

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB40)

Received: 6/5/2013 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Legislative Fiscal Bureau By/Representing: Kava
May Contact: Drafter: tkuczens
Subject: Education - choice programs Addl. Drafters:
Extra Copies: pg, ffk

Submit via email: YES
Requester's email: Legislative Fiscal Bureau
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

LFB:.....Kava -

Topic:

Choice programs - Certificate of occupancy and building usage charges provisions for Racine PCP and MPCP

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>
/?	tkuczens 6/5/2013			_____			
/P1	tkuczens 6/8/2013	evinz 6/9/2013	jmurphy 6/5/2013	_____	lparisi 6/5/2013		
/P2			jfrantze	_____	mbarman		

Vers. Drafted

Reviewed

Typed
6/9/2013

Proofed

Submitted
6/10/2013

Jacketed

Required

FE Sent For:

<END>

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/?	tkuczens 6/5/2013			_____			
/P1		jdyer 6/5/2013	jmurphy 6/5/2013	_____	lparisi 6/5/2013		
FE Sent For:		<i>1p2 eev 6/9/13</i>	<i>1p2 eev 6/9/13</i>	<i>pk Jb 6/9</i>			

<END>

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Certificate of occupancy and building usage charges provisions for Racine PCP and MPCP

Instructions:

See attached

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/?	tkuczens	PI 6/5 jld	dm 6/5	self			

FE Sent For:

<END>

Motion 538

10. *Parental Choice Programs -- Certificate of Occupancy.* Modify the current law requirement for a certificate of occupancy to exempt the private school from this requirement if it submits a letter or form from the municipality within which the private school is located, or from the entity that issues occupancy permits, which state that it does not issue certificates of occupancy.

11. *Parental Choice Programs -- Building Usage Charge.* Modify the current law treatment of facilities costs for schools where the legal title to the building is held in the name of the parent organization or other related party, to eliminate the requirement that there be no other mechanism to include the private school's facilities costs in its cost calculation, before the school can include 10.5% of the fair market value of the school in its costs. Provide that the school may include an amount equal to 10.5% of the fair market value of any building additions or new building locations if it requests this from DPI. Specify that if a school was not permitted to include the 10.5% amount in 2012-13, then it can do so if the school so requests DPI.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0318/P1
TKK:.....
RMR Jld

LFB:.....Kava – Choice programs – Certificate of occupancy and building usage charges provisions for Racine PCP and MPCP

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40**

6/5/13

1 At the locations indicated, amend the bill as follows:
2 **1.** Page 846, line 16: after that line[✓] insert:
3 **“SECTION[✓] 1852m.** 118.60[✓] (4) (d) 2. of the statutes is amended to read:
4 118.60 (4) (d) 2. If legal title to the private school’s buildings and premises is
5 held in the name of the private school’s parent organization or other related party,
6 ~~there is no other mechanism to include the private school’s facilities costs in the~~
7 ~~calculation of its operating and debt service cost, and the private school requests that~~
8 ~~the department do so, include an amount equal to 10.5 percent of the fair market~~
9 ~~value of the school and its premises.~~ If legal title to the private school’s buildings and
10 premises is held in the name of the private school’s parent organization[✓] or other
11 related party but the private school was not permitted to include an amount equal

.... [LRB inserts date]

1 to 10.5 percent of the fair market value of the school and its premises in the
 2 school year, the private school may, on the effective date of this subdivision, request
 3 the department to include that amount. A request made by a private school under
 4 this subdivision remains effective in subsequent school years and may not be
 5 withdrawn by the private school.”.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

History: ~~eadlines but not including changes to provisions governing health or safety, prior to the beginning of the school year in which the change takes effect.~~

6 **2.** Page 847, line 16: after that line insert:

7 “**SECTION 1856m.** 118.60 (7) (d) 1. b. of the statutes is amended to read:

8 118.60 (7) (d) 1. b. A copy of the school’s current certificate of occupancy issued
 9 by the municipality within which the school is located. If the private school moves
 10 to a new location, the private school shall submit a copy of the new certificate of
 11 occupancy issued by the municipality within which the school is located to the
 12 department before the attendance of pupils at the new location and before the next
 13 succeeding date specified in s. 121.05 (1) (a). If the municipality within which the
 14 private school is located does not issue certificates of occupancy, the private school
 15 may submit a certificate of occupancy issued by the local or regional governmental
 16 ~~unit with authority to letter or form from the municipality within which the private~~
 17 school is located that explains that the municipality does not issue certificates of
 18 occupancy. A temporary certificate of occupancy does not meet the requirement of
 19 this subdivision.”.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

History: ~~eadlines but not including changes to provisions governing health or safety, prior to the beginning of the school year in which the change takes effect.~~

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

20 **3.** Page 852, line 8: after that line insert:

21 “**SECTION 1867m.** 119.23 (4) (d) 2. of the statutes is amended to read:

22 119.23 (4) (d) 2. If legal title to the private school’s buildings and premises is
 23 held in the name of the private school’s parent organization or other related party,

1 ~~there is no other mechanism to include the private school's facilities costs in the~~
 2 ~~calculation of its operating and debt service cost, and the private school requests that~~
 3 ~~the department do so, include an amount equal to 10.5 percent of the fair market~~
 4 ~~value of the school and its premises. If legal title to the private school's buildings and~~
 5 ~~premises is held in the name of the private school's parent organization or other~~
 6 ~~related party but the private school was not permitted to include an amount equal~~
 7 ~~to 10.5 percent of the fair market value of the school and its premises in the~~
 8 ~~school year, the private school may, on the effective date of this subdivision, request~~
 9 ~~the department to include that amount.~~ A request made by a private school under
 10 this subdivision remains effective in subsequent school years and may not be
 11 withdrawn by the private school." [LRB inserts date]

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8; s. 13.92 (2), (1); s. 35.17 correction in (4) (d) (intro).

