

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **09/30/1999**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Hardy**

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

Drafter: **mlief**

May Contact:

Alt. Drafters: **grantpr**

Subject: **Education - MPS**

Extra Copies:

**Pre Topic:**

LFB:.....Hardy -

**Topic:**

MPS school construction

**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>
/?	mlief 10/01/1999	jgeller 10/02/1999		_____			
/1			ismith 10/02/1999	_____	lrb_docadmin 10/02/1999		
/2	mlief 10/04/1999	chanaman 10/04/1999	martykr 10/04/1999	_____	lrb_docadmin 10/04/1999		

FE Sent For:

<END>

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/?	mlief 10/01/1999	jgeller 10/02/1999		_____			
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FE Sent For:		<i>cm</i> 10/4 12	<i>sm</i> 10/4	<i>sm</i> 10/4			

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 09/30/1999

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Hardy

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters: grantpr

Subject: Education - MPS

Extra Copies:

Pre Topic:

LFB:.....Hardy -

Topic:

MPS school construction

Instructions:

See Attached

*To editors:  
I know this  
insert is written in  
passive voice, but I don't  
see any way around it - We  
don't know who will be  
contracting for construction  
of the schools.  
PK*

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?	mlief	1 10/2 jlg	15 10/2	15/JP 10/2			

FE Sent For:

<END>

## Grant, Peter

---

**From:** Hardy, Ruth  
**Sent:** Thursday, September 30, 1999 8:23 AM  
**To:** Grant, Peter; Lief, Madelon; Champagne, Rick; Shovers, Marc  
**Cc:** Whitesel, Russ; Loppnow, Dave  
**Subject:** Drafting Instructions...

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Peter et al,  
Russ, Dave and I received this email this morning regarding some changes they want for the MPS school construction thing. I'm not sure which one of you will be drafting this, but I thought you should have as much of a heads-up as possible. I'd be happy to share my memo with you, although this is different than the proposal in the memo and significantly different than the authority in NYC. The entity described below doesn't sound like an authority to me, but that would be for you to decide I suppose. I suppose Russ will be contacting you as well, so I'm not sure what my role is in all of this, but let me know what I can do to help you out. Good luck!

Ruth Hardy  
School Finance Analyst  
Wisconsin Legislative Fiscal Bureau  
[ruth.hardy@legis.state.wi.us](mailto:ruth.hardy@legis.state.wi.us)  
(608) 266-3847 - phone  
(608) 267-6873 - fax

-----Original Message-----

**From:** Burnett, Douglas  
**Sent:** Wednesday, September 29, 1999 9:54 PM  
**To:** Whitesel, Russ; Hardy, Ruth; Loppnow, Dave  
**Subject:** FW:

Russ-Please take a look at the note below from Sen. Moore's office as soon as possible and let me know what's up with the deletion of the "nonblighted areas" language.

Also, please coordinate with LFB to prepare drafting instructions for LRB for the conference report as changes to the technical amendment (LRBb1715/4) to the Milwaukee Neighborhood Schools Initiative in the biennial budget bill. (Assume inclusion of the technical as modified as follows):

1. Do nothing on the blighted areas deletion until I have heard from Russ.
2. Include the language related to minority contracting which was included in the Senate version of the budget.
3. In conjunction with the Neighborhood Schools initiative, create a Milwaukee School Construction Authority (MSCA), similar to a construction authority created in New York City. Since state dollars are being used, the state should retain oversight. This proposal attempts to ensure this oversight.

Ruth Hardy has done a preliminary memo on this; however, this proposal differs slightly from the proposal described in her memo.

The proposal would create a MSCA for a five year period to be governed by a four-member board: (1) a member of the State Senate appointed by the Majority Leader; (2) a member of the State Assembly appointed by the Speaker; (3) a member appointed by the Mayor of Milwaukee, and (4) a member appointed by the Governor.

Bonding authority would remain with the Redevelopment Authority. The MSCA would approve the location and site plans and bonding for these projects before they would go to the Redevelopment Authority.  
MPS would propose projects for approval by the MSCA and would provide staff for the MSCA.

Additional modifications:

1. Explicitly ban the use of bonding proceeds for any charter or choice schools.
2. Explicitly forbid double-bussing in statute (if possible, or necessary-consult with Sen. Moore's office on this one

with questions)

3. ~~Require that a minority construction manager be hired for any new school construction projects under the neighborhood schools initiative.~~
4. Require that a public hearing be held in every school board district in which a new school is to be constructed.
5. Prohibit the construction of middle schools and the use of modular schools using funds from this initiative.
6. ~~Delay the implementation of the parental permission and percentage thresholds requirement under the intradistrict transfer program from 90-91 to 94-95.~~

-----Original Message-----

**From:** Buchanan, Rob  
**Sent:** Friday, September 24, 1999 5:20 PM  
**To:** Burnett, Douglas  
**Subject:**

Doug,

Earlier today you requested Senator Moore's reaction to the proposed amendments offered by Rep. Krug and Rep. Riley to the Neighborhood Schools Initiative.

Senator Moore strongly objects to the condition added in the amendment which states "It shall not be necessary that financed property be located in a project area or blighted area." See page 2 of the amendment, lines 16-17.

The point of the initiative was to provide additional schools in blighted areas. The concern with this amendment is that MPS (and the city) will put new schools in non-blighted, white areas. Gwen therefore objects to the money being used for non-blighted areas.

Secondly, Gwen stated in a memo to your office in July the following:

**>>1.) What types of buildings/properties can be purchased with bonding proceeds?**

*As I understand it, as long as a facility--either constructed, purchased, or renovated--is thereafter used by MPS (making it a MPS facility), then bonding proceeds can be spent which benefit a variety of non-MPS entities. For example, churches (or portions of a church facility), vacant storefronts and other properties, could be purchased for MPS's use. I object to the use of state backed bonding for the purpose of alleviating church budgets and bolstering sales of vacant storefronts.*

The Krug/Riley amendment expands use of the bonding proceeds for leasing. (See page 5, line 7-9). Therefore, the prior objections Gwen raised related to use of the proceeds are now extended to any leasing options given to MPS. While Gwen does not find inherent objection to the leasing option, she continues to object to the funneling of the bonding proceeds to non-MPS entities.

