

**2011 DRAFTING REQUEST**

**Bill**

Received: **09/21/2011**

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Timothy Cullen (608) 266-2253**

By/Representing: **Kelley Flury**

May Contact:

Drafter: **pgrant**

Subject: **Education - school finance**

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Sen.Cullen@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Additional state aid and revenue limit authority for certain school districts

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**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 09/22/2011	wjackson 09/26/2011		_____			S&L
/1	pgrant 09/29/2011	mduchek 09/29/2011	jfrantze 09/27/2011	_____	mbarman 09/27/2011		S&L
/2			rschluet 09/29/2011	_____	sbasford 09/29/2011	lparisi 09/30/2011	

FE Sent For:

at intro  
10-25-11

<END>

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*Handwritten:*  
1/2/11  
9/29/11  
TKK  
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1?	pgrant	1/1 MD 9/26/11	JG 9/27	9/27 PH/GF			
FE Sent For:		1 WY 9/26					

<END>

**Grant, Peter**

---

**From:** Flury, Kelley  
**Sent:** Tuesday, September 20, 2011 4:51 PM  
**To:** Kava, Russ  
**Cc:** Loppnow, Dave; Grant, Peter  
**Subject:** RE: This is what I called about...

all DN  
RK IDL

Hi, Russ,

I ran this by Sen. Cullen and he said yes, he would like the bill drafted this way. I am cc'ing Peter Grant.

Kelley

---

**From:** Kava, Russ  
**Sent:** Friday, September 16, 2011 11:19 AM  
**To:** Flury, Kelley  
**Cc:** Loppnow, Dave  
**Subject:** RE: This is what I called about...

Kelley,

Dave and I talked about this proposal. It seems to us that if the issue is that certain school districts can't use the Act 10 provisions because there is a contract in place, they would need additional revenue limit authority to cover their costs, not necessarily just more state aid. A district's revenue limit covers the sum of state general aid and local property taxes. If you only give a district more general aid, its levy would go down. The district would not have additional funding to cover their costs.

Also, the reductions in revenue limits and general aid were made in 2011-12. There is no reduction in either revenue limits or general aid in 2012-13. Under revenue limits, there is a \$50 per pupil adjustment in 2012-13, with a \$50 match in categorical aid. The general aids appropriation increases by \$32 million in 2012-13 compared to the prior year.

One possible idea for your proposal would be to restore half of the 2011-12 reduction in revenue limits in only the 2012-13 school year for the eligible districts. In 2011-12, each district's revenue per pupil under revenue limits was reduced by 5.5%. This idea would restore half of that cut. If you want to give these districts some additional general aid to soften the levy increase, you could set up a first draw from the general aid appropriation in 2012-13 only to give eligible districts aid equal to half of the revenue limit increase.

That's just one idea. We'd be happy to work with you on other alternatives if you don't like that one.

Russ

---

**From:** Loppnow, Dave  
**Sent:** Thursday, September 15, 2011 1:38 PM  
**To:** Kava, Russ  
**Subject:** FW: This is what I called about...

**From:** Flury, Kelley  
**Sent:** Thursday, September 15, 2011 1:19 PM  
**To:** Loppnow, Dave  
**Subject:** This is what I called about...

Your thoughts are appreciated.

---

**From:** Flury, Kelley  
**Sent:** Thursday, September 15, 2011 1:16 PM  
**To:** Grant, Peter  
**Subject:** Bill drafting request

Hi, Peter,

Sen. Cullen would like a bill drafted to assist school districts whose employee contracts are still in place in the second year of this biennium (July 1, 2012 to June 30, 2013).

The bill should apply to school districts whose employee contracts were in place prior to Jan. 1, 2011, and whose contracts are still in place in the second year of this biennium. The bill should say that for those school districts, their cuts in state aid for that year should be **half** what the cuts otherwise would be.

The rationale is that these school districts don't have the "tools" the Governor gave them because the school board can't open up the contract and negotiate wage concessions.

Please let me know if you have any questions, 266-2253.

Kelley Flury  
Office of Sen. Tim Cullen



# BILL

Date (time) needed

Wed. 9 a.m.

LRB - 2964/1

DN

PG: med:

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; **relating to:** *. providing . . . additional state aid . . . and . . . revenue limit authority . . . for certain school . . . districts and making . . . appropriation . . .*

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

### Analysis by the Legislative Reference Bureau

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

(attached)

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

**SECTION #.**

## ANALYSIS

This bill provides additional school aid in, and revenue limit authority for, the 2012-13 school year for certain school districts. The eligible school districts are those in which employees were covered by a collective bargaining agreement on January 1, 2011, that is in effect through the 2012-13 school year.

Under the bill, each <sup>eligible</sup> school district's revenue limit for the 2012-13 school year is increased by an amount equal to <sup>50</sup> 50 percent of the decrease in the district's revenue limit in the 2011-12 school year. In addition, each eligible school district's state

aid in the 2012-13 school year is  
increased by <sup>an amount equal to</sup> 50 percent of this revenue  
limit increase. The aid is paid as a  
first draw from the general school aid  
appropriation, thus reducing the amount  
of general school aid  
~~paid~~ distributed to other school  
districts.

FE-5L

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

20.255 (2) (ac) *General equalization aids*. The amounts in the schedule for the payment of educational aids under ss. 121.08, 121.09, 121.095, 121.105, 121.137 ~~and~~ subch. VI of ch. 121.

**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, 58, 329; 2011 a. 32.

and 2011 Wisconsin Act....

