

2007 DRAFTING REQUEST

Bill

Received: **01/12/2007**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-5468**

By/Representing: **Fath**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters:

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

Extra Copies: **TKK**
ARG

Submit via email: **NO**

Pre Topic:

DOA:.....Fath, BB0349 -

Topic:

Fund pupil transportation from the transportation fund

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>
/?	pgrant 01/12/2007	kfollett 01/12/2007		_____			State
/1	pgrant 01/16/2007	kfollett 01/16/2007	nmatzke 01/12/2007	_____	cduerst 01/12/2007		State
/2			pgreensl 01/17/2007	_____	sbasford 01/17/2007		

FE Sent For:

<END>

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/?	pgrant 01/12/2007	kfollett 01/12/2007		_____			State
/1		12 kgf 11/6	nmatzke 01/12/2007	_____	cduerst 01/12/2007		

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/?	pgrant	1/12 gf 1/12	nwn 1/12	nwn/rs 1/12			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Shifting DPI's Transportation Related Appropriations to the Transportation Fund
- Tracking Code: BB0349
- SBO team: Education
- SBO analyst: Erin Fath
 - Phone: 266-5468
 - Email: erin.fath@wisconsin.gov
- Agency acronym: DPI
- Agency number: 255
- Priority (Low, Medium, High): HIGH

Date: January 12, 2007
To: Steve Miller
From: Erin Fath
Subject: Statutory Language Request

Shift DPI's transportation related appropriations to the Transportation Fund

Please make the necessary changes to the following DPI appropriations language to indicate that they will be funded from the Transportation Fund rather than the General Fund, effective in 2007-08:

- 20.255 (2)(cr) – Aid for pupil transportation
- 20.255 (2)(cw) – Aid for transportation; youth options program
- 20.255 (2)(cy) – Aid for transportation; open enrollment

If you have any questions, please call me at 6-5468, or send me an email at erin.fath@wisconsin.gov

Thank you.

Date: January 12, 2007
To: Steve Miller
From: Erin Fath
Subject: Statutory Language Request

Shift DPI's transportation related appropriations to the Transportation Fund

Please make the necessary changes to the following DPI appropriations language to indicate that they will be funded from the Transportation Fund rather than the General Fund, effective in 2007-08:

- 20.255 (2)(cr) – Aid for pupil transportation
- 20.255 (2)(cw) – Aid for transportation; youth options program
- 20.255 (2)(cy) – Aid for transportation; open enrollment

If you have any questions, please call me at 6-5468, or send me an email at erin.fath@wisconsin.gov

Thank you.

(cr)
13.51 (b)(a)

121.057

121.575 (3)

121.58 (6)

(cw)
118.55 (7g)

(cy)
118.51 (14)(b)

118.52 (11)(b)

9
✓
5
✓

9 = v
but not x-27

cr → vr
cw → vw
cy → vy

Date (time) needed soon

LRB- 1501 / 1

PG : 1gf :

DOA BUDGET DRAFT

Use the appropriate components and routines developed for bills.

>>FOR BUDGET ~~NOT READY FOR INTRODUCTION~~<<

Don't Gen

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

(Attached)

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

SECTION #.

Section #. 13.101 (6) (a) of the statutes is amended to read:

vr
(vr)

X 13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and ~~(er)~~, 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), (ar), and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

History: 1975 c. 39, 199, 224; 1977 c. 29 ss. 1649, 1656 (15); 1979 c. 1; 1979 c. 34 ss. 1b to 1g, 631j to 631s, 2102 (43) (a), (52) (a); 1979 c. 221; 1981 c. 20 ss. 3d to 3v; 1983 a. 27 ss. 5p to 7, 2202 (20) and (42); 1983 a. 538; 1985 a. 29 ss. 22, 3202 (51); 1987 a. 4; 1989 a. 31, 336, 366; 1991 a. 39, 309; 1993 a. 16, 184, 414; 1995 a. 27, 132, 225, 227, 445; 1997 a. 27, 35, 113, 252; 1999 a. 9, 29; 2001 a. 16, 38, 109; 2003 a. 33, 64, 102; 2005 a. 25.

4
renumbered w. 255 (2) (vr) and
Section #. 20.255 (2) (cr) of the statutes is amended to read:

20.255 (2) ~~(cr)~~ ^(vr) Aid for pupil transportation. From the transportation fund, the ~~The~~ amounts in the schedule for the payment of state aid for transportation of public and private school pupils under subch. IV of ch. 121 and for assistance under s. 121.575 (3).