If you have any questions, give me a call (at home: 256-6739) or Shirley (414-442-4790)

-Rob

-----  
Rob Buchanan  
Office of State Senator Gwendolynne S. Moore  
(608) 266-5810  
State Capitol; P.O. Box 7882  
Madison, WI 53707-7882  
-----

> leg. members: opt as an iting committee

> ~~the~~ govern is 4

> no rulemaking authority

>

1999

Date (time)  
needed

NOON (DN)

LRB b 1881,1

**BUDGET AMENDMENT**

PG/MJL/MES : ja :  
+cmh

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CONFERENCE AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133**

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

~~#. Page . . . . , line . . . . :~~

~~#. Page . . . . , line . . . . :~~

~~#. Page . . . . , line . . . . :~~

~~#. Page . . . . , line . . . . :~~

~~#. Page . . . . , line . . . . :~~

~~#. Page . . . . , line . . . . :~~

*[Handwritten scribble]*

# Page 22, line 14: after that line insert:

" SECTION 14g. <sup>✓</sup> OR, 15.07 (1) (a) ~~§.~~ <sup>7</sup> X

<sup>①</sup> 15.07(1)(a) ~~§.~~ <sup>7</sup> The members of the

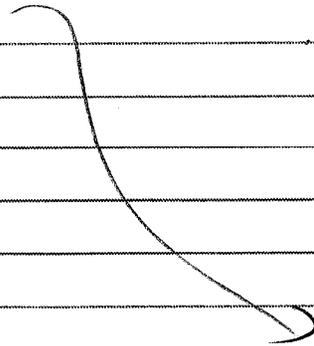
Milwaukee school construction board

shall be appointed as provided in

s. <sup>✓</sup> 15.77. "

# Page 22, line 21: after that

line insert:



Section #. 15.07 (4) of the statutes is amended to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the ethics board or the school district boundary appeal board as provided in ss. 19.47 (4) and 117.05 (2) (a).

History: 1971 c. 100 s. 23; 1971 c. 125, 261, 270, 323; 1973 c. 90, 156, 299, 334; 1975 c. 39, 41, 422; 1977 c. 29 ss. 24, 26, 1650m (3); 1977 c. 203, 277, 418, 427; 1979 c. 34, 110, 221, 346; 1981 c. 20, 62, 94, 96, 156, 314, 346, 374, 391; 1983 a. 27, 282, 403; 1985 a. 20, 29, 316; 1987 a. 27, 119, 142, 354, 399, 403; 1989 a. 31, 102, 114, 219, 299, 340; 1991 a. 25, 39, 116, 221, 269, 316; 1993 a. 16, 75, 102, 184, 349, 399, 490; 1995 a. 27, 216, 247; 1997 a. 27.

or the Milwaukee school  
construction board

# Page 28, line 22: after the  
line insert:

"SECTION 40K. CR. 15.77"

(B)

L.C.

(B) L.C.

BOARD.

15.77 MILWAUKEE SCHOOL CONSTRUCTION

(1) There is created a Milwaukee

school construction board consisting of all

of the following:

¶ (a) One senator appointed as one

and one representative to  
the assembly

the members of standing committees in their  
respective houses.

~~(b) one representative to the assembly  
appointed by the speaker of the assembly.~~

¶ (b) One person appointed by  
the mayor of the city of Milwaukee.

¶ (c) One person appointed by the  
governor.

~~(2) This section does not apply after the  
first day of the 6<sup>th</sup> month beginning after the effective  
date of this subsection ... [reviser inserts date].~~

③  
¶ (2) Any action of the Milwaukee school construction board requires the affirmative vote of ~~a~~ ~~majority~~ 3<sup>✓</sup> of its members.

③  
¶ (3) The Milwaukee school construction board does not have rulemaking authority.

③  
¶ (5) This section does not apply after the first day of the 6<sup>th</sup> month beginning after the effective date of this subsection.....  
revisor inserts date  
[insert date]. "

③  
¶ (4) The board of school directors of the school district operating under ch. 119 shall assist the ~~board~~ Milwaukee school construction board in the performance of its duties.

**ASSEMBLY AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 133**

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

2 **1.** Page 786, line 19: delete the material beginning with that line and ending  
3 with page 788, line 24.

4 **2.** Page 788, line 25: substitute "(5r)" for "(5m)".

5 **3.** Page 789, line 1: delete that line and substitute:

6 "66.431 (5r) FINANCING OF CERTAIN SCHOOL FACILITIES. (a) *Legislative*

7 *declaration.* The legislature determines that the development of new <sup>public</sup> schools will

8 help alleviate the substandard conditions described in sub. (2) and will promote the

9 sound growth and economic development of cities and enhance the education of

10 youth in neighborhood settings. The legislature determines that the social and

11 economic problems sought to be addressed are particularly acute in more densely

12 populated areas. The legislature desires to make certain financing and economic

1 tools available in 1st class cities with the view that there are likely to be positive  
2 statewide benefits in light of the impact that 1st class cities have on the economy and  
3 welfare of the entire state.

① public

4 (b) *Bond issuance for school facilities.* The authority of a 1st class city may issue  
5 up to \$170,000,000 in bonds to finance or refinance the development or  
6 redevelopment of sites and facilities to be used for public instruction by the board of  
7 school directors of the school district operating under ch. 119, including instruction  
8 in charter schools that are instrumentalities of that school district, if all of the  
9 following apply:

schools facilities

10 1. The board of school directors of the school district operating under ch. 119  
11 requests the issuance of the bonds to implement the report approved under 1999  
12 Wisconsin Act .... (this act), section 9158 (7tw) (b).

