

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

May Contact:

Drafter: **chanaman**

Subject: **Employ Pub - collective bargain
Education - school finance**

Adl. Drafters: **tkuczens**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov
dave.loppnow@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009	kfollett 12/07/2009		_____			S&L
	tkuczens 11/19/2009			_____			
	tdodge 11/19/2009			_____			
	chanaman 11/24/2009			_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 02/26/2010 tkuczens 02/27/2010 chanaman 03/01/2010 chanaman 03/09/2010	chanaman 03/04/2010 kfollett 03/09/2010	mduchek 12/08/2009	_____ _____ _____ _____ _____	sbasford 12/08/2009		S&L
/P2	tkuczens 03/11/2010	kfollett 03/11/2010	rschluet 03/10/2010	_____ _____	lparisi 03/10/2010		S&L
/P3	chanaman 03/11/2010	kfollett 03/11/2010	rschluet 03/11/2010	_____ _____	cduerst 03/11/2010		S&L
/P4	chanaman 03/11/2010	kfollett 03/11/2010	jfrantze 03/11/2010	_____ _____	lparisi 03/11/2010		S&L
/1			jfrantze 03/11/2010	_____ _____	cduerst 03/11/2010	cduerst 03/18/2010	

FE Sent For:

*at
intro*

<END>

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters: **tkuczens**

Subject: **Employ Pub - collective bargain
Education - school finance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov
dave.loppnow@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009	kfollett 12/07/2009		_____			S&L
	tkuczens 11/19/2009			_____			
	tdodge 11/19/2009			_____			
	chanaman 11/24/2009			_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 02/26/2010 tkuczens 02/27/2010 chanaman 03/01/2010 chanaman 03/09/2010	chanaman 03/04/2010 kfollett 03/09/2010	mduchek 12/08/2009	_____ _____ _____ _____ _____	sbasford 12/08/2009		S&L
/P2	tkuczens 03/11/2010	kfollett 03/11/2010	rschluet 03/10/2010	_____ _____	lparisi 03/10/2010		S&L
/P3	chanaman 03/11/2010	kfollett 03/11/2010	rschluet 03/11/2010	_____ _____	cduerst 03/11/2010		S&L
/P4	chanaman 03/11/2010	kfollett 03/11/2010	jfrantze 03/11/2010	_____ _____	lparisi 03/11/2010		S&L
/1			jfrantze 03/11/2010	_____ _____	cduerst 03/11/2010		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters: **tkuczens**

Subject: **Employ Pub - collective bargain
Education - school finance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov
dave.loppnow@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009	kfollett 12/07/2009					S&L
	tkuczens 11/19/2009	1/15/11	JG	3/1/11			
	tdodge 11/19/2009	3/1/11					
	chanaman 11/24/2009						

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 02/26/2010 tkuczens 02/27/2010 chanaman 03/01/2010 chanaman 03/09/2010	chanaman 03/04/2010 kfollett 03/09/2010	mduchek 12/08/2009	_____ _____ _____ _____ _____	sbasford 12/08/2009		S&L
/P2	tkuczens 03/11/2010	kfollett 03/11/2010	rschluet 03/10/2010	_____ _____	lparisi 03/10/2010		S&L
/P3	chanaman 03/11/2010	kfollett 03/11/2010	rschluet 03/11/2010	_____ _____	cduerst 03/11/2010		S&L
/P4			jfrantze 03/11/2010	_____ _____	lparisi 03/11/2010		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters: **tkuczens**

Subject: **Employ Pub - collective bargain
Education - school finance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov
dave.loppnow@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009	kfollett 12/07/2009					S&L
	tkuczens 11/19/2009	1PY/gf	gf	3/11			
	tdodge 11/19/2009	3/11					
	chanaman 11/24/2009						

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 02/26/2010 tkuczens 02/27/2010 chanaman 03/01/2010 chanaman 03/09/2010	chanaman 03/04/2010 kfollett 03/09/2010	mduchek 12/08/2009	_____ _____ _____ _____ _____	sbasford 12/08/2009		S&L
/P2	tkuczens 03/11/2010	kfollett 03/11/2010	rschluet 03/10/2010	_____ _____	lparisi 03/10/2010		S&L
/P3			rschluet 03/11/2010	_____ _____	cduerst 03/11/2010		

FE Sent For:



<END>

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters: **tkuczens**

Subject: **Employ Pub - collective bargain
Education - school finance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov
dave.loppnow@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

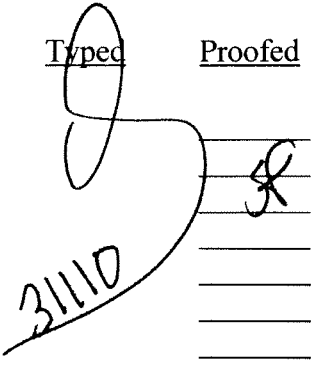

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009 tkuczens 11/19/2009 tdodge 11/19/2009 chanaman 11/24/2009	kfollett 12/07/2009					S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 02/26/2010 tkuczens 02/27/2010 chanaman 03/01/2010 chanaman 03/09/2010	chanaman 03/04/2010 kfollett 03/09/2010 <i>1P3/gf</i> <i>3/11</i>	mduchek 12/08/2009	_____	sbasford 12/08/2009		S&L
/P2	tkuczens		rschluet 03/10/2010	_____	lparisi 03/10/2010		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters: **tkuczens**

Subject: **Education - miscellaneous**
Employ Pub - collective bargain

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009 tkuczens 11/19/2009 tdodge 11/19/2009 chanaman 11/24/2009	kfollett 12/07/2009		_____			S&L
/P1	chanaman	chanaman	mduchek	_____	sbasford		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/26/2010 tkuczens	03/04/2010 kfollett	12/08/2009	_____	12/08/2009		
	02/27/2010 chanaman	03/09/2010		_____			
	03/01/2010 chanaman			_____			
	03/09/2010			_____			
/P2			rschluet	_____	lparisi		
			03/10/2010	_____	03/10/2010		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 09/29/2009

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Brett Davis (608) 266-1192

By/Representing: Luke Bacher

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters: tkuczens

Subject: Education - miscellaneous
Employ Pub - collective bargain

Extra Copies:

Submit via email: YES

Requester's email: Rep.Davis@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman 10/02/2009 tkuczens 11/19/2009 tdodge 11/19/2009 chanaman 11/24/2009	kfollett 12/07/2009 1P2kjf 3/9		_____ _____ _____ _____ _____ _____ _____ _____ _____ _____			S&L
/P1			nduchek		sbasford		

nduchek
8/10/10

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			12/08/2009 _____		12/08/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **09/29/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis (608) 266-1192**

By/Representing: **Luke Bacher**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters:

tkuczens *Please correct*

Subject: **Education - miscellaneous
Employ Pub - collective bargain**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School Finance reform--restore QEO, state general aid, health care costs, and school consolidation

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>
/?	chanaman	1/11/09 12/17	1/1 MD	1/1 DP/DPK			

FE Sent For:

<END>

Kuczenski, Tracy

From: Bacher, Luke
Sent: Monday, November 09, 2009 2:53 PM
To: Kuczenski, Tracy; Grant, Peter
Subject: RE: School Finance Reform Legislation Draft

Tracy & Peter -

I'm sorry I didn't email you sooner, but here is the final version of what Rep. Davis has decided on for the school finance legislation.

We do not need arbitration factors (bill already exists), school consolidation incentives (bill already exists), or the retiree benefits portion.

Brett would like 1 bill that address these three areas:

Restore Qualified Economic Offer (QEO) and Align with Revenue Limits

The major reason school districts go to referendum is because there is a gap between major expenses and allowable revenues, primarily caused by state law. This legislation restores and aligns the QEO with revenue caps to eliminate the gap between allowable revenue and a district's major expense. If school boards want to settle employee contracts above the QEO they are allowed to do so.

73.0305 (CITE?)

Reduce Property Taxes by restoring 2/3rds Funding

Reduce property taxes by requiring an increase in the state's share of general aid funding. The state would be required to fund 2/3rds of total school costs by 2015/16 budget cycle (3rd cycle).

11/17 per Luke ^{Russkova} use definitions (at 121.15(3m)) from 2001, state (pre-repeal at 2003 Wis. Act 33).