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43.

note: bud

renumbered 20.255(2) (vw) and

x
Section #. 20.255 (2) (cw) of the statutes is amended to read:

vw
(vw)

From the transportation fund,
the

20.255 (2) (vw) Aid for transportation; youth options program. ~~The~~ amounts in the schedule for the payment of state aid for the transportation of pupils attending an institution of higher education or technical college under s. 118.55 (7g).

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43.

note: bus

4
renumbered 20.255(2)(vy) and
Section #. 20.255 (2) (cy) of the statutes is amended to read:

20.255 (2) ~~(cy)~~ ^(vy) Aid for transportation; open enrollment. ~~The~~ ^{From the transportation fund, the} amounts in the schedule to reimburse parents for the costs of transportation of open enrollment pupils under ss. 118.51 (14) (b) and 118.52 (11) (b).

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43.

note: bus

Section #. 25.40 (3) (b) of the statutes is amended to read:

25.40 (3) (b) Beginning on July 1, 2007, no moneys may be appropriated from the transportation fund except for purposes related to the planning, design, construction, reconstruction, expansion, rehabilitation, maintenance, or operation of highway, airport, harbor, ferry, railroad, bicycle, or pedestrian facilities or service, or any costs attendant to such planning, design, construction, reconstruction, expansion, rehabilitation, maintenance, or operation; the acquisition of transportation facilities or property necessary to construct or enlarge transportation facilities, or costs attendant to such acquisition or to disposal of any acquired facility or property; costs associated with utility facilities within the rights-of-way of transportation facilities or with radio communications facilities and equipment owned or leased by, and services provided by, the department of transportation and used for law enforcement; aids or assistance to cities, villages, towns, or counties for transportation purposes; the expenditure of federal transportation aid received by the state for any purpose for which the aid is provided or the provision of matching or supplemental funds associated with such aid, or the expenditure of funds derived from gifts or grants received by the department of transportation for any purpose for which the gift or grant is provided; state enforcement of traffic laws; transportation safety programs; the administration of laws related to motor vehicles, driver licensing, or aeronautics; the payment of principal and interest on bonds issued for highway, railroad, or harbor improvements or other transportation facilities; the general costs of administration of the department of transportation; the costs of administration of the taxes and fees that are deposited in the transportation fund; terminal tax distribution payments under s. 76.24 (2) (a); tourism promotion under s. 20.380 (1) (w); transfers to the conservation fund for motor fuel tax collections on the use of fuel by snowmobiles, all-terrain vehicles, and motorboats; any refunds of transportation fund taxes and fees authorized by law; or any other program administered by the department of transportation on January 10, 2005.

History: 1971 c. 125, 211; 1973 c. 90, 333; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 199; 1977 c. 29, 274, 418, 447; 1979 c. 34; 1979 c. 361 s. 113; 1981 c. 20; 1981 c. 347 s. 80 (2), (4); 1983 a. 27, 538; 1985 a. 16 s. 15; 1985 a. 29 ss. 638p,

state aid for pupil transportation under s. 20.255(2)(vr), (vwl), and (vy);

3202 (51); 1985 a. 120 ss. 66, 3202 (56); 1985 a. 332; 1987 a. 3, 27, 110, 399, 403; 1989 a. 31, 102, 105, 359; 1991 a. 39, 104, 189, 269, 309, 315; 1993 a. 16, 123, 205, 253, 415, 437, 491; 1995 a. 27, 113, 201, 269, 280, 445; 1997 a. 27, 35, 41, 135, 237, 255; 1999 a. 9, 32, 92, 167; 2001 a. 16; 2003 a. 33, 139; 2005 a. 25, 45, 85, 179, 199, 260, 319; s. 13.93 (1) (b).

Section #. 118.51 (14) (b) of the statutes is amended to read:

118.51 (14) (b) *Low-income assistance*. The parent of a pupil who is eligible for a free or reduced-price lunch under 42 USC 1758 (b) and who will be attending public school in a nonresident school district in the following school year under this section may apply to the department, on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by the parent for the transportation of the pupil to and from the pupil's residence and the school that the pupil will be attending. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ^(vy) ~~(cy)~~. The reimbursement amount may not exceed the actual transportation costs incurred by the parent or 3 times the statewide average per pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2) ^(vy) ~~(cy)~~ in any one year is insufficient to pay the full amount of approved claims under this paragraph, payments shall be prorated among the parents entitled thereto. By the 2nd Friday following the first Monday in May following receipt of the parent's application under sub. (3) (a), the department shall provide to each parent requesting reimbursement under this paragraph an estimate of the amount of reimbursement that the parent will receive if the pupil attends public school in the nonresident school district in the following school year.