13 2. The authority determines that the purposes of the financing are consistent  
14 with the 1st class city's master plan.

15 (c) *Terms and conditions.* The terms and conditions of bonds issued under this  
16 subsection shall be those specified in sub. (5) (a) 4. except that it shall not be  
17 necessary that the financed property be located in a project area or a blighted area.  
18 The bonds may not have a maturity in excess of 20 years and may not be issued later  
19 than the first day of the 60th month beginning after the effective date of this  
20 paragraph .... [revisor inserts date].

21 (d) *Designation of special*".

22 4. Page 789, line 3: delete "s. 66.066 (2) (e)" and substitute "the resolution  
23 authorizing the issuance of bonds under this subsection".

24 5. Page 789, line 6: delete "described under sub. (5) (a) 4. d.".

1           **6.** Page 789, line 13: delete lines 13 to 16 and substitute:

2           “a. The extent to which and manner by which revenues of the school district  
3 operating under ch. 119 are pledged to the payment of the bonds.”.

4           **7.** Page 789, line 19: after “annual” insert “pledged”.

5           **8.** Page 789, line 20: delete “of the authority” and substitute “on the bonds”.

6           **9.** Page 789, line 24: substitute “(j)” for “(g)”.

7           **10.** Page 790, line 4: before “amount” insert “principal”.

8           **11.** Page 790, line 6: substitute “\$170,000,000” for “\$200,000,000”.

9           **12.** Page 790, line 11: delete “of bonds by the refunding bonds”.

10          **13.** Page 790, line 12: substitute “(j)” for “(g)”.

11          **14.** Page 790, line 13: delete “debt of the authority relating”.

12          **15.** Page 790, line 14: delete “to the bonds has” and substitute “bonds of the  
13 authority issued under this subsection have”.

14          **16.** Page 790, line 15: substitute “bonds” for “debt”.

15          **17.** Page 790, line 17: substitute “(j)” for “(g)”.

16          **18.** Page 790, line 22: substitute “(e)” for “(b)”.

17          **19.** Page 790, line 25: delete “described under sub. (5) (a) 4.”.

18          **20.** Page 791, line 1: delete “d.”.

19          **21.** Page 791, line 4: substitute “(f)” for “(c)”.

20          **22.** Page 791, line 5: after “authority” insert “for bonds issued under this  
21 subsection”.

1           **23.** Page 791, line 6: delete the material beginning with “bonds secured in”  
2 and ending with “special debt service reserve fund” on line 7 and substitute “the  
3 bonds”.

4           **24.** Page 791, line 8: substitute “the bonds, the purchase or redemption of the”  
5 for “these bonds, the purchase or redemption of these”.

6           **25.** Page 791, line 9: on lines 9 and 10, substitute “the” for “these”.

7           **26.** Page 791, line 12: on lines 12 and 19, substitute “(h)” for “(e)”.

8           **27.** Page 791, line 20: substitute “(g)” for “(d)”.

9           **28.** Page 791, line 22: substitute “(h)” for “(e)”.

10          **29.** Page 791, line 23: after “bonds” insert “under this subsection”.

11          **30.** Page 792, line 1: substitute “(h)” for “(e)”.

12          **31.** Page 792, line 3: substitute “(h)” for “(e)”.

13          **32.** Page 792, line 6: delete “the bonds” and substitute “bonds under this  
14 subsection”.

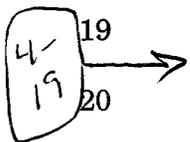
15          **33.** Page 793, line 5: substitute “(i)” for “(f)”.

16          **34.** Page 793, line 9: substitute “(j)” for “(g)”.

17          **35.** Page 793, line 10: on lines 10 and 14, substitute “(h)” for “(e)”.

✓18          **36.** Page 793, line 22: after “appropriation.” insert “This paragraph applies  
19 only to bonds issued under, and in compliance with, this subsection.”.

4-  
19  
20



20          **37.** Page 1117, line 12: after that line insert:

21          “SECTION 2108g. 119.16 (3) (b) of the statutes is amended to read:

1           119.16 (3) (b) ~~Schoolhouses~~ Except as provided in par. (c), schoolhouses and the  
 2 sites on which they are situated shall be the property of the city, ~~but no.~~ No site may  
 3 be purchased or leased and no schoolhouse may be constructed unless a resolution  
 4 therefor is duly adopted by the board. ~~Deeds~~ Except as provided in par. (c), deeds of  
 5 conveyance and leases shall be made to the city.

6           **SECTION 2108r.** 119.16 (3) (c) of the statutes is created to read:

7           119.16 (3) (c) If the redevelopment authority of the city issues bonds under s.  
 8 66.431 (5r), the board may lease buildings or sites from the redevelopment authority  
 9 or borrow money from the redevelopment authority for the purposes of par. (a). ~~4~~

✓  
 ⑨  
 Insert 5-10 *nm* →  
 ⑩

10          **38.** Page 1130, line 9: on lines 9 and 13, delete "(5) (a) 4." and substitute "(5r)".

11          **39.** Page 1130, line 18: delete "DEBT SERVICE. The" and substitute "LEASE OR  
 12 LOAN PAYMENTS. If the".

13          **40.** Page 1130, line 19: after "119" insert "leases buildings or sites from the  
 14 redevelopment authority of the city or borrows money from the redevelopment  
 15 authority of the city under s. 119.16 (3) (c), it".

16          **41.** Page 1130, line 20: delete "pay debt service on bonds issued under s.  
 17 66.431 (5m)" and substitute "make lease payments or repay the loan".

18          **42.** Page 1130, line 21: delete "pay the debt service" and substitute "make  
 19 lease payments or repay the loan".

⑳

20          **43.** Page 1530, line 23: substitute ~~12001 to 2000~~ "July" for "January".

21          **44.** Page 1568, line 1: after "(b)" insert "and to the senate and assembly  
 22 education committees".

