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Senate Bill 4

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1991 WISCONSIN ACT 314

AN ACT *to renumber* 118.013 (2); *to amend* 119.495 (title); and *to create* 118.013 (2) (b), 119.496 and 119.497 of the statutes, **relating to:** the issuance of promissory notes and the development of a facility plan by 1st class city school districts and the implementation of school district management restructuring programs.

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

SECTION 1. 118.013 (2) of the statutes, as created by 1991 Wisconsin Act 269, is renumbered 118.013 (2) (a).

SECTION 2. 118.013 (2) (b) of the statutes is created to read:

118.013 (2) (b) If the representatives reach an agreement that is approved by two-thirds of the teachers employed at the school or, if a principal supervises more than one school, the group of schools that he or she supervises, the management restructuring program shall be implemented beginning in the 1994-95 school year unless a different time is specified in the agreement.

SECTION 3. 119.495 (title) of the statutes is amended to read:

119.495 (title) Borrowing on promissory notes; 1989 to 1993.

SECTION 4. 119.496 of the statutes is created to read:

119.496 Borrowing on promissory notes; 1992 to 1995. (1) Subject to sub. (6), between June 1, 1992, and June 30, 1995, upon adopting a resolution by a two-thirds vote of the members elect and receipt of written approval by the mayor of the city, the board may direct the common council to issue promissory notes under s. 67.12 (12) for the purpose of providing additional classroom space to accommodate anticipated school enrollments and for educational programming.

(2) The board shall include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing to be autho-

rized in the budget for the ensuing year. The common council shall issue the notes and levy a direct annual irrepealable tax sufficient to pay the principal and interest on the notes as they become due. The common council may issue the notes by private sale. The common council shall establish goals of involving minority investment firms certified under s. 560.036 as managing underwriters for at least 50% of the total amount financed by the notes and of engaging a minority financial adviser certified under s. 560.036 to advise the city regarding any public sale of the notes.

(3) The common council may not issue a note under this section or sell a note issued under this section after June 30, 1995. The total amount of notes issued under this section may not exceed \$35,000,000.

(4) The board may enter into a contract in anticipation of the sale of the notes on the same basis upon which a 1st class city may contract in anticipation of the sale of bonds under s. 67.10 (6).

(5) The city's budgetary authorization for borrowing in 1992 is increased by \$8,000,000 for the purpose of this section.

(6) The board may not direct the common council to issue promissory notes under this section unless all of the following occur:

(a) The board adopts a resolution declaring its intention to comply with s. 119.497 and notifies the secretary of administration of its action.

(b) The board adopts a resolution declaring its intention, beginning in 1992 and annually thereafter until all notes issued under this section are repaid, to include as

part of its budget transmitted to the common council under s. 119.16 (8) (b) a communication under s. 119.48 stating an amount needed for a school construction fund that is sufficient to require the common council to levy 0.6 mills on each dollar of the assessed valuation of all taxable property in the city, and notifies the secretary of administration of its action.

SECTION 5. 119.497 of the statutes is created to read:

119.497 Facility plan. (1) (a) The board shall develop a 10-year facility plan that reflects facility standards established by the board.

(b) The board shall hold public hearings on the plan. At least one week prior to the first public hearing, the board shall publish a class 1 notice under ch. 985. The notice shall include all of the following:

1. The effect of the plan on the school district's property tax levy and operational costs.
2. The proposed location of any new school buildings.
3. The time and place of the public hearings to be held on the proposed plan.

(c) The board shall approve the plan by November 15, 1992.

(2) (a) By December 1, 1992, the board shall submit a report to the standing committees on education and the joint audit committee in the manner provided under s. 13.172 (3), and to the joint committee on finance. The report shall include all of the following regarding the approved plan:

1. The projected effect of the plan on the property tax levy of the school district.
2. The projected debt service payments.
3. The projected increase in operational costs related to the plan, including the number of additional employees required to staff any new schools.

4. The location of any new schools and how the location relates to the current and projected distribution of school-age children throughout the school district.

5. The relationship between the plan and the special transfer programs under s. 121.85.

6. Information on the involvement of minority investment firms certified under s. 560.036, minority financial advisers certified under s. 560.036, minority businesses certified under s. 560.036 and workers who are minority group members, as defined in s. 560.036 (1) (f), in the financing and construction of the schools.

(b) By December 1, 1992, the board shall submit the approved plan to the state superintendent and the legislative audit bureau for their review. By January 15, 1993, the state superintendent and the legislative audit bureau shall submit their comments on the plan to the committees specified under par. (a) in the manner specified under par. (a).

(3) (a) The board shall establish all of the following goals:

1. That at least 50% of the construction activities associated with the facility plan will be performed by minority businesses certified under s. 560.036.
2. That at least 50% of the workers involved in the actual construction of new schools under the plan will be minority group members, as defined in s. 560.036 (1) (f).
3. That the board engage a minority financial adviser certified under s. 560.036 to advise the board regarding the facility plan.

(b) The common council shall establish goals of involving minority investment firms certified under s. 560.036 as managing underwriters for at least 50% of the total amount financed by the city under the facility plan and of engaging a minority financial adviser certified under s. 560.036 to advise the city regarding any public sale of notes or bonds issued to finance the plan.