Reduce Health Care Costs

Lower health care costs for many school districts by providing state health benefits to teachers. Districts would be required to bid out their health insurance and select the lowest health insurance bid that is similar to cost and quality of state health insurance. Also, adapt Rep. Kramer's amendment from last session that states school districts do not have to necessarily pass the savings onto the salary side of the QEO.

From: Kuczenski, Tracy
Sent: Monday, November 09, 2009 2:15 PM
To: Bacher, Luke
Subject: FW: School Finance Reform Legislation Draft

Hi Luke;

Here are the instructions I'm working from. If the instructions have *not* changed since this email, I will have follow-up questions to ask.

Thanks,

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-9867
Tracy.Kuczenski@legis.wisconsin.gov

From: Bacher, Luke
Sent: Thursday, September 24, 2009 2:59 PM
To: Grant, Peter
Cc: Bacher, Luke
Subject: School Finance Reform Legislation Draft

Peter -

Could you please draft a bill that does the following (see below)?

Thank you,

Luke Bacher
Research Assistant
State Representative Brett Davis
Phone: (608)-266-1192
Toll Free: 888-534-0080
Fax: 608-282-3680
luke.bacher@legis.wi.gov
<http://www.brettdavis.us>

School Finance Reform

**all provisions would have a start date of 11/12 biennium unless noted.*

Restore Arbitration

Restore arbitration budget changes back to current law. (same as LRB 3100/1)

Restore QEO and Align Revenue Limit & QEO

Set revenue limit equal to CPI (2.6%) for biennium, or a per pupil limit of \$275. Also restore the QEO and align the QEO and perpupil revenue limits at 2.6%.

2/3 Funding to Reduce Property Taxes

Require an increase in state general aid funding to reduce property taxes. State would be required to fund 2/3rds of total school costs by 2015/16 budget cycle (3rd cycle). The increase would be phased in from current 65% state share to 66.7%. The 1.7% would be phased in by 0.28% each year, or .57% each biennium, whichever makes more sense.

Reduce Health Care Costs

Require that all school districts bid out their health insurance. Have OCI verify/certify that the district bid out their insurance. Require school district to go with the lowest health insurance bid.

Require Responsible Budgeting for Retiree Benefits

For negotiations beginning in 2010, require districts to identify a full, current year discounted cost of retiree benefits, and allocate revenue per year to Fund 73 to finance the benefits.

School Consolidation Incentives

Remove disincentive for low tax/low debt school district to take on increased financial burden of merged school districts. Hold lower rate school district taxpayers harmless and allow taxpayers of old school district with higher rate to pay off debt overtime at a different rate.

Hanaman, Cathlene

cmH

TJD

From: Grant, Peter
Sent: Thursday, September 24, 2009 3:31 PM
To: Kuczenski, Tracy; Hanaman, Cathlene
Subject: FW: School Finance Reform Legislation Draft

TKK

RAC
d note?

This looks like it might have elements for both of you.

back to cmH

From: Bacher, Luke
Sent: Thursday, September 24, 2009 2:59 PM
To: Grant, Peter
Cc: Bacher, Luke
Subject: School Finance Reform Legislation Draft

Peter -

Could you please draft a bill that does the following (see below)?

Thank you,

Luke Bacher
Research Assistant
State Representative Brett Davis
Phone: (608)-266-1192
Toll Free: 888-534-0080
Fax: 608-282-3680
luke.bacher@legis.wi.gov
<http://www.brettdavis.us>

School Finance Reform

**all provisions would have a start date of 11/12 biennium unless noted.*

Restore Arbitration

Restore arbitration budget changes back to current law. (same as LRB 3100/1)

Restore QEO and Align Revenue Limit & QEO

Set revenue limit equal to CPI (2.6%) for biennium, or a per pupil limit of \$275. Also restore the QEO and align the QEO and perpupil revenue limits at 2.6%.

2/3 Funding to Reduce Property Taxes

Require an increase in state general aid funding to reduce property taxes. State would be required to fund 2/3rds of total school costs by 2015/16 budget cycle (3rd cycle). The increase would be phased in from current 65% state share to 66.7%. The 1.7% would be phased in by 0.28% each year, or .57% each biennium, whichever makes more sense.

Reduce Health Care Costs

Require that all school districts bid out their health insurance. Have OCI verify/certify that the district bid out their insurance. Require school district to go with the lowest health insurance bid.

Require Responsible Budgeting for Retiree Benefits

For negotiations beginning in 2010, require districts to identify a full, current year discounted cost of retiree benefits, and allocate revenue per year to Fund 73 to finance the benefits.

School Consolidation Incentives

Remove disincentive for low tax/low debt school district to take on increased financial burden of merged school districts. Hold lower rate school district taxpayers harmless and allow taxpayers of old school district with higher rate to pay off debt overtime at a different rate.

117.25?

(c) For the payments from December to June, the total aid entitlement for each district shall be computed on the basis of the budget and membership report under s. 121.05.

(e) Payments under this subsection shall be made on the first Monday of the month for the December payment, on the 3rd Monday of the month for the September and June payments and on the 4th Monday of the month for the March payment.

(1g) (a) If a school board submits a written request to the department before May 1, in the following school year the department shall pay to that school district an amount equal to 10% of the school district's total aid entitlement under s. 121.08 in each month from September to June. (1m) cr. 2009 Act 28

(b) For the September and October payments, the total aid entitlement shall be estimated based upon the total aid payment in the previous year.

(c) For the payments from November to June, the total aid entitlement shall be computed on the basis of the budget and membership report under s. 121.05.

(d) Payments under this subsection shall be made on the 3rd Monday of the month, except that payment shall be made on the first Monday of the month for the December payment and on the 4th Monday of the month for the March payment.

(e) If a school board chooses the distribution schedule under this subsection, it shall pay to the department of public instruction an amount equal to the earnings that the school district's aid entitlement would have accrued had the school district's aid been distributed under sub. (1), as determined by the department of administration.

(1m) (a) Notwithstanding subs. (1) and (1g), a portion of state aid to school districts shall be distributed as follows:

3. Beginning in the 1999-2000 school year, annually the state shall pay to school districts, from the appropriation under s. 20.255 (2) (ac), \$75,000,000 on the 4th Monday in July of the following school year.

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

(2) (a) No state aid payments may be made to any district until the annual report under s. 120.18 has been filed with the department.

(b) No state aid payments may be made to any district in the months of November to June until the budget and membership report under s. 121.05 is filed with the department.

(c) If the state superintendent notifies a school district that a state aid payment may be withheld under par. (a) or (b), the state superintendent shall notify each member of the school board or the school district clerk. If the state superintendent notifies the school district clerk, the school district clerk shall promptly distribute a copy of the notice to each member of the school board.

(3m) (a) In this subsection:

1. "Partial school revenues" means the sum of state school aids, other than the amounts appropriated under s. 20.255 (2) (cv), property taxes levied for school districts and aid paid to school districts under s. 79.095 (4), less all of the following:

a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board's increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board.

b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.

c. The amount of any revenue limit increase under s. 121.91 (4) (j).

d. The amount of any revenue limit increase under s. 121.91 (4) (h).

e. The amount of any property taxes levied for the purpose of s. 120.13 (19).

f. An amount equal to 45% of the amount estimated to be paid under s. 119.23 (4) and (4m).

g. The amount by which the property tax levy for debt service on debt that has been approved by a referendum exceeds \$490,000,000.

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

(b) By May 15, 2003, and annually by May 15 thereafter, the department, the department of administration and the legislative fiscal bureau shall jointly certify to the joint committee on finance an estimate of the amount necessary to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that the sum of state school aids and the school levy tax credit under s. 79.10 (4) equals two-thirds of partial school revenues.

(c) By June 30, 2004, and biennially by June 30 thereafter, the joint committee on finance shall determine the amount appropriated under s. 20.255 (2) (ac) in the following school year.

(4) (a) In this subsection, "state aid" has the meaning given in s. 121.90 (2) except that it excludes aid paid to school districts under s. 79.095 (4).

(b) On July 1 and October 15, using the most accurate data available, the state superintendent shall provide the department of revenue and each school district with an estimate of the total amount of state aid the school district will receive in the current school year. On October 15, using the most accurate data available, the state superintendent shall calculate the total amount of state aid that each school district will receive in the current school year. Any adjustments to that calculation shall be made by increasing or decreasing the payment made in September of the following school year.

