



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBb1362/1  
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**ASSEMBLY AMENDMENT 34,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 40**

June 14, 2011 - Offered by Representatives MASON, TURNER, HEBL, BEWLEY, BERCEAU, ROYS, HINTZ, HULSEY, TOLES, DANOU, E. COGGS, YOUNG, POPE-ROBERTS, CLARK and PASCH.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1006, line 5: after that line insert:

3 **“(1m)** (a) In this subsection:

4 1. “Board” means the government accountability board.

5 2. “Circulator” has the meaning given for “qualified circulator” under s. 5.02  
6 (16g).

7 (b) On or after September 1, 2011, an individual, committee, or group may file  
8 a registration statement with the board to initiate a petition to implement the Racine  
9 Parental Choice Program under this section. The registration statement shall  
10 include the name and mailing address of the individual who, or committee or group  
11 that, is initiating the petition.

1           (c) The individual, committee, or group may circulate the petition and shall file  
2 the petition with the board no later than 60 days after the date on which the  
3 registration statement is filed under par. (b). The certification of a circulator shall  
4 appear at the bottom of each petition filed with the board. The certification of the  
5 circulator shall include the name and mailing address of the individual who, or  
6 committee or group that, initiated the petition and shall state that he or she  
7 personally circulated the petition and personally obtained each of the signatures; he  
8 or she knows the signatures are of qualified electors, as defined under s. 6.02, of the  
9 Racine Unified School District as the petition requires; he or she knows the signers  
10 signed the petition with full knowledge of its content; he or she knows the respective  
11 residences given for each signer; and he or she knows each signer signed on the date  
12 stated opposite his or her signature. The certification shall further state that he or  
13 she, the circulator, is a qualified elector of this state, or if not a qualified elector of  
14 this state, is a U.S. citizen age 18 or older who, if he or she were a resident of this  
15 state, would not be disqualified from voting under s. 6.03; that he or she intends to  
16 support the implementation of the program under this section; and that he or she is  
17 aware that falsifying the certification is punishable under s. 12.13 (3) (a). The  
18 circulator shall indicate the date that he or she makes the certification next to his  
19 or her signature.

20           (d) The board shall, within 31 days after a petition is filed under par. (c), review  
21 the signatures to determine whether any signatures or petition sheets may not be  
22 counted for the reasons provided in par. (e) or (f). If, after review, the board  
23 determines that the petition contains a number of signatures of qualified electors in  
24 the Racine Unified School District equal to not less than 25 percent of the number  
25 of pupils enrolled in the Racine Unified School District in the 2010-11 school year,

1 the board shall certify that result to the department of public instruction. The  
2 department shall implement the program under this section in the first school year  
3 that begins after the date on which the board certifies the petition under this  
4 paragraph.

5 (e) An individual signature on a petition sheet may not be counted if:

6 1. The signature is not dated.

7 2. The signature is dated outside the circulation period.

8 3. The signature is dated after the date of the certification contained on the  
9 petition sheet.

10 4. The residency of the signer of the petition sheet cannot be determined by the  
11 address given.

12 5. The signature is that of an individual who is not a resident of the Racine  
13 Unified School District.

14 6. The signer has been adjudicated not to be a qualified elector on grounds of  
15 incompetency or limited incompetency as provided in s. 6.03 (3).

16 7. The signer is not a qualified elector by reason of age.

17 8. The circulator knew or should have known that the signer, for any other  
18 reason, was not a qualified elector.

19 (f) No signature on the petition sheet may be counted if:

20 1. The circulator fails to sign his or her certification.

21 2. The circulator is not a qualified circulator.”.

22 **2.** Page 1006, line 6: delete “Subject” and substitute “After a petition is  
23 certified as provided under sub. (1m) (d), and subject”.

1           **3.** Page 1007, line 22: delete “2011–12 school year” and substitute “first school  
2 year that begins after a petition is certified under sub. (1m) (d)”.

3           **4.** Page 1007, line 24: delete “August 1, 2011” and substitute “February 1 of  
4 that school year”.

5           **5.** Page 1008, line 10: delete “, 2011” and substitute “of the first school year  
6 that begins after a petition is certified under sub. (1m) (d)”.

7           **6.** Page 1008, line 11: delete “July 1, 2011” and substitute “that July 1”.

8           **7.** Page 1008, line 12: delete “July 1, 2011” and substitute “that July 1”.

9           **8.** Page 1008, line 21: delete “, 2016” and substitute “of the 5th school year that  
10 begins after a petition is certified under sub. (1m) (d)”.

11           **9.** Page 1009, line 3: delete the material beginning with “, the Wisconsin” and  
12 ending with “2011;” on line 9.

13           **10.** Page 1009, line 10: delete “after August 31, 2012;” and substitute “in the  
14 first school year that begins after a petition is certified under sub. (1m) (d)”.

15           **11.** Page 1010, line 3: delete “2011–12 school year” and substitute “first school  
16 year that begins after a petition is certified under sub. (1m) (d)”.

17           **12.** Page 1010, line 6: delete “2010–11” and substitute “immediately  
18 preceding”.

19           **13.** Page 1010, line 7: delete “2012–13 school year” and substitute “2nd school  
20 year that begins after a petition is certified under sub. (1m) (d)”.

21           **14.** Page 1010, line 9: delete “2010–11 school year” and substitute “school year  
22 immediately preceding the first school year that begins after a petition is certified  
23 under sub. (1m) (d)”.