12 **4.** Page 853, line 14: after that line insert:

13 **"SECTION 1873m.** 119.23 (7) (d) 1. b. of the statutes is amended to read:

14 119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued
 15 by the municipality within which the school is located. If the private school moves
 16 to a new location, the private school shall submit a copy of the new certificate of
 17 occupancy issued by the municipality within which the school is located to the
 18 department before the attendance of pupils at the new location and before the next
 19 succeeding date specified in s. 121.05 (1) (a). If the municipality within which the
 20 private school is located does not issue certificates of occupancy, the private school
 21 may submit a certificate of occupancy issued by the local or regional governmental
 22 ~~unit with authority to~~ letter or form from the municipality within which the private
 23 school is located that explains that the municipality does not issue certificates of

1 occupancy. A temporary certificate of occupancy does not meet the requirement of
2 this subdivision.” ✓

3 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0318/P1, P2
TKK:jld/jm seev
~~TKK~~
RMR

LFB:.....Kava – Choice programs – Certificate of occupancy and building usage charges provisions for Racine PCP and MPCP

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40

6/8/13

1 At the locations indicated, amend the bill as follows:
2 **1.** Page 846, line 16: after that line insert:
3 “**SECTION 1852m.** 118.60 (4) (d) 2. of the statutes is amended to read:
4 118.60 (4) (d) 2. If legal title to the private school’s buildings and premises is
5 held in the name of the private school’s parent organization or other related party,
6 ~~there is no other mechanism to include the private school’s facilities costs in the~~
7 ~~calculation of its operating and debt service cost,~~ and the private school requests that
8 the department do so, include an amount equal to 10.5 percent of the fair market
9 value of the school and its premises. If legal title to the private school’s buildings and
10 premises is held in the name of the private school’s parent organization or other
11 related party but the private school was not permitted to include an amount equal

1 to 10.5 percent of the fair market value of the school and its premises in the 2012–13
 2 school year, the private school may, ^{beginning} on the effective date of this subdivision ... [LRB
 3 inserts date], request the department to include that amount. A request made by a
 4 private school under this subdivision remains effective in subsequent school years
 5 and may not be withdrawn by the private school.”.

6 **2.** Page 847, line 16: after that line insert:

7 “SECTION 1856m. 118.60 (7) (d) 1. b. of the statutes is amended to read:

8 118.60 (7) (d) 1. b. A copy of the school’s current certificate of occupancy issued
 9 by the municipality within which the school is located. If the private school moves
 10 to a new location, the private school shall submit a copy of the new certificate of
 11 occupancy issued by the municipality within which the school is located to the
 12 department before the attendance of pupils at the new location and before the next
 13 succeeding date specified in s. 121.05 (1) (a). If the municipality within which the
 14 private school is located does not issue certificates of occupancy, the private school

15 may submit a ^{plain} certificate of occupancy issued by the local or regional governmental
 16 unit with authority to letter or form from the municipality within which the private
 17 school is located that explains that the municipality does not issue certificates of
 18 occupancy. A temporary certificate of occupancy does not meet the requirement of
 19 this subdivision.”.

issue certificates of occupancy

20 **3.** Page 852, line 8: after that line insert:

21 “SECTION 1867m. 119.23 (4) (d) 2. of the statutes is amended to read:

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INSA

1 calculation of its operating and debt service cost, and the private school requests that
 2 the department do so, include an amount equal to 10.5 percent of the fair market
 3 value of the school and its premises. If legal title to the private school's buildings and
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 19 private school is located does not issue certificates of occupancy, the private school
 20 may submit a ^{plain} certificate of occupancy issued by the local or regional governmental
 21 unit with authority to letter or form from the municipality within which the private
 22 school is located that explains that the municipality does not issue certificates of

move to p. 4, line

or a

insert from p. 3. ln. 21

1 occupancy. A temporary certificate of occupancy does not meet the requirement of
2 this subdivision.”.

3
INSA

(END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0318/P2ins
TKK:jld&eev:jm

NOT

INS A

1 may submit a certificate of occupancy issued by the local or regional
2 governmental unit with authority to issue certificates of occupancy or a letter or form
3 from the municipality within which the private school is located that explains that
4 the municipality does not issue certificates of occupancy. A temporary certificate of
5 occupancy does not meet the requirement of

6

7 END INS A



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0318/P2
TKK:jld&eev:eev

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3 (END)