History: 1977 c. 29 s. 1098; 1977 c. 273; Stats. 1977 s. 121.15; 1979 c. 34; 1985 a. 29, 120; 1987 a. 27; 1989 a. 207; 1993 a. 16, 437; 1995 a. 27 ss. 4073 to 4075m, 9145 (1); 1997 a. 27, 113, 228; 1997 a. 237 ss. 368v to 369, 727p; 1999 a. 9, 17; 2001 a. 16, 106, 109.

121.17 Use of federal revenue sharing funds. It is the intent of the legislature that school districts receiving federal revenue sharing funds through the state under this subchapter shall utilize these funds in compliance with the federal revenue sharing requirements as defined in the state and local fiscal assistance act of 1972 (P.L. 92-512), as amended by P.L. 94-488. The department shall assure compliance with this section.

History: 1973 c. 90; 1977 c. 29 s. 1101; Stats. 1977 s. 121.17; 1995 a. 27; 1997 a. 27.

121.23 Payment of aids in school district labor disputes. (1) In the event that the state superintendent finds that school is not held, or educational standards are not maintained in accordance with s. 121.02 (1) (f) as the result of a strike by school district employees, make-up days are authorized to be scheduled but no make-up days are required.

(2) If a school district holds less than 180 days of school as the result of a strike by school district employees, for the purposes of computing general aid, the state superintendent shall compute the school district's primary and secondary ceiling costs per member in accordance with the procedure specified in pars. (a) to (e). In making the calculation, the state superintendent shall:

(a) Determine the amount of shared cost not incurred by the school district because of the strike.

(b) Determine the amount of shared cost that the school district would have incurred had the strike not occurred.

(c) Divide the amount determined under par. (a) by the amount determined under par. (b).

computed under s. 121.08 for that school year using the school district's equalized valuation as recertified under s. 70.57 (2).

(2) If, on or after May 3, 1984, the state board of assessors, the tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is higher than the previous assessment, the state superintendent shall notify the school district in which the property is located of the recertification by the department of revenue under s. 70.57 (2). The state superintendent shall, in the subsequent fiscal year, withhold from the school district's state aid entitlement under s. 121.08 an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year, using the school district's equalized valuation as recertified under s. 70.57 (2).

History: 1983 a. 372; 1985 a. 29; 1995 a. 27 s. 9145 (1); 1997 a. 27; 2001 a. 16.

School districts may obtain adjustments in state aid payments whether their equalized valuation is changed either as a result of a reassessment of or a finding of exemption of manufacturing property. 73 Atty. Gen. 119.

121.095 State aid adjustment; Youth Challenge program. (1) Annually the department shall reduce each school district's state aid payment under s. 121.08, or other state aid payments, if necessary, by an amount calculated as follows:

(a) Determine the number of pupils counted in the school district's membership who are attending the Youth Challenge program under s. 21.26.

(b) Multiply the result under par. (a) by the lesser of the following:

1. The amount determined by the department of military affairs under s. 21.26 (2) (a).

2. The amount determined for the school district under s. 121.91 (2m) (e) 3. for the current school year.

(2) From the appropriation under s. 20.255 (2) (ac), annually the department of public instruction shall pay to the department of military affairs an amount equal to the sum of the reductions under sub. (1). The department of public instruction shall ensure that the aid adjustment under sub. (1) does not affect the amount determined to be received by a school district as state aid under s. 121.08 or for any other purpose.

History: 2001 a. 109.

121.105 Special adjustment aids. (1) In this section "state aid" means the sum of the payments provided to a school district under this section and ss. 121.08, 121.85 and 121.86.

(2) (am) If a school district would receive less in state aid in the current year before any adjustment is made under s. 121.15 (4) (b) than an amount equal to 85% of the sum of the state aid that it received in the previous school year and the adjustment, if any, made under s. 121.15 (4) (b) in the current school year, its state aid for the current school year shall be increased to an amount equal to 85% of the state aid received in the previous school year.

(b) A school district is eligible to receive additional aid under par. (am) only if additional aid does not result in a state aid payment greater than the school district's shared cost.

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

History: 1985 a. 29, 251; 1987 a. 27; 1989 a. 31, 114, 336; 1991 a. 39, 269; 1993 a. 16, 437; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 104.

121.135 State aid to county children with disabilities education boards. (1) If, upon receipt of the plan under s. 115.77 (4), the state superintendent is satisfied that there are chil-

dren participating in a special education program provided by a county children with disabilities education board, the state superintendent shall certify to the department of administration from the appropriation under s. 20.255 (2) (bh) in favor of the county children with disabilities education board the amount determined under sub. (2), except as provided under sub. (3).

(2) (a) In this subsection:

1. "Additional general aid" means the amount determined by calculating the percentage of a school district's shared costs that would be paid under s. 121.08 if its membership included each pupil who is a resident of the school district and solely enrolled in a special education program provided by a county children with disabilities education board and the school district's shared costs were increased by the costs of the county children with disabilities education board program for all pupils participating in the county children with disabilities education board program who are residents of the school district, and multiplying the costs of the county children with disabilities education board program by that percentage.

2. "Costs of the county children with disabilities education board program" means the gross cost of the county children with disabilities education board program minus all nonduplicative revenues and other financing sources except property taxes and state aid paid under this section in the previous school year.

(c) The state superintendent shall pay the additional general aid to the county children with disabilities education board.

(3) This section does not apply beginning on the effective date of a resolution adopted under s. 115.817 (9) (c), except that in the school year beginning July 1 of the year prior to the effective date of the resolution, the state superintendent shall certify to the department of administration from the appropriation under s. 20.255 (2) (bh) in favor of the county children with disabilities education board an amount equal to one-half the amount specified under sub. (2) for each pupil enrolled.

History: 1973 c. 89, 243; 1979 c. 34 s. 2102 (43) (a); 1979 c. 176; 1981 c. 20; 1983 a. 27 ss. 1482g, 1482r, 2202 (42); 1987 a. 27; 1989 a. 336, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 4072, 9145 (1); 1997 a. 27, 113, 164.

121.14 State aid for summer classes. (1) State aid shall be paid to each district or county children with disabilities education board only for those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule. Recreational programs and team sports shall not be eligible for aid under this section, and pupils participating in such programs shall not be counted as pupils enrolled under s. 121.004 (5) nor shall costs associated with such programs be included in shared costs under s. 121.07 (6).

(2) (a) State aid for summer classes shall be incorporated into the state aid paid for regular classes under this subchapter.

(b) Annually on or before October 1, the school district clerk or chairperson of the county children with disabilities education board shall file with the department a report stating the summer average daily membership equivalent.

(3) References to county children with disabilities education boards under subs. (1) and (2) (b) do not apply beginning on the effective date of a resolution adopted under s. 115.817 (9) (c).

History: 1973 c. 89, 90, 243, 333; 1975 c. 39; 1977 c. 29; 1983 a. 27; 1983 a. 189 s. 329 (17m); 1995 a. 27 s. 9145 (1); 1997 a. 27, 164, 240; 1999 a. 32.

Cross Reference: See also ch. PI 17, Wis. adm. code.

121.15 Payment of state aid. (1) Except as provided under sub. (1g), state aid under s. 121.08 shall be paid to school districts according to the following distribution schedule:

(a) Each school district shall receive 15% of its total aid entitlement in September, 25% of its total aid entitlement in December, 25% of its total aid entitlement in March and 35% of its total aid entitlement in June.

(b) For the September payment, the total aid entitlement for each district shall be estimated based upon the total aid payment in the previous year.

Kuczenski, Tracy

From: Bacher, Luke
Sent: Monday, November 09, 2009 3:55 PM
To: Kuczenski, Tracy
Subject: RE: Follow-up questions on school finance reform

QEO - I'm not sure I knew what i was talking about regarding CPI and the per pupil limits.

Is there anyway we can re-implement the QEO and set it down to the Revenue limit amount? (our goal is to eliminate the 1% gap that had existed between income and expenditures for school districts).

2/3rds - I'm trying to figure out exactly what we want to do, and will get back to you soon on this.

Thanks!

From: Kuczenski, Tracy
Sent: Monday, November 09, 2009 2:39 PM
To: Bacher, Luke
Subject: Follow-up questions on school finance reform

Hi Luke -

Here are my questions (so far) on the school finance reform bill; I've pasted in the relevant instructions, below.

Restore QEO and Align Revenue Limit & QEO

Your instructions ask that I "set revenue limit equal to CPI (2.6%) for biennium, or a per pupil limit of \$275." I have the following questions about this instruction:

1. What do you mean by "equal to CPI for biennium?"
2. Is the revenue limit to be "CPI or a per pupil limit of \$275 whichever is lesser"? or "CPI or a per pupil limit of \$275 whichever is greater"?

