territory.

SECTION 4. 121.905 (3) (b) 1. of the statutes is amended to read:

121.905 (3) (b) 1. Except as provided under ~~subd.~~ subds. 2. and 3., divide the result in par. (a) 1. by the sum of the average of the number of pupils enrolled in the 3 previous school years and the number of pupils enrolled who were school district residents and solely enrolled in a special education program provided by a county children with disabilities education board program in the previous school year.

SECTION 5. 121.905 (3) (b) 3. of the statutes is created to read:

121.905 (3) (b) 3. For a school district from which territory was detached either to create a new school district under s. 117.105 or to attach to an adjoining school district under s. ¹17.11, for the school year beginning with the effective date of the reorganization, divide the result in par. (a) ¹30 by the ^{average of the} number of pupils ^{enrolled} who in the previous school year ^S were enrolled in the school district and who did not reside in the detached territory; for the school year beginning on the first July 1 following the effective date of the reorganization, divide the result in par. (a) ¹30 by the number of pupils ^{enrolled} in the previous school year; and for the school year beginning on the 2nd July 1 following the effective date of the reorganization, divide the result in par. (a) ¹30 by the average of the number of pupils ^{enrolled} in the 2 previous school years.

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

121.91 (2m) (r) 3. Notwithstanding par. (c) ~~and~~ (e), if territory is detached from a school district either to create a new school district under s. 117.105 or to attach to an adjoining school district under s. 117.11, the revenue limit under this

BILL

SECTION 6

1 section of the school district from which territory is detached for the school year
2 beginning with the effective date of the reorganization shall be determined as follows
3 except as provided in subs. (3) and (4):

4 a. Divide the result under s. 121.905 (3) (a) 1. by the ^{average of the} ~~total~~ number of pupils ^{enrolled} ~~who~~
5 in the ³ previous school year ⁵ ~~were enrolled in the school district and who did not reside~~
6 ~~in the detached territory.~~

7 b. Add an amount equal to the amount of revenue increase per pupil allowed
8 under this subsection for the previous school year multiplied by the sum of 1.0 plus
9 the allowable rate of increase under s. 73.0305 expressed as a decimal to the result
10 under subd. 3. a.

11 c. Multiply the result under subd. 3. b. by the number of pupils who in the
12 previous school year were enrolled in the school district and who did not reside in the
13 detached territory, or by the number of pupils enrolled in the school district in the
14 current school year, whichever is greater.

15 **SECTION 7.** 121.91 (2m) (r) 4. of the statutes is created to read:

16 121.91 (2m) (r) 4. If territory is detached from a school district either to create
17 a new school district under s. 117.105 or to attach to an adjoining school district
18 under s. 117.11, the following adjustments to the calculations under pars. ~~(c), (d), and~~
19 (e) apply to the school from which territory is detached for the 2 school years
20 beginning on the July 1 following the effective date of the reorganization:

21 a. For the school year beginning on the first July 1 following the effective date
22 of the reorganization the number of pupils in the previous school year shall be used
23 under pars. ~~(c), (d), and~~ (e) 1. instead of the average of the number of pupils in
24 the 3 previous school years, and for the school year beginning on the 2nd July 1
25 following the effective date of the reorganization the average of the number of pupils

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1 in the 2 previous school years shall be used under pars. ~~(c) 1, (d) 1, and~~ (e) 1. instead
2 of the average of the number of pupils in the 3 previous school years.

3 b. For the school year beginning on the first July 1 following the effective date
4 of the reorganization the average of the number of pupils in the current and the
5 previous school years shall be used under pars. ~~(c) 4, (d) 4, and~~ (e) 3. instead of the
6 average of the number of pupils in the current and the 2 preceding school years.

7 **SECTION 8.** 121.91 (4) (f) 1. of the statutes is amended to read:

8 121.91 (4) (f) 1. For the 1999–2000 school year or any school year thereafter,
9 if the average of the number of pupils enrolled in the current and the 2 preceding
10 school years is less than the average of the number of pupils enrolled in the 3 previous
11 school years, the limit otherwise applicable under sub. (2m) (e) is increased by the
12 additional amount that would have been calculated had the decline in average
13 enrollment been 25% of what it was. In the school year in which a school district
14 reorganization takes effect under s. 117.105 or 117.11, this subdivision does not apply
15 to any school district affected by the reorganization.

16 **SECTION 9. Initial applicability.**

17 (1) This act first applies to school district reorganizations that take effect on
18 July 1, 2006.

19 (END)