History: 1997 a. 27, 41, 164; 1999 a. 117, 118; 2001 a. 16, 104; 2003 a. 55; 2005 a. 258.

✓

Section #. 118.52 (11) (b) of the statutes is amended to read:

118.52 (11) (b) *Low-income assistance*. The parent of a pupil who is attending a course in a public school in a nonresident school district under this section may apply to the department for reimbursement of the costs incurred by the parent for the transportation of the pupil to and from the pupil's residence or school in which the pupil is enrolled and the school at which the pupil is attending the course if the pupil and parent are unable to pay the cost of such transportation. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ~~(vy)~~ ^{(vy) ← (vy)}. The department shall give preference under this paragraph to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

History: 1997 a. 27, 41, 164.; 2001 a. 16

Section #. 118.55 (7g) of the statutes is amended to read:

118.55 (7g) TRANSPORTATION. The parent or guardian of a pupil who is attending an institution of higher education or technical college under this section and is taking a course for high school credit may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school in which the pupil is enrolled and the institution of higher education or technical college that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ~~(ew)~~ ^(vw) The state superintendent shall give preference under this subsection to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

History: 1991 a. 39, 269, 315; 1993 a. 399; 1995 a. 27 ss. 3979m, 9145 (1); 1997 a. 27 ss. 2816 to 2819, 2821 to 2827m, 2844, 2845; Stats. 1997 s. 118.55; 1997 a. 113, 164, 237; 1999 a. 9; 2003 a. 131.

Section #. 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 ~~(er)~~^(vr), 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.

History: 1971 c. 125 s. 522 (1); 1973 c. 90; 1975 c. 39, 220; 1977 c. 29 s. 1099; Stats. 1977 s. 121.007; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221; 1981 c. 20; 1983 a. 27 s. 2202 (42); 1983 a. 538; 1989 a. 31, 336; 1993 a. 16; 1997 a. 27, 113; 2001 a. 16; 2003 a. 33; 2005 a. 25.

✓

Section #. 121.575 (3) of the statutes is amended to read:

121.575 (3) If the federal government requires, as a condition of full federal financial participation under sub. (2) (b), that this state provide assistance for the purposes of sub. (2) (a) from state resources, the department shall provide the assistance from the appropriation under s. 20.255 (2) ~~(a)~~ [✓] (vr) in the minimum amount required to obtain full federal financial participation.

History: 2005 a. 43.



✓
Section #. 121.58 (6) of the statutes is amended to read:

121.58 (6) APPROPRIATION PRORATED. If the appropriation under s. 20.255 (2) ~~(c)~~^(vr) in any one year is insufficient to pay the full amount of approved claims under this section, state aid payments for school districts not participating in the program under s.121.575 shall be prorated as though the minimum amount under s. 121.575 (3) had not been made and state aid payments for school districts participating in the program under s. 121.575 shall be prorated after deducting the minimum amount under s. 121.575 (3).

History: 1971 c. 125 s. 522 (1); 1973 c. 89, 333; 1975 c. 392; 1977 c. 29; 1979 c. 34 ss. 966d, 2102 (43) (a); 1979 c. 221; 1983 a. 27, 538; 1985 a. 29; 1993 a. 492; 1995 a. 27, 439; 1997 a. 27, 113, 164; 1999 a. 9, 117; 2005 a. 25, 43.

(END)

Analysis

Head = EDUCATION

Subhead = PRIMARY AND SECONDARY EDUCATION

This bill changes the funding source for pupil transportation aid from the general fund to the transportation fund.

FES

DN

DOA:.....Fath, BB0349 - Fund pupil transportation from the transportation fund

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill changes the funding source for pupil transportation aid from the general fund to the transportation fund.

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

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

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

3 13.101 (6) (a) As an emergency measure necessitated by decreased state
4 revenues and to prevent the necessity for a state tax on general property, the
5 committee may reduce any appropriation made to any board, commission,

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

17 SECTION 2. 20.255 (2) (cr) of the statutes is renumbered 20.255 (2) (vr) and ✓
18 amended to read:

19 20.255 (2) (vr) *Aid for pupil transportation.* ~~The~~ From the transportation fund,
20 the amounts in the schedule for the payment of state aid for transportation of public
21 and private school pupils under subch. IV of ch. 121 and for assistance under s.
22 121.575 (3).