2/3 Funding to Reduce Property Taxes

Your instructions ask that I "require an increase in state general aid funding... State would be required to fund 2/3rds of total school costs." I have the following questions about this instruction:

1. What do you mean by "total school costs?"

Prior to its repeal by 2003 Wisconsin Act 33, s. 121.15 (3m) of the statutes required the legislative fiscal bureau or the joint committee on finance (depending upon which year in the biennium the calculation was made) to calculate the amount of money to appropriate under s. 20.255 (2) (ac) to ensure that the sum of state school aids and the school levy tax credit totaled 2/3 of partial school revenues. The meat of that requirement was in the definition of "state school aids" and "partial school revenues;" that is, what are the aids that are considered as state school aids, and what are the sources of school revenues that are included in partial school revenues? These definitions changed significantly from year to year.

How does Rep. Davis want to define these two terms?

2. The other question has to do with your request that the bill "require" the state to fund 2/3 of total school costs. While the statutes can provide that the amount determined by the legislative fiscal bureau or joint committee on finance under s. 121.15 (3m) total 2/3 of total school costs, there is no way to enforceably require that that is how much is actually appropriated in any year. Okay?

Thanks,
Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-9867
Tracy.Kuczenski@legis.wisconsin.gov

School Finance Reform

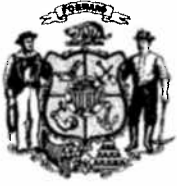
**all provisions would have a start date of 11/12 biennium unless noted.*

Restore QEO and Align Revenue Limit & QEO

Set revenue limit equal to CPI (2.6%) for biennium, or a per pupil limit of \$275. Also restore the QEO and align the QEO and perpupil revenue limits at 2.6%.

2/3 Funding to Reduce Property Taxes

Require an increase in state general aid funding to reduce property taxes. State would be required to fund 2/3rds of total school costs by 2015/16 budget cycle (3rd cycle). The increase would be phased in from current 65% state share to 66.7%. The 1.7% would be phased in by 0.28% each year, or .57% each biennium, whichever makes more sense.



State of Wisconsin
2009 - 2010 LEGISLATURE

Other

~~Doc 11/10~~

- 3576/p1

LRB-326571

CMH:kjf:md

2009 BILL

TKK

insect

LPS-
please
fix
request sheet

reyn cat

1 AN ACT *to amend* 111.70 (1) (b), 111.70 (1) (ne), 111.70 (4) (cm) 6. a., 111.70 (4)
2 (cm) 6. am., 111.70 (4) (d) 2. a., 111.70 (4) (m) 6. and 120.12 (24); and *to create*
3 111.70 (1) (dm), 111.70 (1) (fm), 111.70 (1) (mc), 111.70 (4) (cm) 5s., 111.70 (4)
4 (cm) 8p. and 8s. and 118.245 of the statutes; **relating to:** creating a qualified
5 economic offer for school district professional employees in the arbitration
6 process.

Analysis by the Legislative Reference Bureau

Under current law in local government employment other than law enforcement and fire fighting employment, if a dispute relating to the terms of a proposed collective bargaining agreement has not been settled after a reasonable period of negotiation and after mediation by the Wisconsin Employment Relations Commission (WERC), either party may petition WERC to initiate compulsory, final, and binding arbitration with respect to any dispute relating to wages, hours, and conditions of employment. An arbitrator must adopt the final offer of one of the parties, which is then incorporated into the collective bargaining agreement.

Under this bill, this process does not apply to a dispute over economic issues involving a collective bargaining unit consisting of school district professional employees if WERC determines that the employer has submitted a qualified economic offer (QEO). A QEO consists of a proposal to maintain the percentage contribution by the employer to the employees' existing fringe benefit costs and the

The
Municipal
Employment
Relations
Act
(MERA)

BILL

employees' existing fringe benefits and to provide for an annual average salary increase having a cost to the employer at least equal to ~~2.1~~^{1.2} percent of the existing total compensation and fringe benefit costs for the employees in the collective bargaining unit plus any fringe benefit savings. Fringe benefit savings is any amount by which ~~1.7~~^{1.4} percent of the total compensation and fringe benefit costs for all municipal employees in a collective bargaining unit for any 12-month period covered by a proposed collective bargaining agreement exceeds the increased cost required to maintain the percentage contribution by the municipal employer to the municipal employees' existing fringe benefit costs and to maintain all fringe benefits provided to the municipal employees. ^(no 9/1) ^{2.6}

^{relax} ~~This bill~~ requires school district professional employees to be placed in a collective bargaining unit that is separate from the units of other school district employees. ^{no change} Finally, the bill creates a ~~2.8~~^{2.6} percent cap on salary and fringe benefit annual cost increases for all nonrepresented school district professional employees.

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.** 111.70 (1) (b) of the statutes, as affected by 2009 Wisconsin Act 28,
2 is amended to read:

3 111.70 (1) (b) "Collective bargaining unit" means a unit consisting of municipal
4 employees who are school district professional employees or of municipal employees
5 who are not school district professional employees that is determined by the
6 commission to be appropriate for the purpose of collective bargaining.

7 **SECTION 2.** 111.70 (1) (dm) of the statutes is created to read:

8 111.70 (1) (dm) "Economic issue" means salaries, overtime pay, sick leave,
9 payments in lieu of sick leave usage, vacations, clothing allowances in excess of the
10 actual cost of clothing, length-of-service credit, continuing education credit, shift
11 premium pay, longevity pay, extra duty pay, performance bonuses, health insurance,
12 life insurance, dental insurance, disability insurance, vision insurance, long-term
13 care insurance, worker's compensation and unemployment insurance, social

INSERT ANALYSIS TICK

INSERT TRK 2-1

Handwritten annotations: 1.2, 1.4, 2.6, (no 9/1), no change, relax, and various arrows pointing to specific parts of the text.

BILL

1 security benefits, vacation pay, holiday pay, lead worker pay, temporary assignment
2 pay, retirement contributions, supplemental retirement benefits, severance or other
3 separation pay, hazardous duty pay, certification or license payment, limitations on
4 layoffs that create a new or increased financial liability on the employer, and
5 contracting or subcontracting of work that would otherwise be performed by
6 municipal employees in the collective bargaining unit with which there is a labor
7 dispute.

8 **SECTION 3.** 111.70 (1) (fm) [✓] of the statutes is created to read:

1, 2

9 111.70 (1) (fm) "Fringe benefit savings" means the amount, if any, by which ~~11~~
10 percent of the total compensation and fringe benefit costs for all municipal employees
11 in a collective bargaining unit for any 12-month period covered by a proposed
12 collective bargaining agreement exceeds the increased cost required to maintain the
13 percentage contribution by the municipal employer to the municipal employees'
14 existing fringe benefit costs and to maintain all fringe benefits provided to the
15 municipal employees, as determined under sub. (4) (cm) 8s.

16 **SECTION 4.** 111.70 (1) (mc) [✓] of the statutes is created to read:

17 111.70 (1) (mc) 1. "Qualified economic offer" means an offer made to a labor
18 organization by a municipal employer that includes all of the following, except as
19 provided in subd. 2.:

20 a. A proposal to maintain the percentage contribution by the municipal
21 employer to the municipal employees' existing fringe benefit costs as determined
22 under sub. (4) (cm) 8s., and to maintain all fringe benefits provided to the municipal
23 employees in a collective bargaining unit, as such contributions and benefits existed
24 on the 90th day prior to expiration of any previous collective bargaining agreement

BILL

SECTION 4

1 between the parties, or the 90th day prior to commencement of negotiations if there
2 is no previous collective bargaining agreement between the parties.