→  
 23

*Page # - Page 1567, line 24: delete the material beginning with "joint" and ending with "(b)" and substitute "Milwaukee School construction board under paragraph (a)." on page 1568, line 135*

**45.** Page 1568, line 13: after that line insert:

1           “(am) Before submitting the report under paragraph (a) to the <sup>Milwaukee</sup> ~~Finance~~ <sup>School Construction Board</sup> committee  
2           ~~in finance and the senate and assembly education committees~~, the board of school  
3           directors shall hold all of the following kinds of hearings on the report:

- 4           1. A general listening session.
- 5           2. A hearing at which goals and objectives are discussed.
- 6           3. A hearing to finalize the board’s goals and objectives.
- 7           4. A hearing at which the board solicits ideas on a plan to implement the goals  
8           and objectives.
- 9           5. A hearing at which the board presents an initial draft of a plan for  
10           implementing the goals and objectives.
- 11           6. A hearing at which the board presents a final draft of a plan for implementing  
12           the goals and objectives.
- 13           7. A hearing at which the board presents the plan.”

14           **46.** Page 1568, line 16: after that line insert:

15           “(bm) If a member of the senate or assembly education committees requests a  
16           hearing within 30 days after submission of the report under paragraph (a), the  
17           member’s committee shall hold a hearing on the report within 2 weeks after the  
18           request.”.

19           (END)

D-NOTE →

nonstat

(ar) The Milwaukee School Construction board shall review the report under paragraph (a) and may modify the report. The Milwaukee school construction board shall approve the report, any and modifications to the report by August 15<sup>th</sup> and shall submit the report, including a recommendation of the amount of bonding necessary for school construction and a plan to comply → (on back)

MOVE  
TO  
P. 6

With section 121.85 of the statutes, to the joint committee on finance and the senate and assembly education committees by August 1, 2000."

(2) to (5) ✓

~~Item #~~. Page 1568, line 14: delete "(a)" and substitute "(ar)" ✓

↑

4-19:1

SDC:.....Walter - Caucus # 1711; , Minority firm participation in MPS intradistrict transfer aid program

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 1. Page <sup>793</sup>~~729~~, line <sup>22</sup>~~21~~: after that line insert:

3 ~~SECTION 1630~~ <sup>L.C.</sup> ~~cc. 66.431 (5c)~~ of the statutes is created to read:

4 <sup>text:</sup> ~~66.431 (5c)~~ <sup>(k)</sup> MINORITY CONTRACTING PROVISIONS. <sup>(E)</sup> ~~In this subsection,~~

5 ~~a. "Minority business" has the meaning given in s. 560.036 (1) (e).~~

6 ~~b. "Minority group member" has the meaning given in s. 560.036 (1) (f).~~

7 <sup>(NO PP)</sup> ~~1. (b)~~ <sup>public</sup> With regard to a neighborhood school construction project that is financed  
8 from the proceeds of bonds that are described in sub (5)(a), <sup>issued under this</sup> the board of directors  
9 ~~of the school district operating under ch. 119~~ shall ensure that for construction work  
10 and professional services contracts, a person who is awarded such a contract ~~by the~~

subsection

4-19:2

1 ~~board~~ shall agree, as a condition to receiving the contract, that at least 50% of the  
2 employees hired because of the contract will be minority group members ~~if the~~  
3 contract is for the construction of any part of a neighborhood school construction

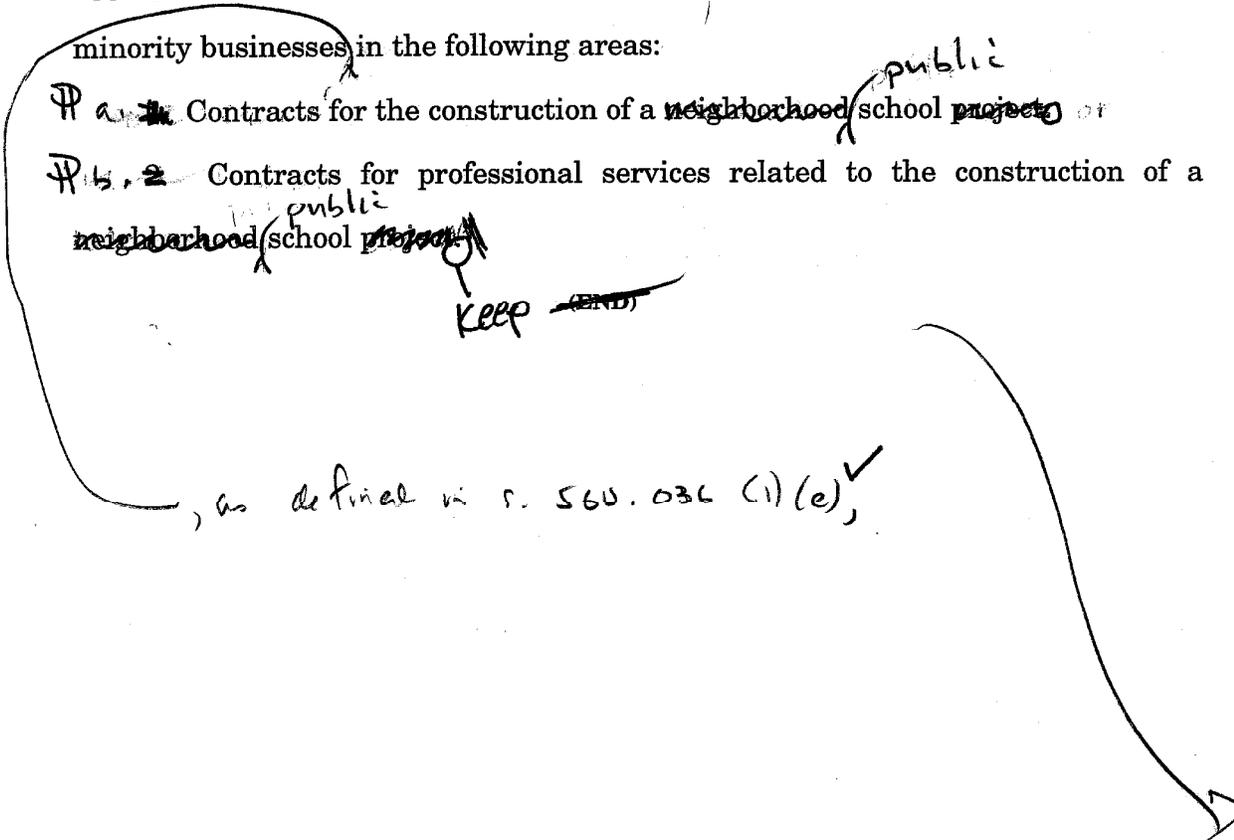
4 project, as defined in s. 560.036(1)(f)