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

1 SECTION 3. 20.255 (2) (cw) of the statutes is renumbered 20.255 (2) (vw) and ✓
2 amended to read:

Notwithstanding s. 25.40
(3) (b),

3 20.255 (2) (vw) *Aid for transportation; youth options program.* ~~The~~ From the
4 transportation fund, the amounts in the schedule for the payment of state aid for the
5 transportation of pupils attending an institution of higher education or technical
6 college under s. 118.55 (7g).

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

7 SECTION 4. 20.255 (2) (cy) of the statutes is renumbered 20.255 (2) (vy) and ✓
8 amended to read:

Notwithstanding s. 25.40
(3) (b),

9 20.255 (2) (vy) *Aid for transportation; open enrollment.* ~~The~~ From the
10 transportation fund, the amounts in the schedule to reimburse parents for the costs
11 of transportation of open enrollment pupils under ss. 118.51 (14) (b) and 118.52 (11)
12 (b).

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

13 SECTION 5. 25.40 (3) (b) of the statutes is amended to read:

14 25.40 (3) (b) Beginning on July 1, 2007, no moneys may be appropriated from
15 the transportation fund except for purposes related to the planning, design,
16 construction, reconstruction, expansion, rehabilitation, maintenance, or operation
17 of highway, airport, harbor, ferry, railroad, bicycle, or pedestrian facilities or service,
18 or any costs attendant to such planning, design, construction, reconstruction,
19 expansion, rehabilitation, maintenance, or operation; the acquisition of
20 transportation facilities or property necessary to construct or enlarge transportation
21 facilities, or costs attendant to such acquisition or to disposal of any acquired facility
22 or property; costs associated with utility facilities within the rights-of-way of

1 transportation facilities or with radio communications facilities and equipment
2 owned or leased by, and services provided by, the department of transportation and
3 used for law enforcement; aids or assistance to cities, villages, towns, or counties for
4 transportation purposes; the expenditure of federal transportation aid received by
5 the state for any purpose for which the aid is provided or the provision of matching
6 or supplemental funds associated with such aid, or the expenditure of funds derived
7 from gifts or grants received by the department of transportation for any purpose for
8 which the gift or grant is provided; state enforcement of traffic laws; transportation
9 safety programs; the administration of laws related to motor vehicles, driver
10 licensing, or aeronautics; the payment of principal and interest on bonds issued for
11 highway, railroad, or harbor improvements or other transportation facilities; the
12 general costs of administration of the department of transportation; the costs of
13 administration of the taxes and fees that are deposited in the transportation fund;
14 terminal tax distribution payments under s. 76.24 (2) (a); tourism promotion under
15 s. 20.380 (1) (w); state aid for pupil transportation under s. 20.255 (2) (vr), (vw), and
16 (vy); transfers to the conservation fund for motor fuel tax collections on the use of fuel
17 by snowmobiles, all-terrain vehicles, and motorboats; any refunds of transportation
18 fund taxes and fees authorized by law; or any other program administered by the
19 department of transportation on January 10, 2005.

20 **SECTION 6.** 118.51 (14) (b) of the statutes is amended to read:

21 118.51 (14) (b) *Low-income assistance.* The parent of a pupil who is eligible for
22 a free or reduced-price lunch under 42 USC 1758 (b) and who will be attending public
23 school in a nonresident school district in the following school year under this section
24 may apply to the department, on the form prepared under sub. (15) (a), for the
25 reimbursement of costs incurred by the parent for the transportation of the pupil to

1 and from the pupil's residence and the school that the pupil will be attending. The
2 department shall determine the reimbursement amount and shall pay the amount
3 from the appropriation under s. 20.255 (2) ~~(ey)~~ (vy). The reimbursement amount may
4 not exceed the actual transportation costs incurred by the parent or 3 times the
5 statewide average per pupil transportation costs, whichever is less. If the
6 appropriation under s. 20.255 (2) ~~(ey)~~ (vy) in any one year is insufficient to pay the
7 full amount of approved claims under this paragraph, payments shall be prorated
8 among the parents entitled thereto. By the 2nd Friday following the first Monday
9 in May following receipt of the parent's application under sub. (3) (a), the department
10 shall provide to each parent requesting reimbursement under this paragraph an
11 estimate of the amount of reimbursement that the parent will receive if the pupil
12 attends public school in the nonresident school district in the following school year.