(this act), section 2 (3)

ARX

ARZ

2005

Nonstat File Sequence: **AAA**

LRB \_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_

**NONSTAT SESSLAW**

1. In the component bar:

For the action phrase, execute: ..... **create** → **action:** → \*NS: → **nonstat**

For the budget action phrase, execute: ..... **create** → **action:** → \*NS: → **91XX**

For a subsection, execute: ..... **create** → **text:** → \*NS: → **sub**

For a paragraph, execute: ..... **create** → **text:** → \*NS: → **par**

For a subdivision, execute: ..... **create** → **text:** → \*NS: → **subd**

For a subdivision paragraph, execute: ..... **create** → **text:** → \*NS: → **subpar**

2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the **9100** department code.

**SECTION #** ~~1~~ **[91]** ~~1~~ **].** Nonstatutory provisions; ...

~~(#1)~~

CR AR X

(#) In this section, "eligible school district" means a school district in which employees were covered by a collective bargaining agreement on January 1, 2011, that is still in effect during the 2012-13 school year.

(#) <sup>ARY</sup> Notwithstanding section 121.91 (2m) (h) of the statutes, as affected by 2011 Wisconsin Act 32, each eligible school district's revenue limit for the 2012-13 school year is increased by 50 percent of the reduction in its revenue limit occurring under section 121.91 (2m) (g) of the statutes, as affected by 2011 Wisconsin Act 32.

, as determined under section 121.91 (2m) (h) of the statutes, as affected by 2011 Wisconsin Act 32,

CR ARZ IV  
 (#) In the 2012-13 school year, the Department of Public Instruction shall pay to each eligible school district, ~~from the appropriation under section 20.255(2)(ac) of the statutes~~ an amount equal to

50 percent of the revenue limit increase calculated for the school district for

the 2012-13 school year as determined under subsection <sup>AR4</sup> (D) of the statutes, notwithstanding section 121.07(7)(b) of the statutes, the department shall pay aid under this subsection as a first draw from the appropriation under section 20.255(2)(ac) of the statutes.

(End)



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

IN

Date

-2964/1dn  
PG:med:

Senator Cullen:

You may wish to have Russ Kava  
Loppnow, Russ Kava ~  
Dave Loppnow, in the Legislative Fiscal Bureau,  
review this draft.

PL

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

LRB-2964/1dn  
PG:med:jf

September 27, 2011

Senator Cullen:

You may wish to have Russ Kava or Dave Loppnow, in the Legislative Fiscal Bureau, review this draft.

Peter R. Grant  
Managing Attorney  
Phone: (608) 267-3362  
E-mail: [peter.grant@legis.wisconsin.gov](mailto:peter.grant@legis.wisconsin.gov)

## Grant, Peter

---

**From:** Flury, Kelley  
**Sent:** Wednesday, September 28, 2011 4:43 PM  
**To:** Grant, Peter  
**Subject:** RE: Cullen bill to assist school districts with locked-in contracts

Hi, Peter,

Thank you for drafting the bill so quickly. Due to an oversight by me, the drafting instructions were slightly off. On line 16 of the bill, I would like "50 percent" changed to "100 percent." I talked to Russ Kava about this. He originally was thinking half of the restored funds would come via general aids and half would come via property tax levy, but we want it all to come from general aids.

Kelley Flury  
Office of Sen. Tim Cullen  
608-266-2253

---

**From:** Grant, Peter  
**Sent:** Monday, September 26, 2011 1:59 PM  
**To:** Flury, Kelley  
**Subject:** RE: Cullen bill to assist school districts with locked-in contracts

Is sometime this week okay? I've done a preliminary draft, but it has not been edited or typed yet.

---

**From:** Flury, Kelley  
**Sent:** Monday, September 26, 2011 1:57 PM  
**To:** Grant, Peter  
**Subject:** Cullen bill to assist school districts with locked-in contracts

Hi, Peter,

Can you give me a sense when we will see a draft of Sen. Cullen's bill relating to school districts whose employee contracts are locked in through June 30, 2013?

Kelley Flury  
Office of Sen. Tim Cullen

---

**From:** Flury, Kelley  
**Sent:** Tuesday, September 20, 2011 4:51 PM  
**To:** Kava, Russ  
**Cc:** Lopnow, Dave; Grant, Peter  
**Subject:** RE: This is what I called about...

Hi, Russ,

I ran this by Sen. Cullen and he said yes, he would like the bill drafted this way. I am cc'ing Peter Grant.



TODAY



LRB-2964/4

PG:med:jf

1  
stays

## 2011 BILL

1 AN ACT *to amend* 20.255 (2) (ac) of the statutes; **relating to:** providing  
 2 additional state aid and revenue limit authority for certain school districts and  
 3 making an appropriation.

### *Analysis by the Legislative Reference Bureau*

This bill provides additional school aid in, and revenue limit authority for, the 2012-13 school year for certain school districts. The eligible school districts are those in which employees were covered by a collective bargaining agreement on January 1, 2011, that is in effect through the 2012-13 school year.

Under the bill, each eligible school district's revenue limit for the 2012-13 school year is increased by an amount equal to 50 percent of the decrease in the district's revenue limit in the 2011-12 school year. In addition, each eligible school district's state aid in the 2012-13 school year is increased by an amount equal to 50 percent of this revenue limit increase. The aid is paid as a first draw from the general school aid appropriation, thus reducing the amount of general school aid distributed to other school districts.

the amount

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:***



**Parisi, Lori**

---

**From:** Flury, Kelley  
**Sent:** Friday, September 30, 2011 3:10 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-2964/2 Topic: Additional state aid and revenue limit authority for certain school districts

Please Jacket LRB 11-2964/2 for the SENATE.