5 ~~P 2.~~ With regard to a neighborhood school construction project that is financed  
6 from the proceeds of bonds that are described in sub. (5) to (11), the board of directors  
7 of the school district operating under ch. 119 shall ensure that at least 50% of the  
8 aggregate dollar value of contracts awarded by the board shall be awarded to  
9 minority businesses in the following areas:

10 ~~P a.~~ Contracts for the construction of a neighborhood school project or

11 ~~P b.~~ Contracts for professional services related to the construction of a  
12 neighborhood school project

13



, as defined in s. 560.036(1)(e),

KEEP

issued under this subsection

public

public

public

4-19:9

text: treat  
(L)

(I)

Types of schools. The proceeds of  
bonds issued under this subsection may not  
be used ~~to develop or construct~~ for middle  
~~public~~ schools, ~~that teach grades 5 to 8~~  
~~grades 5 to 8~~ for charter or private  
schools or for modular schools."

(end ins 4-19)

Item #. Page 117, line 12: after that line insert:

SECTION 2108. CR: 119.16(10) X

119.16(10) Public HEARINGS ON SCHOOL CONSTRUCTION.

The board shall hold a public hearing in each attendance district in which a new school is to be constructed that is financed with bond proceeds under s. 66.431(5r) is to be constructed. >>

~~Insert A~~

Insert  
S-10

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

1881  
LRBb1002/1dn  
MES:wlj:ksh

Ljg+

June 26, 1990 } new date

and the requirement that  
a construction manager be a  
member of a minority  
group,

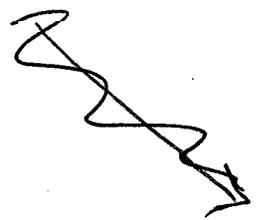
Please review this amendment carefully. The instructions were not very specific, so I based the provisions of created s. 66.431 (5c) on s. 229.70, minority contracting goals in a local professional baseball park district, even though the s. 229.70 provisions are goals and the provisions in this amendment are requirements.

You should also be aware that the minority business set-aside requirements in this amendment may be subject to a court challenge as an unconstitutional denial of equal protection. In *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 109 S.Ct. 706, 102 L.Ed 2d 854 (1989), the plurality opinion states that a law favoring a group on the basis of race must be justified by sufficient evidence of past discrimination against that group, and that past societal discrimination alone may not serve as a basis for racial preference. Such a law must be narrowly tailored to remedy the effect of past discrimination. It is my opinion that a required 50% set-aside for minority businesses and employees who are minority group members, as contained in this amendment, makes a court challenge likely.

and the provisions related to the  
construction managers

Additionally, under *Croson*, the inclusion of minority groups that, as a practical matter, have not suffered from discrimination in the field addressed by the law (here, for example, construction companies, construction workers and professional services) suggests that the law is not a remedy for past discrimination. For example, a court may inquire as to whether native Hawaiians or Aleuts have been discriminated against in the Milwaukee construction industry. Consequently, you may wish to review the use in the amendment of the terms "minority business", as defined in s. 560.036 (1) (e), and "minority group member", as defined in s. 560.036 (1) (f).

Marc E. Shovers  
Senior Legislative Attorney  
Phone: (608) 266-0129  
E-mail: Marc.Shovers@legis.state.wi.us



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb1881/1dn  
MES:jlg&wlj:ijs

October 2, 1999

You should be aware that the minority business set-aside requirements in this amendment may be subject to a court challenge as an unconstitutional denial of equal protection. In *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 109 S.Ct. 706, 102 L.Ed 2d 854 (1989), the plurality opinion states that a law favoring a group on the basis of race must be justified by sufficient evidence of past discrimination against that group, and that past societal discrimination alone may not serve as a basis for racial preference. Such a law must be narrowly tailored to remedy the effect of past discrimination. It is my opinion that a required 50% set-aside for minority businesses and employes who are minority group members, as contained in this amendment, makes a court challenge likely.

Additionally, under *Croson*, the inclusion of minority groups that, as a practical matter, have not suffered from discrimination in the field addressed by the law (here, for example, construction companies, construction workers and professional services) suggests that the law is not a remedy for past discrimination. For example, a court may inquire as to whether native Hawaiians or Aleuts have been discriminated against in the Milwaukee construction industry. Consequently, you may wish to review the use in the amendment of the terms "minority business", as defined in s. 560.036 (1) (e), and "minority group member", as defined in s. 560.036 (1) (f).

Marc E. Shovers  
Senior Legislative Attorney  
Phone: (608) 266-0129  
E-mail: Marc.Shovers@legis.state.wi.us

## Grant, Peter

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**From:** Hardy, Ruth  
**Sent:** Saturday, October 02, 1999 6:09 PM  
**To:** Lief, Madelon  
**Cc:** Grant, Peter; Loppnow, Dave  
**Subject:** MPS School Construction Draft (1881/1)

Lonnie,

You did an excellent job with this draft, especially considering the messy drafting instructions! Dave has not fully reviewed the draft yet, so he may have a few more comments, but I only have some minor changes to request. Under Item #48, p. 8, leave in the requirement that MPS submit the report to JFC on May 1, 2000 (so they should submit it to JFC, the Ed Committees and to this new board thing all by May 1, 2000). Then require the new board thing to act by June 1, 2000, rather than August 1, 2000. Dave and I were concerned that the Aug 1 date wouldn't leave JFC enough time to meet by Sept 1, 2000 (Legislators don't tend to be around in August). I absolutely love the way you handled the "forbid double bussing" thing -- submit a plan on how you will follow the law! However, I think this requirement should be added as a requirement for the MPS Board to put in its plan under Section 9158 (7tw) on p. 1568, rather than for the new board thing. So, it will be a part of the original plan that is submitted to JFC, et al. I think these should be minor changes. Thanks for all of your work on this!