3 b. In any collective bargaining unit in which the municipal employee positions
4 were on August 12, 1993, assigned to salary ranges with steps that determine the
5 levels of progression within each salary range during a 12-month period, a proposal
6 to provide for a salary increase of at least one full step for each 12-month period
7 covered by the proposed collective bargaining agreement, beginning with the
8 expiration date of any previous collective bargaining agreement, for each municipal
9 employee who is eligible for a within range salary increase, unless the increased cost
10 of providing such a salary increase, as determined under sub. (4) (cm) 8s., exceeds

11 ~~2.1~~^{1.4} percent of the total compensation and fringe benefit costs for all municipal
12 employees in the collective bargaining unit for any 12-month period covered by the
13 proposed collective bargaining agreement plus any fringe benefit savings, or unless
14 the increased cost required to maintain the percentage contribution by the municipal
15 employer to the municipal employees' existing fringe benefit costs and to maintain
16 all fringe benefits provided to the municipal employees, as determined under sub. (4)
17 (cm) 8s., in addition to the increased cost of providing such a salary increase, exceeds

18 ~~3.8~~^{2.6} percent of the total compensation and fringe benefit costs for all municipal
19 employees in the collective bargaining unit for any 12-month period covered by the
20 proposed collective bargaining agreement, in which case the offer shall include
21 provision for a salary increase for each such municipal employee in an amount at
22 least equivalent to that portion of a step for each such 12-month period that can be

23 ~~2.1~~^{1.4} percent of the total compensation and
24 fringe benefit costs for all municipal employees in the collective bargaining unit plus
25 any fringe benefit savings is subtracted, or in an amount equivalent to that portion

BILL

1 of a step for each such 12-month period that can be funded from the amount that
2 remains, if any, after the increased cost of such maintenance exceeding ~~1.7~~^{1.2} percent
3 of the total compensation and fringe benefit costs for all municipal employees in the
4 collective bargaining unit for each 12-month period is subtracted on a prorated
5 basis, whichever is the lower amount.

6 c. A proposal to provide for an average salary increase for each 12-month
7 period covered by the proposed collective bargaining agreement, beginning with the
8 expiration date of any previous collective bargaining agreement, for the municipal
9 employees in the collective bargaining unit at least equivalent to an average cost of
10 ~~2.1~~^{1.4} percent of the total compensation and fringe benefit costs for all municipal
11 employees in the collective bargaining unit for each 12-month period covered by the
12 proposed collective bargaining agreement plus any fringe benefit savings, beginning
13 with the expiration date of any previous collective bargaining agreement, including
14 that percentage required to provide for any step increase, as determined under sub.
15 (4) (cm) 8s., unless the increased cost of providing such a salary increase, as
16 determined under sub. (4) (cm) 8s., exceeds ~~2.1~~^{1.4} percent of the total compensation and
17 fringe benefit costs for all municipal employees in the collective bargaining unit for
18 any 12-month period covered by the proposed collective bargaining agreement plus
19 any fringe benefit savings, or unless the increased cost required to maintain the
20 percentage contribution by the municipal employer to the municipal employees'
21 existing fringe benefit costs and to maintain all fringe benefits provided to the
22 municipal employees, as determined under sub. (4) (cm) 8s., in addition to the
23 increased cost of providing such a salary increase, exceeds ~~2.8~~^{2.6} percent of the total
24 compensation and fringe benefit costs for all municipal employees in the collective
25 bargaining unit for any 12-month period covered by the collective bargaining

BILL

1 agreement, in which case the offer shall include provision for a salary increase for
 2 each such period for the municipal employees covered by the agreement at least
 3 equivalent to an average of that percentage, if any, for each such period of the
 4 prorated portion of ~~2.1~~^{1.4} percent of the total compensation and fringe benefit costs for
 5 all municipal employees in the collective bargaining unit plus any fringe benefit
 6 savings that remains, if any, after the increased cost of such maintenance exceeding
 7 ~~1.7~~^{1.2} percent of the total compensation and fringe benefit costs for all municipal
 8 employees in the collective bargaining unit for each 12-month period and the cost
 9 of a salary increase of at least one full step for each municipal employee in the
 10 collective bargaining unit who is eligible for a within range salary increase for each
 11 12-month period is subtracted from that total cost.

12 2. "Qualified economic offer" may include a proposal to provide for an average
 13 salary decrease for any 12-month period covered by a proposed collective bargaining
 14 agreement, beginning with the expiration date of any previous collective bargaining
 15 agreement, for the municipal employees covered by the agreement, in an amount
 16 equivalent to the average percentage increased cost of maintenance of the
 17 percentage contribution by the municipal employer to the municipal employees'
 18 existing fringe benefit costs, as determined under sub. (4) (cm) 8s., and the average
 19 percentage increased cost of maintenance of all fringe benefits provided to the
 20 municipal employees represented by a labor organization, as such costs and benefits
 21 existed on the 90th day prior to commencement of negotiations, exceeding ~~2.6~~^{2.6}
 22 percent of the total compensation and fringe benefit costs for all municipal employees
 23 in the collective bargaining unit required for maintenance of those contributions and
 24 benefits for that 12-month period if the increased cost of maintenance of those costs
 25 and benefits exceeds ~~3.8~~^{2.6} percent of the total compensation and fringe benefit costs

BILL

1 for all municipal employees in the collective bargaining unit for that 12-month
2 period.

3 **SECTION 5.** 111.70 (1) (ne) of the statutes, as affected by 2009 Wisconsin Act 28,
4 is amended to read:

5 111.70 (1) (ne) "School district professional employee" means a municipal
6 employee who is a professional employee and who is employed to perform services
7 for a school district.

8 **SECTION 6.** 111.70 (4) (cm) 5s. of the statutes is created to read:

9 111.70 (4) (cm) 5s. 'Issues subject to arbitration.' In a collective bargaining unit
10 consisting of school district professional employees, the municipal employer or the
11 labor organization may petition the commission to determine whether the municipal
12 employer has submitted a qualified economic offer. The commission shall appoint an
13 investigator for that purpose. If the investigator finds that the municipal employer
14 has submitted a qualified economic offer, the investigator shall determine whether
15 a deadlock exists between the parties with respect to all economic issues. If the
16 municipal employer submits a qualified economic offer applicable to any period
17 beginning on or after July 1, 1993, no economic issues are subject to interest
18 arbitration under subd. 6. for that period, except that only the impact of contracting
19 out or subcontracting work that would otherwise be performed by municipal
20 employees in the collective bargaining unit is subject to interest arbitration under
21 subd. 6. In such a collective bargaining unit, economic issues concerning the wages,
22 hours, or conditions of employment of the school district professional employees in
23 the unit for any period prior to July 1, 1993, are subject to interest arbitration under
24 subd. 6. for that period. In such a collective bargaining unit, noneconomic issues
25 applicable to any period on or after July 1, 1993, are subject to interest arbitration

BILL**SECTION 6**

1 after the parties have reached agreement and stipulate to agreement on all economic
2 issues concerning the wages, hours, or conditions of employment of the school district
3 professional employees in the unit for that period. In such a collective bargaining
4 unit, if the commission's investigator finds that the municipal employer has
5 submitted a qualified economic offer and that a deadlock exists between the parties
6 with respect to all economic issues, the municipal employer may implement the
7 qualified economic offer. On the 90th day prior to expiration of the period included
8 within the qualified economic offer, if no agreement exists on that day, the parties are
9 deemed to have stipulated to the inclusion in a new or revised collective bargaining
10 agreement of all provisions of any predecessor collective bargaining agreement
11 concerning economic issues, or of all provisions of any existing collective bargaining
12 agreement concerning economic issues if the parties have reopened negotiations
13 under an existing agreement, as modified by the terms of the qualified economic offer
14 and as otherwise modified by the parties. In such a collective bargaining unit, on and
15 after that 90th day, a municipal employer that refuses to bargain collectively with
16 respect to the terms of that stipulation, applicable to the 90-day period prior to
17 expiration of the period included within the qualified economic offer, does not violate
18 sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the
19 90-day period prior to expiration of the period included within a qualified economic
20 offer, operates as a full, final, and complete settlement of all economic issues between
21 the parties for the period included within the qualified economic offer. The failure
22 of a labor organization to recognize the validity of such a lawful qualified economic
23 offer does not affect the obligation of the municipal employer to submit economic
24 issues to arbitration under subd. 6.

BILL

1 SECTION 7. 111.70 (4) (cm) 6. a. of the statutes, as affected by 2009 Wisconsin
2 Act 28, is amended to read:

3 111.70 (4) (cm) 6. a. If in any collective bargaining unit a dispute relating to one
4 or more issues, qualifying for interest arbitration under subd. 5s. in a collective
5 bargaining unit to which subd. 5s. applies. has not been settled after a reasonable
6 period of negotiation and after mediation by the commission under subd. 3. and other
7 settlement procedures, if any, established by the parties have been exhausted, and
8 the parties are deadlocked with respect to any dispute between them over wages,
9 hours and conditions of employment to be included in a new collective bargaining
10 agreement, either party, or the parties jointly, may petition the commission, in
11 writing, to initiate compulsory, final and binding arbitration, as provided in this
12 paragraph. At the time the petition is filed, the petitioning party shall submit in
13 writing to the other party and the commission its preliminary final offer containing
14 its latest proposals on all issues in dispute. Within 14 calendar days after the date
15 of that submission, the other party shall submit in writing its preliminary final offer
16 on all disputed issues to the petitioning party and the commission. If a petition is
17 filed jointly, both parties shall exchange their preliminary final offers in writing and
18 submit copies to the commission at the time the petition is filed.