13 **SECTION 7.** 118.52 (11) (b) of the statutes is amended to read:

14 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending
15 a course in a public school in a nonresident school district under this section may
16 apply to the department for reimbursement of the costs incurred by the parent for
17 the transportation of the pupil to and from the pupil's residence or school in which
18 the pupil is enrolled and the school at which the pupil is attending the course if the
19 pupil and parent are unable to pay the cost of such transportation. The department
20 shall determine the reimbursement amount and shall pay the amount from the
21 appropriation under s. 20.255 (2) ~~(ey)~~ (vy). The department shall give preference
22 under this paragraph to those pupils who are eligible for a free or reduced-price
23 lunch under 42 USC 1758 (b).

24 **SECTION 8.** 118.55 (7g) of the statutes is amended to read:

1 118.55 (7g) TRANSPORTATION. The parent or guardian of a pupil who is
2 attending an institution of higher education or technical college under this section
3 and is taking a course for high school credit may apply to the state superintendent
4 for reimbursement of the cost of transporting the pupil between the high school in
5 which the pupil is enrolled and the institution of higher education or technical college
6 that the pupil is attending if the pupil and the pupil's parent or guardian are unable
7 to pay the cost of such transportation. The state superintendent shall determine the
8 reimbursement amount and shall pay the amount from the appropriation under s.
9 20.255 (2) (~~ew~~) (vw). The state superintendent shall give preference under this
10 subsection to those pupils who are eligible for a free or reduced-price lunch under
11 42 USC 1758 (b).

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

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

19 **SECTION 10.** 121.575 (3) of the statutes is amended to read:

20 121.575 (3) If the federal government requires, as a condition of full federal
21 financial participation under sub. (2) (b), that this state provide assistance for the
22 purposes of sub. (2) (a) from state resources, the department shall provide the
23 assistance from the appropriation under s. 20.255 (2) (~~er~~) (vr) in the minimum
24 amount required to obtain full federal financial participation.

25 **SECTION 11.** 121.58 (6) of the statutes is amended to read:

Date

LRB-1501/2 dn
PG: lbf

DN

Erin -

I redrafted this to delete the treatment of s. 25.40 (3) (b) and, instead, to ^{notwithstanding} notwithstanding that section in each of the transportation fund appropriations. This is the standardized method of addressing the recently created "lockbox" feature of the transportation fund.

PLG

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1501/2dn
PG:kjf:pg

January 16, 2007

Erin:

I redrafted this to delete the treatment of s. 25.40 (3) (b) and, instead, to notwithstanding that section in each of the transportation fund appropriations. This is the standardized method of addressing the recently created "lockbox" feature of the transportation fund.

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State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1501/2

PG:kjf:pg

DOA:.....Fath, BB0349 - Fund pupil transportation from the transportation fund

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill changes the funding source for pupil transportation aid from the general fund to the transportation fund.

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

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

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

3 13.101 (6) (a) As an emergency measure necessitated by decreased state
4 revenues and to prevent the necessity for a state tax on general property, the
5 committee may reduce any appropriation made to any board, commission,

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

17 **SECTION 2.** 20.255 (2) (cr) of the statutes is renumbered 20.255 (2) (vr) and
18 amended to read:

19 20.255 (2) (vr) *Aid for pupil transportation.* The Notwithstanding s. 25.40 (3)
20 (b), from the transportation fund, the amounts in the schedule for the payment of
21 state aid for transportation of public and private school pupils under subch. IV of ch.
22 121 and for assistance under s. 121.575 (3).

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

1 **SECTION 3.** 20.255 (2) (cw) of the statutes is renumbered 20.255 (2) (vw) and
2 amended to read:

3 20.255 (2) (vw) *Aid for transportation; youth options program.* The
4 Notwithstanding s. 25.40 (3) (b), from the transportation fund, the amounts in the
5 schedule for the payment of state aid for the transportation of pupils attending an
6 institution of higher education or technical college under s. 118.55 (7g).

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

7 **SECTION 4.** 20.255 (2) (cy) of the statutes is renumbered 20.255 (2) (vy) and
8 amended to read:

9 20.255 (2) (vy) *Aid for transportation; open enrollment.* The Notwithstanding
10 s. 25.40 (3) (b), from the transportation fund, the amounts in the schedule to
11 reimburse parents for the costs of transportation of open enrollment pupils under ss.
12 118.51 (14) (b) and 118.52 (11) (b).