Ruth

Ruth Hardy  
School Finance Analyst  
Wisconsin Legislative Fiscal Bureau  
[ruth.hardy@legis.state.wi.us](mailto:ruth.hardy@legis.state.wi.us)  
(608) 266-3847 - phone  
(608) 267-6873 - fax

- by 5/1: submit to JFC, Ed Com + MSCB

- MSCB must approve by 6/1
- " submit rpt to JFC
- JFC must act by 9/1



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1881/2  
PG/MJL/MES:jg&cmh:ijs

LFB:.....Hardy - MPS school construction

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 **1.** Page 22, line 14: after that line insert:

3 "SECTION 14g. 15.07 (1) (a) 7. of the statutes is created to read:

4 15.07 (1) (a) 7. The members of the Milwaukee school construction board shall  
5 be appointed as provided in s. 15.77."

6 **2.** Page 22, line 21: after that line insert:

7 "SECTION 15m. 15.07 (4) of the statutes is amended to read:

8 15.07 (4) QUORUM. A majority of the membership of a board constitutes a  
9 quorum to do business and, unless a more restrictive provision is adopted by the  
10 board, a majority of a quorum may act in any matter within the jurisdiction of the

1 board. This subsection does not apply to actions of the ethics board or the school  
2 district boundary appeal board or the Milwaukee school construction board as  
3 provided in ss. 15.77 (2), 19.47 (4) and 117.05 (2) (a).”.

4 **3.** Page 28, line 22: after that line insert:

5 “SECTION 40k. 15.77 of the statutes is created to read:

6 **15.77 Milwaukee school construction board.** (1) There is created a  
7 Milwaukee school construction board consisting of all of the following:

8 (a) One senator and one representative to the assembly appointed as are the  
9 members of standing committees in their respective houses.

10 (b) One person appointed by the mayor of the city of Milwaukee.

11 (c) One person appointed by the governor.

12 (2) Any action of the Milwaukee school construction board requires the  
13 affirmative vote of 3 of its members.

14 (3) The Milwaukee school construction board does not have rule-making  
15 authority.

16 (4) The board of school directors of the school district operating under ch. 119  
17 shall assist the Milwaukee school construction board in the performance of its duties.

18 (5) This section does not apply after the first day of the 60th month beginning  
19 after the effective date of this subsection .... [revisor inserts date].”.

20 **4.** Page 786, line 19: delete the material beginning with that line and ending  
21 with page 788, line 24.

22 **5.** Page 788, line 25: substitute “(5r)” for “(5m)”.

23 **6.** Page 789, line 1: delete that line and substitute:

1           "66.431 (5r) FINANCING OF CERTAIN SCHOOL FACILITIES. (a) *Legislative*  
2 *declaration.* The legislature determines that the development of new public schools  
3 will help alleviate the substandard conditions described in sub. (2) and will promote  
4 the sound growth and economic development of cities and enhance the education of  
5 youth in neighborhood settings. The legislature determines that the social and  
6 economic problems sought to be addressed are particularly acute in more densely  
7 populated areas. The legislature desires to make certain financing and economic  
8 tools available in 1st class cities with the view that there are likely to be positive  
9 statewide benefits in light of the impact that 1st class cities have on the economy and  
10 welfare of the entire state.

11           (b) *Bond issuance for public school facilities.* The authority of a 1st class city  
12 may issue up to \$170,000,000 in bonds to finance or refinance the development or  
13 redevelopment of sites and facilities to be used for public school facilities by the board  
14 of school directors of the school district operating under ch. 119 if all of the following  
15 apply:

16           1. The board of school directors of the school district operating under ch. 119  
17 requests the issuance of the bonds to implement the report approved under 1999  
18 Wisconsin Act .... (this act), section 9158 (7tw) (b).

19           2. The authority determines that the purposes of the financing are consistent  
20 with the 1st class city's master plan.

21           (c) *Terms and conditions.* The terms and conditions of bonds issued under this  
22 subsection shall be those specified in sub. (5) (a) 4. except that it shall not be  
23 necessary that the financed property be located in a project area or a blighted area.  
24 The bonds may not have a maturity in excess of 20 years and may not be issued later

1 than the first day of the 60th month beginning after the effective date of this  
2 paragraph .... [revisor inserts date].

3 (d) *Designation of special*".

4 **7.** Page 789, line 3: delete "s. 66.066 (2) (e)" and substitute "the resolution  
5 authorizing the issuance of bonds under this subsection".

6 **8.** Page 789, line 6: delete "described under sub. (5) (a) 4. d.".

7 **9.** Page 789, line 13: delete lines 13 to 16 and substitute:

8 "a. The extent to which and manner by which revenues of the school district  
9 operating under ch. 119 are pledged to the payment of the bonds.".

10 **10.** Page 789, line 19: after "annual" insert "pledged".

11 **11.** Page 789, line 20: delete "of the authority" and substitute "on the bonds".

12 **12.** Page 789, line 24: substitute "(j)" for "(g)".

13 **13.** Page 790, line 4: before "amount" insert "principal".

14 **14.** Page 790, line 6: substitute "\$170,000,000" for "\$200,000,000".

15 **15.** Page 790, line 11: delete "of bonds by the refunding bonds".

16 **16.** Page 790, line 12: substitute "(j)" for "(g)".

17 **17.** Page 790, line 13: delete "debt of the authority relating".