19 SECTION 8. 111.70 (4) (cm) 6. am. of the statutes, as affected by 2009 Wisconsin
20 Act 28, is amended to read:

21 111.70 (4) (cm) 6. am. Upon receipt of a petition to initiate arbitration, the
22 commission shall make an investigation, with or without a formal hearing, to
23 determine whether arbitration should be commenced. If in determining whether an
24 impasse exists the commission finds that the procedures set forth in this paragraph
25 have not been complied with and such compliance would tend to result in a

BILL**SECTION 8**

1 settlement, it may order such compliance before ordering arbitration. The validity
2 of any arbitration award or collective bargaining agreement shall not be affected by
3 failure to comply with such procedures. Prior to the close of the investigation each
4 party shall submit in writing to the commission its single final offer containing its
5 final proposals on all issues in dispute that are subject to interest arbitration under
6 this subdivision or under subd. 5s. in collective bargaining units to which subd. 5s.
7 applies. If a party fails to submit a single, ultimate final offer, the commission shall
8 close the investigation based on the last written position of the party. The municipal
9 employer may not submit a qualified economic offer under subd. 5s. after the close
10 of the investigation. Such final offers may include only mandatory subjects of
11 bargaining, except that a permissive subject of bargaining may be included by a
12 party if the other party does not object and shall then be treated as a mandatory
13 subject. No later than such time, the parties shall also submit to the commission a
14 stipulation, in writing, with respect to all matters which are agreed upon for
15 inclusion in the new or amended collective bargaining agreement. The commission,
16 after receiving a report from its investigator and determining that arbitration should
17 be commenced, shall issue an order requiring arbitration and immediately submit
18 to the parties a list of 7 arbitrators. Upon receipt of such list, the parties shall
19 alternately strike names until a single name is left, who shall be appointed as
20 arbitrator. The petitioning party shall notify the commission in writing of the
21 identity of the arbitrator selected. Upon receipt of such notice, the commission shall
22 formally appoint the arbitrator and submit to him or her the final offers of the
23 parties. The final offers shall be considered public documents and shall be available
24 from the commission. In lieu of a single arbitrator and upon request of both parties,
25 the commission shall appoint a tripartite arbitration panel consisting of one member

BILL

1 selected by each of the parties and a neutral person designated by the commission
2 who shall serve as a chairperson. An arbitration panel has the same powers and
3 duties as provided in this section for any other appointed arbitrator, and all
4 arbitration decisions by such panel shall be determined by majority vote. In lieu of
5 selection of the arbitrator by the parties and upon request of both parties, the
6 commission shall establish a procedure for randomly selecting names of arbitrators.
7 Under the procedure, the commission shall submit a list of 7 arbitrators to the
8 parties. Each party shall strike one name from the list. From the remaining 5
9 names, the commission shall randomly appoint an arbitrator. Unless both parties
10 to an arbitration proceeding otherwise agree in writing, every individual whose
11 name is submitted by the commission for appointment as an arbitrator shall be a
12 resident of this state at the time of submission and every individual who is
13 designated as an arbitration panel chairperson shall be a resident of this state at the
14 time of designation.

15 **SECTION 9.** 111.70 (4) (cm) 8p. and 8s. of the statutes are created to read:

16 111.70 (4) (cm) 8p. 'Professional school employee salaries.' In every collective
17 bargaining unit covering municipal employees who are school district professional
18 employees in which the municipal employee positions were, on July 29, 1995,
19 assigned to salary ranges with steps that determine the levels of progression within
20 each salary range, unless the parties otherwise agree, no new or modified collective
21 bargaining agreement may contain any provision altering the salary range
22 structure, the number of steps, or the requirements for attaining a step or
23 assignment of a position to a salary range, except that if the cost of funding the
24 attainment of a step is greater than the amount required for the municipal employer
25 to submit a qualified economic offer, the agreement may contain a provision altering

BILL**SECTION 9**

1 the requirements for attaining a step to no greater extent than is required for the
2 municipal employer to submit a qualified economic offer at the minimum possible
3 cost to the municipal employer.

4 8s. 'Forms for determining costs.' The commission shall prescribe forms for
5 calculating the total increased cost to the municipal employer of compensation and
6 fringe benefits provided to school district professional employees. The cost shall be
7 determined based upon the total cost of compensation and fringe benefits provided
8 to school district professional employees who are represented by a labor organization
9 on the 90th day before expiration of any previous collective bargaining agreement
10 between the parties, or who were so represented if the effective date is retroactive,
11 or the 90th day prior to commencement of negotiations if there is no previous
12 collective bargaining agreement between the parties, without regard to any change
13 in the number, rank, or qualifications of the school district professional employees.
14 For purposes of such determinations, any cost increase that is incurred on any day
15 other than the beginning of the 12-month period commencing with the effective date
16 of the agreement or any succeeding 12-month period commencing on the
17 anniversary of that effective date shall be calculated as if the cost increase were
18 incurred as of the beginning of the 12-month period beginning on the effective date
19 or anniversary of the effective date in which the cost increase is incurred. In each
20 collective bargaining unit to which subd. 5s. applies, the municipal employer shall
21 transmit to the commission and the labor organization a completed form for
22 calculating the total increased cost to the municipal employer of compensation and
23 fringe benefits provided to the school district professional employees covered by the
24 agreement as soon as possible after the effective date of the agreement.

BILL

1 **SECTION 10.** 111.70 (4) (d) 2. a. of the statutes, as affected by 2009 Wisconsin
2 Act 28, is amended to read:

3 111.70 **(4)** (d) 2. a. The commission shall determine the appropriate collective
4 bargaining unit for the purpose of collective bargaining and shall whenever possible,
5 unless otherwise required under this subchapter, avoid fragmentation by
6 maintaining as few collective bargaining units as practicable in keeping with the size
7 of the total municipal workforce. In making such a determination, the commission
8 may decide whether, in a particular case, the municipal employees in the same or
9 several departments, divisions, institutions, crafts, professions, or other
10 occupational groupings constitute a collective bargaining unit. Before making its
11 determination, the commission may provide an opportunity for the municipal
12 employees concerned to determine, by secret ballot, whether they desire to be
13 established as a separate collective bargaining unit. The commission shall not
14 decide, however, that any group of municipal employees constitutes an appropriate
15 collective bargaining unit if the group includes both municipal employees who are
16 school district professional employees and municipal employees who are not school
17 district professional employees. The commission shall not decide, ~~however,~~ that any
18 other group of municipal employees constitutes an appropriate collective bargaining
19 unit if the group includes both professional employees and nonprofessional
20 employees, unless a majority of the professional employees vote for inclusion in the
21 unit. The commission shall not decide that any group of municipal employees
22 constitutes an appropriate collective bargaining unit if the group includes both craft
23 employees and noncraft employees unless a majority of the craft employees vote for
24 inclusion in the unit. The commission shall place the professional employees who are
25 assigned to perform any services at a charter school, as defined in s. 115.001 (1), in

BILL**SECTION 10**

1 a separate collective bargaining unit from a unit that includes any other professional
2 employees whenever at least ~~30%~~ 30 percent of those professional employees request
3 an election to be held to determine that issue and a majority of the professional
4 employees at the charter school who cast votes in the election decide to be
5 represented in a separate collective bargaining unit. Upon the expiration of any
6 collective bargaining agreement in force, the commission shall combine into a single
7 collective bargaining unit 2 or more collective bargaining units consisting of school
8 district employees if a majority of the employees voting in each collective bargaining
9 unit vote to combine. Any vote taken under this subsection shall be by secret ballot.

10 **SECTION 11.** 111.70 (4) (m) 6. of the statutes, as affected by 2009 Wisconsin Act
11 28, is amended to read:

12 111.70 (4) (m) 6. Solicitation of sealed bids for the provision of group health care
13 benefits for school district professional employees as provided in s. 120.12 (24).

