

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/27/99**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies:

Pre Topic:

SDC:.....Walter - Caucus #1410,

Topic:

Status of the commission formed to create milwaukee tech charter school

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> |
|--------------|----------------------|----------------------|--------------------|----------------|--------------------------|-----------------|-----------------|
| /1 | nelsorp1 06/27/99 | chanaman 06/27/99 | hhagen 06/27/99 | _____ | lrb_docadmin 06/27/99 | | |

FE Sent For:

<END>

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|--------------|----------------|-------------------|--------------|--|------------------|-----------------|-----------------|
| /1 | nelsorp1 | cmu 6/27 /1 | | KGD SM 16/27 | | | |

FE Sent For:

<END>

yes

Agency: Miscellaneous Appropriations

SDC

RPW/YES

caucus number 1410

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: Create statutory language to clarify that Milwaukee Tech is a governmental authority and should be entitled to same governmental immunities which apply to MPS

other notes

drafting instructions: See above, attached memo and letter from Milwaukee Assistant City Attorney

more instructions:

caucus number 1539

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| FM 1230 | |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: FM 1230. Collection of Data Related to Drivers Involved in Traffic Stops. Require law enforcement to record various information every time a vehicle is stopped. See motion for who will get info and how it will be reported.

other notes

drafting instructions: FM 1230

more instructions:

caucus number 1705

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: \$100,000 GPR annually to the Wisconsin Procurement Institute, a non-profit organization dedicating to securing federal government contracts and creating jobs in Wisconsin.

other notes Modifications to above: earmark without new money from the logical account from Commerce

drafting instructions: See above.

more instructions:

caucus number 1719

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| bill number/amendment number: | |
| LRB draft # 3009/P1 | LRB P-draft: |

description: Youth Activities Center-Milw. Police Athletic League. Permits the building commission to authorize up to \$1 mil of the general fund for a construction grant to Milw. Police Athletic League to assist in construction of Youth Center on 24th and Burleigh St.

other notes

drafting instructions: LRB 3009/P1. See above

more instructions:

X

See 66.30 definition of "municipality"
 Amend § 345.05 (1)(c) "municipality"
 to include this commission

+

DPI - New Provision relating to Milwaukee Tech School, a new charter school operated in coordination with Milwaukee Public Schools, Milwaukee Area Technical College and UW-Milwaukee.

No cost.

A commission has been created to provide oversight of the development, construction, equipping, assessment and operation of Milwaukee Tech. This Commission wants statutory language to be adopted to clarify that they are a governmental authority and should be entitled to the same governmental immunities which apply to MPS.

The language suggested by the Milwaukee Assistant City Attorney is as follows:

Sec. 66.30 (2) stats: A commission created by contract under this section shall be deemed a political subdivision of the state under section 345.05, stats., and a governmental subdivision or agency thereof under section 893.80 stats.

See the 2 page letter attached from the Milwaukee Assistant City Attorney for further information.

Isn't it an agency of a political subd.?

CN 1410

CITY OF MILWAUKEE

Form CA-43

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Assistant City Attorneys

May 5, 1999

Mr. Thomas A. McGinnity
Deputy Superintendent
Milwaukee Public Schools
P.O. Box 2181
Milwaukee, WI 53201-2181

| | | | | | |
|-------------------|---------------------|---------|----------------|------------|---|
| Post-it* Fax Note | 7671 | Date | 5/25 | # of pages | 2 |
| To | Cindy McGinnity | From | Myra Edwards | | |
| Co./Dept. | Sen. Burke's Office | Co. | M.P.S. | | |
| Phone # | (608) 266-8535 | Phone # | (414) 475-8740 | | |
| Fax # | (608) 267-0274 | Fax # | (414) 475-8270 | | |

**RE: Lynde and Harry Bradley
Technology and Trade School Commission**

Dear Mr. McGinnity:

We are responding to your request of March 23, 1999 seeking the assistance of this office in drafting legislation that would extend the statutory protection that the district enjoys under secs. 893.80 and 345.05, Stats. to the Lynde and Harry Bradley Technology and Trade School Commission ("Commission"). The Commission has been created, effective May 1, 1999, pursuant to an Intergovernmental Cooperation Agreement under sec. 66.30, Stats. between the Milwaukee Public Schools ("MPS"), Milwaukee Area Technical College ("MATC"), and the University of Wisconsin Milwaukee ("UWM"). The Agreement empowers the Commission to provide "oversight of the development, construction, equipping, assessment, and operation of Milwaukee Tech," which will continue to be a Milwaukee Public School. The adoption of the proposed legislation will clarify the fact that the Commission is a governmental authority which should be entitled to the same governmental immunities which apply to MPS. MPS has committed itself, pursuant to the terms of the Agreement, to indemnify the Commission and its members.

It is our understanding that there are several educational reform measures pending before the legislature in Madison. An amendment to clarify the status of the Commission as an entity entitled to the same governmental immunities that apply to MPS under secs. 893.80 and 345.05, Stats. could be included with the pending bills.

Mr. Thomas McGinnity

2

May 5, 1999

We recommend the preparation of draft legislation which would add a sentence to sec. 66.30(2), Stats. reading substantially as follows:

A commission created by contract under this section shall be deemed a political subdivision of the State under section 345.05, Stats. and a governmental subdivision or agency thereof under section 893.80, Stats.

Don't need ref. in s. 893.80, because that is broad enough to include this Commission as an agent (KIV)

The actual legislation prepared by the State Legislative Reference Bureau to accomplish the foregoing statutory amendment could also specifically reference commissions created by contract under sec. 66.30, Stats. in both sec. 345.05 and sec. 893.80, Stats. if such references are deemed necessary by the drafters. Such a determination can be made at the time an actual bill is prepared for introduction.

We believe that the foregoing amendment will accomplish the objectives set forth in your March 23, 1999 letter and make it clear that the Commission will enjoy the same statutory protection that MPS enjoys.

Very truly yours,

[Signature]
GRANT F. LANGLEY
Assistant City Attorney

[Signature]

PATRICK B. McDONNELL
Special Deputy City Attorney

[Signature]

THOMAS O. GARTNER
Assistant City Attorney

[Signature]

ROXANE L. CRAWFORD
Assistant City Attorney

TOG/ksk

- cc: Dr. Alan Brown
- Ms. Janie Hatton
- Dr. Suzanne Lundin
- Ms. Myra Vachon
- Ms. Chris Toth
- Ms. Mickey Beil
- Ms. Myra Edwards
- Mr. Erbert Johnson
- Mr. Patrick Curley

20534



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1420/1
RPN & MES.....
cmj

W.P.O. please fix topic line on request sheet

SDC:.....Walter - Caucus #1410, Status of the commission formed to create
milwaukee tech charter school

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION
CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

W.P.O. strike parenthesis only

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

2 1. Page 1344, line 13: after that line insert:

3 "SECTION ^{275/m} ~~345.05~~ (1) (c) of the statutes is amended to read:

4 345.05 (1) (c) "Municipality" means any county, city, village, town, school

5 district ~~as~~ enumerated in s. 67.01 (5); sewer district, drainage district, commission

6 formed by a contract under s. 66.30 (2) and, without restriction because of failure of

7 enumeration, any other political subdivision of the state. "