18 **18.** Page 790, line 14: delete "to the bonds has" and substitute "bonds of the  
19 authority issued under this subsection have".

20 **19.** Page 790, line 15: substitute "bonds" for "debt".

21 **20.** Page 790, line 17: substitute "(j)" for "(g)".

22 **21.** Page 790, line 22: substitute "(e)" for "(b)".

- 1           **22.** Page 790, line 25: delete “described under sub. (5) (a) 4.”
- 2           **23.** Page 791, line 1: delete “d.”
- 3           **24.** Page 791, line 4: substitute “(f)” for “(c)”.
- 4           **25.** Page 791, line 5: after “authority” insert “for bonds issued under this  
5 subsection”.
- 6           **26.** Page 791, line 6: delete the material beginning with “bonds secured in”  
7 and ending with “special debt service reserve fund” on line 7 and substitute “the  
8 bonds”.
- 9           **27.** Page 791, line 8: substitute “the bonds, the purchase or redemption of the”  
10 for “these bonds, the purchase or redemption of these”.
- 11           **28.** Page 791, line 9: on lines 9 and 10, substitute “the” for “these”.
- 12           **29.** Page 791, line 12: on lines 12 and 19, substitute “(h)” for “(e)”.
- 13           **30.** Page 791, line 20: substitute “(g)” for “(d)”.
- 14           **31.** Page 791, line 22: substitute “(h)” for “(e)”.
- 15           **32.** Page 791, line 23: after “bonds” insert “under this subsection”.
- 16           **33.** Page 792, line 1: substitute “(h)” for “(e)”.
- 17           **34.** Page 792, line 3: substitute “(h)” for “(e)”.
- 18           **35.** Page 792, line 6: delete “the bonds” and substitute “bonds under this  
19 subsection”.
- 20           **36.** Page 793, line 5: substitute “(i)” for “(f)”.
- 21           **37.** Page 793, line 9: substitute “(j)” for “(g)”.
- 22           **38.** Page 793, line 10: on lines 10 and 14, substitute “(h)” for “(e)”.

1           **39.** Page 793, line 22: after “appropriation.” insert “This paragraph applies  
2 only to bonds issued under, and in compliance with, this subsection.”.

3           **40.** Page 793, line 22: after that line insert:

4           “(k) *Minority contracting provisions.* 1. With regard to a public school  
5 construction project that is financed from the proceeds of bonds that are issued under  
6 this subsection, a person who is awarded a contract for construction work or  
7 professional services shall agree, as a condition to receiving the contract, that at least  
8 50% of the employes hired because of the contract will be minority group members,  
9 as defined in s. 560.036 (1) (f).

10           2. With regard to a public school construction project that is financed from the  
11 proceeds of bonds that are issued under this subsection, at least 50% of the aggregate  
12 dollar value of contracts awarded shall be awarded to minority businesses, as defined  
13 in s. 560.036 (1) (e), in the following areas:

14           a. Contracts for the construction of a public school.

15           b. Contracts for professional services related to the construction of a public  
16 school.

17           (L) *Types of schools.* The proceeds of bonds issued under this subsection may  
18 not be used for middle schools, for charter or private schools or for modular schools.”.

19           **41.** Page 1117, line 12: after that line insert:

20           “SECTION 2108g. 119.16 (3) (b) of the statutes is amended to read:

21           119.16 (3) (b) ~~Schoolhouses~~ Except as provided in par. (c), schoolhouses and the  
22 sites on which they are situated shall be the property of the city, ~~but no~~. No site may  
23 be purchased or leased and no schoolhouse may be constructed unless a resolution

1 therefor is duly adopted by the board. ~~Deeds~~ Except as provided in par. (c), deeds of  
2 conveyance and leases shall be made to the city.

3 **SECTION 2108r.** 119.16 (3) (c) of the statutes is created to read:

4 119.16 (3) (c) If the redevelopment authority of the city issues bonds under s.  
5 66.431 (5r), the board may lease buildings or sites from the redevelopment authority  
6 or borrow money from the redevelopment authority for the purposes of par. (a).

7 **SECTION 2108s.** 119.16 (10) of the statutes is created to read:

8 119.16 (10) PUBLIC HEARINGS ON SCHOOL CONSTRUCTION. The board shall hold a  
9 public hearing in each attendance district in which a new school that is financed with  
10 bond proceeds under s. 66.431 (5r) is to be constructed.”.

11 **42.** Page 1130, line 9: on lines 9 and 13, delete “(5) (a) 4.” and substitute “(5r)”.

12 **43.** Page 1130, line 18: delete “DEBT SERVICE. The” and substitute “LEASE OR  
13 LOAN PAYMENTS. If the”.

14 **44.** Page 1130, line 19: after “119” insert “leases buildings or sites from the  
15 redevelopment authority of the city or borrows money from the redevelopment  
16 authority of the city under s. 119.16 (3) (c), it”.

17 **45.** Page 1130, line 20: delete “pay debt service on bonds issued under s.  
18 66.431 (5m)” and substitute “make lease payments or repay the loan”.

19 **46.** Page 1130, line 21: delete “pay the debt service” and substitute “make  
20 lease payments or repay the loan”.

21 **47.** Page 1530, line 23: substitute “July” for “January”.

delete "for its approval under  
par (b)" and substitute

1 **48.** Page 1567, line 24: delete the material beginning with "joint" and ending  
2 with "(b)" on page 1568, line 1, and substitute "Milwaukee school construction board  
3 under paragraph (ar)".