14 **SECTION 12.** 118.245 of the statutes is created to read:

15 **118.245 Limitation on salary and fringe benefit costs for professional**
16 **employees. (1)** In this section:

17 (a) “Nonrepresented professional employee” means an employee who is a
18 professional employee as defined in s. 111.70 (1) (L), who is employed to perform
19 services for a school district, and whose position is not included in a collective
20 bargaining unit for which a representative is recognized or certified under subch. IV
21 of ch. 111.

22 (b) “Represented professional employee” has the meaning given for “school
23 district professional employee” in s. 111.70 (1) (ne).

24 (2) No school district may provide to its nonrepresented professional employees
25 for any 12-month period ending on June 30 an average increase for all such

BILL

1 employees in the total cost to the school district of compensation and fringe benefits
 2 for such employees having an average cost per employee exceeding ~~3.8~~^{2.6} percent of the
 3 average total cost per employee of compensation and fringe benefits provided by the
 4 school district to its nonrepresented professional employees for the preceding
 5 12-month period ending on June 30 or the average total percentage increased cost
 6 per employee of compensation and fringe benefits provided to its represented
 7 professional employees during the 12-month period ending on June 30 preceding the
 8 date that the increase becomes effective, whichever is greater. For purposes of this
 9 subsection, the average total percentage increased cost per employee of the
 10 compensation provided by a school district to its represented professional employees
 11 shall be determined in accordance with the method prescribed by the employment
 12 relations commission under s. 111.70 (4) (cm) 8s.

13 (3) For purposes of determination of the increased cost of any fringe benefits
 14 or compensation provided to a nonrepresented professional employee or represented
 15 professional employee, any cost increase that is incurred on any day other than the
 16 beginning of a 12-month period under sub. (2) shall be calculated as if the cost
 17 increase were incurred as of the beginning of the 12-month period.

18 **SECTION 13.** 120.12 (24) of the statutes, as affected by 2009 Wisconsin Act 28,
 19 is amended to read:

20 120.12 (24) HEALTH CARE BENEFITS. Prior to the selection of any group health
 21 care benefits provider for school district professional employees, as defined in s.
 22 111.70 (1) (ne), solicit sealed bids for the provision of such benefits.

23 **SECTION 14. Initial applicability.**

INSERT TRK 15-23

BILL

1 (1) This act first applies to petitions for arbitration that relate to collective
2 bargaining agreements that are filed under section 111.70 (4) (cm) 6. of the statutes,
3 as affected by this act, on the effective date of this subsection.

4

(END)

Section 14. Effective Date:

(1) This act takes effect on July 1, 2010.

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3576/PINS
TKK:.....
RMM12

1 INSERT ANALYSIS TKK

X Beginning in May 2011, and annually thereafter, this bill directs the Department of Public Instruction, the Department of Administration, and the Legislative Fiscal Bureau jointly to determine the amount necessary to appropriate as general school aids in the following fiscal year to pay for the following percentage of public school costs:

UPS:
check
spacing

- X 1. For the 2011-12 school year, 65.28 percent.
- X 2. For the 2012-13 school year, 65.56 percent.
- X 3. For the 2013-14 school year, 65.84 percent.
- 4. For the 2014-15 school year, 66.12 percent.
- 5. For the 2015-16 school year, 66.40 percent.
- 6. For the 2016-17 school year, 66.68 percent.

The bill directs the Joint Committee on Finance to determine the amount appropriated as general school aids for the 2012-13 fiscal year and biennially thereafter.

Current law limits the increase in the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in any school year. For the 2009-10 and 2010-11 school years, no school district may increase its revenues per pupil to an amount that exceeds the sum of \$200 and the revenue increase allowed per pupil in the previous school year. For the 2011-12 school year, no school district may increase its revenues per pupil to an amount that exceeds the sum of \$275 and the revenue increase allowed per pupil in the previous school year. For the 2012-13 school year and any school year thereafter, no school district may increase its revenues by an amount that exceeds the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the consumer price index.

This bill provides that, beginning in the 2011-12 school year, no school district may increase its revenues by an amount that exceeds the amount of revenue increase allowed per pupil in the previous school year increased by 2.6 percent.

2 INSERT TKK 2-1 ✓

3 SECTION 1. 20.255 (2) (ac) of the statutes, as affected by 2009 Wisconsin Act 28,
4 is amended to read:

5 20.255 (2) (ac) *General equalization aids.* The amounts in the schedule A sum
6 sufficient for the payment of educational aids under ss. 121.08, 121.09, 121.095,
7 121.105, 121.137 and subch. VI of ch. 121 equal to \$4,652,500,000 in the 2010-11
8 fiscal year, equal to the amount determined by law in the 2011-12 fiscal year and

1 biennially thereafter, and equal to the amount determined by the joint committee on
2 finance under s. 121.15 (3m) (c) in the 2012-13 fiscal year and biennially thereafter.

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; 2007 a. 20; 2009 a. 11, 28.

3 **SECTION 2.** 73.0305 of the statutes is repealed.

4 **INSERT TKK 15-23**

5 **SECTION 3.** 121.15 (3m) of the statutes is created to read:

6 121.15 (3m) (a) In this subsection:

7 1. "Partial school revenues" means the sum of state school aids, other than the
8 amounts appropriated under s. 20.255 (2) (fv), property taxes levied for school
9 districts, and aid paid to school districts under s. 79.095 (4), less all of the following:

10 a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a
11 school board's increasing the services that it provides by adding responsibility for
12 providing a service transferred to it from another school board.

13 b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.

14 c. The amount of any revenue limit increase under s. 121.91 (4) (h).

15 d. The amount of any property taxes levied for the purpose of s. 120.13 (19).

16 e. An amount equal to 45% of the amount estimated to be paid under s. 119.23
17 (4) and (4m).

18 f. The amount by which the property tax levy for debt service on debt that has
19 been approved by a referendum exceeds \$490,000,000.

20 2. "State school aids" means those aids appropriated under s. 20.255 (1) (b) and

21 ~~(2)~~ (2), other than s. 20.255 (2) (fm), (fu), (fv), (k), and (m), and under s. 20.285 (1) (r),

22 ~~(rm) and (rc)~~ and those aids appropriated under s. 20.505 (4) (es) and (s) that are

(rc) and (rm)

1 used to provide grants or educational telecommunications access to school districts
2 under s. 16.995[✓] or 16.997[✓] (7).

3 (b) By May 15, 2011, and annually by May 15 thereafter, the department, the
4 department of administration, and the legislative fiscal bureau shall jointly certify
5 to the joint committee on finance an estimate of the amount necessary to appropriate
6 under s. 20.255 (2)[✓] (ac) in the following school year to ensure that the sum of state
7 school aids and the school levy tax credit under s. 79.10[✓] (4) equals the following
8 percentage of partial school revenues[✓]:

check spacing
10
11

- 9 1. For the 2011-12 school year, 65.28 percent.
- 10 2. For the 2012-13 school year, 65.56 percent.
- 11 3. For the 2013-14 school year, 65.84 percent.
- 12 4. For the 2014-15 school year, 66.12 percent.
- 13 5. For the 2015-16 school year, 66.40 percent.
- 14 6. For the 2016-17 school year, 66.68 percent.

15 (c) By June 30, 2012, and biennially by June 30 thereafter, the joint committee
16 on finance shall determine the amount appropriated under s. 20.255 (2)[✓] (ac) in the
17 following school year.

18 **SECTION 4.** 121.905 (3) (c) 3r. of the statutes is repealed.

19 **SECTION 5.** 121.905 (3) (c) 4. of the statutes[✓], as affected by 2009 Wisconsin Act
20 28, is amended to read:

21 121.905 (3) (c) 4. For the limit for the ~~2012-13~~ [✓] 2011-12 school year or for any
22 school year thereafter, add the result under s. 121.91 (2m) (h) 2. to the result under
23 par. (b).

History: 1995 a. 27; 1997 a. 27, 113, 164, 286; 1999 a. 9, 32; 2001 a. 16; 2003 a. 33; 2005 a. 25, 219; 2007 a. 20; 2009 a. 28.

24 **SECTION 6.** 121.91 (2m) (d) 2. of the statutes is amended to read:

1 121.91 (2m) (d) 2. Multiply the amount of the revenue increase per pupil
2 allowed under this subsection for the previous school year by the sum of 1.0 plus the
3 allowable rate of increase under s. 73.0305, 2009 stats., expressed as a decimal.