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

13 **SECTION 5.** 118.51 (14) (b) of the statutes is amended to read:

14 118.51 (14) (b) *Low-income assistance.* The parent of a pupil who is eligible for
15 a free or reduced-price lunch under 42 USC 1758 (b) and who will be attending public
16 school in a nonresident school district in the following school year under this section
17 may apply to the department, on the form prepared under sub. (15) (a), for the
18 reimbursement of costs incurred by the parent for the transportation of the pupil to
19 and from the pupil's residence and the school that the pupil will be attending. The
20 department shall determine the reimbursement amount and shall pay the amount
21 from the appropriation under s. 20.255 (2) (ey) (vy). The reimbursement amount may
22 not exceed the actual transportation costs incurred by the parent or 3 times the

1 statewide average per pupil transportation costs, whichever is less. If the
2 appropriation under s. 20.255 (2) (~~ey~~) (vy) in any one year is insufficient to pay the
3 full amount of approved claims under this paragraph, payments shall be prorated
4 among the parents entitled thereto. By the 2nd Friday following the first Monday
5 in May following receipt of the parent's application under sub. (3) (a), the department
6 shall provide to each parent requesting reimbursement under this paragraph an
7 estimate of the amount of reimbursement that the parent will receive if the pupil
8 attends public school in the nonresident school district in the following school year.

9 **SECTION 6.** 118.52 (11) (b) of the statutes is amended to read:

10 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending
11 a course in a public school in a nonresident school district under this section may
12 apply to the department for reimbursement of the costs incurred by the parent for
13 the transportation of the pupil to and from the pupil's residence or school in which
14 the pupil is enrolled and the school at which the pupil is attending the course if the
15 pupil and parent are unable to pay the cost of such transportation. The department
16 shall determine the reimbursement amount and shall pay the amount from the
17 appropriation under s. 20.255 (2) (~~ey~~) (vy). The department shall give preference
18 under this paragraph to those pupils who are eligible for a free or reduced-price
19 lunch under 42 USC 1758 (b).

20 **SECTION 7.** 118.55 (7g) of the statutes is amended to read:

21 118.55 (7g) **TRANSPORTATION.** The parent or guardian of a pupil who is
22 attending an institution of higher education or technical college under this section
23 and is taking a course for high school credit may apply to the state superintendent
24 for reimbursement of the cost of transporting the pupil between the high school in
25 which the pupil is enrolled and the institution of higher education or technical college

1 that the pupil is attending if the pupil and the pupil's parent or guardian are unable
2 to pay the cost of such transportation. The state superintendent shall determine the
3 reimbursement amount and shall pay the amount from the appropriation under s.
4 20.255 (2) (~~ew~~) (vw). The state superintendent shall give preference under this
5 subsection to those pupils who are eligible for a free or reduced-price lunch under
6 42 USC 1758 (b).

7 **SECTION 8.** 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 (~~er~~) (vr), shall be used by the
10 school district solely for the purposes for which paid. Such moneys are exempt from
11 execution, attachment, garnishment, or other process in favor of creditors, except as
12 to claims for salaries or wages of teachers and other school employees and as to
13 claims for school materials, supplies, fuel, and current repairs.

14 **SECTION 9.** 121.575 (3) of the statutes is amended to read:

15 121.575 (3) If the federal government requires, as a condition of full federal
16 financial participation under sub. (2) (b), that this state provide assistance for the
17 purposes of sub. (2) (a) from state resources, the department shall provide the
18 assistance from the appropriation under s. 20.255 (2) (~~er~~) (vr) in the minimum
19 amount required to obtain full federal financial participation.

20 **SECTION 10.** 121.58 (6) of the statutes is amended to read:

21 121.58 (6) APPROPRIATION PRORATED. If the appropriation under s. 20.255 (2) (~~er~~)
22 (vr) in any one year is insufficient to pay the full amount of approved claims under
23 this section, state aid payments for school districts not participating in the program
24 under s.121.575 shall be prorated as though the minimum amount under s. 121.575
25 (3) had not been made and state aid payments for school districts participating in the

1 program under s. 121.575 shall be prorated after deducting the minimum amount
2 under s. 121.575 (3).

3 (END)