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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Education...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (December 2012)

Assembly

Record of Committee Proceedings

Committee on Urban and Local Affairs

Assembly Bill 279

Relating to: excluding from the calculation of expenditure restraint payments expenditures made pursuant to a purchasing agreement with a school district.

By Representatives Petrowski, Petryk, Molepske Jr, Spanbauer, Wynn, Staskunas, Ripp, Rivard, Thiesfeldt, LeMahieu, Strachota, Mursau, Brooks and Ballweg; cosponsored by Senators Olsen, Schultz and Lassa.

September 28, 2011 Referred to Committee on Urban and Local Affairs.

October 25, 2011 **PUBLIC HEARING HELD**

Present: (9) Representatives Brooks, Thiesfeldt, Spanbauer, Jacque, Knudson, Ziegelbauer, Pocan, Ringhand and E. Coggs.
Absent: (0) None.
Excused: (0) None.

Appearances For

- Jerry Petrowski — Rep., Author
- John Forester, Madison — School Administrators Alliance SAA

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Curt Witynski, Madison — League of WI Municipalities

Registrations Against

- None.

Registrations for Information Only

- None.

November 1, 2011 **EXECUTIVE SESSION HELD**

Present: (9) Representatives Brooks, Thiesfeldt, Spanbauer,
Jacque, Knudson, Ziegelbauer, Pocan,
Ringhand and E. Coggs.
Absent: (0) None.
Excused: (0) None.

Moved by Representative Spanbauer, seconded by Representative
Jacque that **Assembly Amendment 1** be recommended for
adoption.

Ayes: (9) Representatives Brooks, Thiesfeldt,
Spanbauer, Jacque, Knudson, Ziegelbauer,
Pocan, Ringhand and E. Coggs.
Noes: (0) None.

ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED,
Ayes 9, Noes 0

Moved by Representative Jacque, seconded by Representative
Knudson that **Assembly Bill 279** be recommended for passage as
amended.

Ayes: (9) Representatives Brooks, Thiesfeldt,
Spanbauer, Jacque, Knudson, Ziegelbauer,
Pocan, Ringhand and E. Coggs.
Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 0

Terri Griffiths
Committee Clerk



STATE REPRESENTATIVE
JERRY PETROWSKI
86TH ASSEMBLY DISTRICT

To: Members, Senate Committee on Education
From: Rep. Jerry Petrowski
Date: October 19, 2011
Re: AB 279: changes to the expenditure restraint program

STATE CAPITOL:
P.O. Box 8953
Madison, WI 53708-8953

(608) 266-1182
Fax: (608) 282-3686

TOLL-FREE
(888) 534-0086

DISTRICT:
720 North 136th Avenue
Marathon, WI 54448-9580

(715) 845-6193

I introduced Assembly Bill 279 to provide a degree of flexibility to municipalities applying for expenditure restraint payments (ERP) and to foster cooperation between these municipalities and their school district.

Under current law, expenditure restraint payments are made to municipalities that have a full value property tax rate over 5 mills and restrict their budgetary growth from year-to-year to a statutory formula. This formula excludes certain expenditures made by a municipality, including revenue sharing payments with other municipalities and funds derived from the American Reinvestment and Recovery Act (stimulus money). This year, 388 municipalities had municipal-purpose tax rates in excess of 5 mills. Of these, 321 qualified for the ERP payment. Payments for the ERP are made from a fund whose limit is currently set at \$58,145,700.

This bill would create an additional exception to the ERP formula that would exclude expenditures made by a municipality on behalf of a school district for which it has a shared constituency. Municipal-district agreements are common and are currently in use to lower the cost of procuring certain goods in bulk, such as salt for parking lots and sidewalks during the wintertime.

These agreements are zero-sum purchases, in that the school district pays its full share for goods it receives. The result is a cost savings to property taxpayers, since the purchases are cheaper for both the municipality and the school district.

Problems arise, however, when these joint purchases are not accurately reflected in the expenditures reported by the municipality when calculating its ERP payment. Since the municipality is technically the party making the full purchase, they must report the full amount as their expenditure. This increased expenditure is then counted against them in calculating their eligibility for ERP.

As a result, some municipalities have faced pressure to discontinue cooperation with its school district or lose needed ERP aid. I do not believe this was the intention of the ERP program. The law should not penalize municipalities for working with its school district(s), especially during these tough economic times when both municipal and school budgets are being tightened.



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 86TH ASSEMBLY DISTRICT

Assembly Amendment 1 is a technical amendment to this bill, and makes a simple change in the initial applicability of the proposal from 2011 to 2013 to avoid having to recalculate and adjust payments that have already been made or figured into existing local budgets. If the bill had allowed additional municipalities to qualify for an ERP payment in 2011, DOR would be required to recalculate payments to 321 municipalities, resulting in their need to repay part of the payment they received in July. Similarly, DOR has already notified municipalities on their expected payments to be received in the summer of 2012.

By extending the initial date to 2013, the amendment allows a municipality to prepare its 2012-2013 budget with this statutory change in mind without affecting the current schedule of payments.

A snapshot of the various joint purchases is provided below.

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AB 279 - re: changes to the expenditure restraint program	
<i>School District</i>	<i>Joint Purchases</i>
Antigo	Routing and crack filling of parking lots, purchase of bulk salt, snow plowing, line striping, new asphalt, catch basin maintenance, heavy equipment operators, engineering services, and sharing of maintenance equipment.
Ashwaubenon	Purchase of gasoline for school vehicles, purchase of bulk salt for sidewalks and parking lots, and purchase of computers.
Elk Mound	Has the village sand parking lots and renting of the baseball and softball fields at the village park (?)
Elkhorn	Purchase of bulk salt for parking lots and sidewalks.
Gresham	Purchase of sand and salt, use of the ball fields, and paving of parking lots.
Luxemburg-Casco	Purchase of sand for parking lots.
Marinette	Purchase of police liaison and crossing guard services, and shared recreational facilities.
Marshfield	Joint purchase of boiler insurance and shared grant writer position (in the works).
New Richmond	Purchase of bulk salt and sand for parking lots and sidewalks.
Oshkosh Area	Purchase of bulk salt for parking lots and sidewalks; gasoline for vehicles and grounds equipment; diesel fuel for trucks, backhoe, and end loader.
Pittsville	Purchase of bulk salt for parking lots, sidewalks, and roads; and asphalt repairs.
Stevens Point	Purchase of bulk salt for parking lots and sidewalks.
Sturgeon Bay	Purchase of bulk salt for parking lots and sidewalks.



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JERRY PETROWSKI
86TH ASSEMBLY DISTRICT

Sun Prairie	Purchase of bulk salt for parking lots and sidewalks.
Waunakee Community	Purchase of bulk salt.
Wausau	Purchase of bulk salt and sand for driveways, parking lots, and sidewalks.
Wisconsin Rapids	Purchase of bulk salt for parking lots and sidewalks, and joint purchase of baseball diamond supplies.

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