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, 219; 2007 a. 1, 20; 2009 a.

28. **SECTION 7.** 121.91 (2m) (e) 2. of the statutes is amended to read:

5 121.91 (2m) (e) 2. Multiply the amount of the revenue increase per pupil
6 allowed under this subsection for the previous school year by the sum of 1.0 plus the
7 allowable rate of increase under s. 73.0305, 2009 stats., expressed as a decimal.

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, 219; 2007 a. 1, 20; 2009 a.

28. **SECTION 8.** 121.91 (2m) (g) of the statutes is repealed.

28. **SECTION 9.** 121.91 (2m) (h) (intro.) of the statutes is amended to read:

10 121.91 (2m) (h) (intro.) Except as provided in subs. (3), (4), and (8), no school
11 district may increase its revenues for the ~~2012-13~~ 2011-12 school year or for any
12 school year thereafter to an amount that exceeds the amount calculated as follows:

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, 219; 2007 a. 1, 20; 2009 a.

28. **SECTION 10.** 121.91 (2m) (h) 2. of the statutes is amended to read:

14 121.91 (2m) (h) 2. Multiply the amount of the revenue increase per pupil
15 allowed under this subsection for the previous school year by the sum of 1.0 plus the
16 allowable rate of increase under s. 73.0305 expressed as a decimal 1.026.

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, 219; 2007 a. 1, 20; 2009 a.

28. **SECTION 11.** 121.91 (2m) (r) 1. (intro.) of the statutes, as affected by 2009

18 Wisconsin Act 28, is amended to read:

19 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c) to (f) and (h), if a school
20 district is created under s. 117.105, its revenue limit under this section for the school

8
9

13

as affected by 2009 Wisconsin Act 28

created

us3x

1 year beginning with the effective date of the reorganization shall be determined as
2 follows except as provided under subs. (3) and (4):

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, 219; 2007 a. 1, 20; 2009 a. 28.

3 **SECTION 12.** 121.91 (2m) (r) 1. b. of the statutes, as affected by 2009 Wisconsin
4 Act 28, is amended to read:

5 121.91 (2m) (r) 1. b. Add an amount equal to the amount of revenue increase
6 per pupil allowed under this subsection for the previous school year multiplied by the
7 sum of 1.0 plus the allowable rate of increase under s. 73.0305[✓] expressed as a decimal
8 1.026 to the result under subd. 1. a., except that in calculating the limit for the
9 2009-10 or 2010-11 school year, add \$200 to the result under subd. 1. a. ^{plain} and in
10 calculating the limit for the 2011-12 school year add \$275 to the result under subd.
11 1. a. ↓

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, 219; 2007 a. 1, 20; 2009 a. 28.

12 **SECTION 13.** 121.91 (2m) (r) 2. (intro.) of the statutes, as affected by 2009
13 Wisconsin Act 28, is amended to read:

14 121.91 (2m) (r) 2. (intro.) If a school district is created under s. 117.105, the
15 following adjustments to the calculations under pars. (c) to (f) and (h) apply for the
16 2 school years beginning on the July 1 following the effective date of the
17 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, 219; 2007 a. 1, 20; 2009 a. 28.

18 **SECTION 14.** 121.91 (2m) (s) 1. (intro.) of the statutes, as affected by 2009
19 Wisconsin Act 28, is amended to read:

20 121.91 (2m) (s) 1. (intro.) Notwithstanding pars. (e) to (f) and (h), if territory
21 is detached from a school district to create a new school district under s. 117.105, the
22 revenue limit under this section of the school district from which territory is detached

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

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, 219; 2007 a. 1, 20; 2009 a. 28.

3 **SECTION 15.** 121.91 (2m) (s) 1. b. of the statutes, as affected by 2009 Wisconsin
4 Act 28, is amended to read:

5 121.91 (2m) (s) 1. b. Add an amount equal to the amount of revenue increase
6 per pupil allowed under this subsection for the previous school year multiplied by the
7 ~~sum of 1.0 plus the allowable rate of increase under s. 73.0305~~ expressed as a decimal
8 1.026 to the result under subd. 1. a., except that in calculating the limit for the
9 2009-10 or 2010-11 school year, add \$200 to the result under subd. 1. a. ^{plain} and in
10 calculating the limit for the 2011-12 school year, add \$275 to the result under subd.
11 ~~1. a.~~

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, 219; 2007 a. 1, 20; 2009 a. 28.

12 **SECTION 16.** 121.91 (2m) (s) 2. (intro.) of the statutes, as affected by 2009
13 Wisconsin Act 28, is amended to read:

14 121.91 (2m) (s) 2. (intro.) If territory is detached from a school district to create
15 a new school district under s. 117.105, the following adjustments to the calculations
16 under pars. (e) to (f) and (h) apply to the school district from which territory is
17 detached for the 2 school years beginning on the July 1 following the effective date
18 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, 219; 2007 a. 1, 20; 2009 a. 28.

19 **SECTION 17.** 121.91 (8) of the statutes, as affected by 2009 Wisconsin Act 28,
20 is amended to read:

21 121.91 (8) If a school district's initial revenue limit for the current school year,
22 as calculated under s. 121.905 or sub. (2m), whichever is appropriate, before making
23 any adjustments under sub. (3) or (4), is less than the amount determined by

1 multiplying the amount under sub. (2m) (g) [✓]1. or (h) 1. by the average of the number
2 of pupils enrolled in the 3 preceding school years, the school district's initial revenue
3 limit for the current school year, before making any adjustments under sub. (3) or (4),
4 is the amount determined by multiplying the amount under sub. (2m) (g) [✓]1. or (h) 1.
5 by the average of the number of pupils enrolled in the 3 preceding school years. Any
6 additional revenue received by a school district as a result of this subsection shall not
7 be included in the base for determining the school district's limit under sub. (2m) for
8 the following school year.

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, 219; 2007 a. 1, 20; 2009 a. 28.

Hanaman, Cathlene

From: Bacher, Luke
Sent: Thursday, February 25, 2010 9:51 AM
To: Hanaman, Cathlene
Subject: RE: LRB 3576

Cathlene -

Hopefully we can get this draft finalized soon.

Can you add the following provision to this bill?

Health Insurance Provider Selection Authority

Make the selection of health insurance providers a prohibited subject of bargaining and to grant school boards the unilateral authority to determine the health insurance provider(s) for their employees.

From: Hanaman, Cathlene
Sent: Wednesday, February 03, 2010 2:19 PM
To: Bacher, Luke
Subject: FW: LRB 3576

The draft provides that, beginning in 2011-12, the amount of the revenue limit is increased by 2.6-- so they are aligned for that year.

Then, the budget determines revenue limits for the first year, so no contracts will be able to be entered into before the budget passes (which could be a problem, especially if the budget is late). And then, when the budget bill is passed, someone has to determine how much will be appropriated in the second year since school costs for the first year cannot be determined -- this bill gave that determination to JFC.

Does that make sense?

From: Bacher, Luke
Sent: Wednesday, February 03, 2010 12:22 PM
To: Hanaman, Cathlene
Subject: LRB 3576

Cathlene -

Rep Davis would like to get this finalized as soon as possible.

I have a couple questions.

Why is the QEO set at 2.6%? I just want to align the QEO down to equal the revenue limits. Can this be done without setting this number at 2.6%?

Also why is there a provision that directs JFC to determine school aids?

Thanks!

Luke Bacher
Research Assistant
State Representative Brett Davis
Phone: (608)-266-1192
Fax: 608-282-3680
luke.bacher@legis.wi.gov

Richard
Aspen

118.245
#

(lit
K)

7/1/11 - 6/30/13

ins. 16-20

beg by 11/1/2011

Jan. 1,

(4) (a) Biennially by the department shall perform the following calculation and certify the results expressed as a percentage to the ERC:

1. ~~(a)~~ ^{Except as provided in par. (b),} Determine the per pupil revenue limit adjustment for the ~~current~~ current sch. year under s. 121.91(2m).

2. ~~(b)~~ Divide the amount under subd. 1. by the ~~per~~ statewide average b.v.p.p., as calculated for the ~~current~~ ^{previous} current school year under s. 121.905 (3).

~~Notwithstanding sub (b) (a)~~

(b) For the 2011-13 fiscal biennium, the Dept shall use \$275 under par (a) 1.

cert due by 1/6/11