4 **49.** Page 1568, line 1: ~~insert~~ <sup>and</sup> the senate and assembly  
5 education committees". <sup>and the milwaukee school construction board</sup>

INT.  
8-5

6 **50.** Page 1568, line 13: after that line insert:

7 (am) Before submitting the report under paragraph (a) ~~to the Milwaukee~~  
8 ~~school construction board,~~ the board of school directors shall hold all of the following  
9 kinds of hearings on the report:

- 10 1. A general listening session.
- 11 2. A hearing at which goals and objectives are discussed.
- 12 3. A hearing to finalize the board's goals and objectives.
- 13 4. A hearing at which the board solicits ideas on a plan to implement the goals  
14 and objectives.
- 15 5. A hearing at which the board presents an initial draft of a plan for  
16 implementing the goals and objectives.
- 17 6. A hearing at which the board presents a final draft of a plan for implementing  
18 the goals and objectives.
- 19 7. A hearing at which the board presents the plan.

20 (ar) The Milwaukee school construction board shall review the report under  
21 paragraph (a) and may modify the report. The Milwaukee school construction board  
22 shall approve the report, any modifications to the report, and shall submit the report,  
23 including a recommendation of the amount of bonding necessary for school  
24 construction ~~and a plan to comply with section 121.85 (2) to (5) of the statutes to the~~

1 joint committee on finance and the senate and assembly education committees by

2 ~~August~~ <sup>June</sup> 1, 2000.”

3 **51.** Page 1568, line 14: delete “(a)” and substitute “(ar)”.

4 **52.** Page 1568, line 16: after that line insert:

5 “(bm) If a member of the senate or assembly education committees requests a  
6 hearing within 30 days after submission of the report under paragraph (a), the  
7 member’s committee shall hold a hearing on the report within 2 weeks after the  
8 request.”.

9 (END)

8-5

Page 1508, line 13, after that line insert  
nonsubs. (9) "6. A plan for complying with section  
121.85 (2) to (5) of the statute.

add  
quots

(END OF INSERT 8-5)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1881/2  
PG/MJL/MES:jg&cmh:km

LFB:.....Hardy - MPS school construction

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT,**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

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

2 **1.** Page 22, line 14: after that line insert:

3 **"SECTION 14g.** 15.07 (1) (a) 7. of the statutes is created to read:

4 15.07 (1) (a) 7. The members of the Milwaukee school construction board shall  
5 be appointed as provided in s. 15.77."

6 **2.** Page 22, line 21: after that line insert:

7 **"SECTION 15m.** 15.07 (4) of the statutes is amended to read:

8 15.07 (4) **QUORUM.** A majority of the membership of a board constitutes a  
9 quorum to do business and, unless a more restrictive provision is adopted by the  
10 board, a majority of a quorum may act in any matter within the jurisdiction of the

1 board. This subsection does not apply to actions of the ethics board or, the school  
2 district boundary appeal board or the Milwaukee school construction board as  
3 provided in ss. 15.77 (2), 19.47 (4) and 117.05 (2) (a).”.

4 **3.** Page 28, line 22: after that line insert:

5 “**SECTION 40k.** 15.77 of the statutes is created to read:

6 **15.77 Milwaukee school construction board.** (1) There is created a  
7 Milwaukee school construction board consisting of all of the following:

8 (a) One senator and one representative to the assembly appointed as are the  
9 members of standing committees in their respective houses.

10 (b) One person appointed by the mayor of the city of Milwaukee.

11 (c) One person appointed by the governor.

12 (2) Any action of the Milwaukee school construction board requires the  
13 affirmative vote of 3 of its members.

14 (3) The Milwaukee school construction board does not have rule-making  
15 authority.

16 (4) The board of school directors of the school district operating under ch. 119  
17 shall assist the Milwaukee school construction board in the performance of its duties.

18 (5) This section does not apply after the first day of the 60th month beginning  
19 after the effective date of this subsection .... [revisor inserts date].”.

20 **4.** Page 786, line 19: delete the material beginning with that line and ending  
21 with page 788, line 24.

22 **5.** Page 788, line 25: substitute “(5r)” for “(5m)”.

23 **6.** Page 789, line 1: delete that line and substitute:

1           “66.431 (5r) FINANCING OF CERTAIN SCHOOL FACILITIES. (a) *Legislative*  
2 *declaration.* The legislature determines that the development of new public schools  
3 will help alleviate the substandard conditions described in sub. (2) and will promote  
4 the sound growth and economic development of cities and enhance the education of  
5 youth in neighborhood settings. The legislature determines that the social and  
6 economic problems sought to be addressed are particularly acute in more densely  
7 populated areas. The legislature desires to make certain financing and economic  
8 tools available in 1st class cities with the view that there are likely to be positive  
9 statewide benefits in light of the impact that 1st class cities have on the economy and  
10 welfare of the entire state.

11           (b) *Bond issuance for public school facilities.* The authority of a 1st class city  
12 may issue up to \$170,000,000 in bonds to finance or refinance the development or  
13 redevelopment of sites and facilities to be used for public school facilities by the board  
14 of school directors of the school district operating under ch. 119 if all of the following  
15 apply:

16           1. The board of school directors of the school district operating under ch. 119  
17 requests the issuance of the bonds to implement the report approved under 1999  
18 Wisconsin Act .... (this act), section 9158 (7tw) (b).

19           2. The authority determines that the purposes of the financing are consistent  
20 with the 1st class city’s master plan.

21           (c) *Terms and conditions.* The terms and conditions of bonds issued under this  
22 subsection shall be those specified in sub. (5) (a) 4. except that it shall not be  
23 necessary that the financed property be located in a project area or a blighted area.  
24 The bonds may not have a maturity in excess of 20 years and may not be issued later

1 than the first day of the 60th month beginning after the effective date of this  
2 paragraph .... [revisor inserts date].

3 (d) *Designation of special*".

4 **7.** Page 789, line 3: delete "s. 66.066 (2) (e)" and substitute "the resolution  
5 authorizing the issuance of bonds under this subsection".

6 **8.** Page 789, line 6: delete "described under sub. (5) (a) 4. d.".

7 **9.** Page 789, line 13: delete lines 13 to 16 and substitute:

8 "a. The extent to which and manner by which revenues of the school district  
9 operating under ch. 119 are pledged to the payment of the bonds.".

10 **10.** Page 789, line 19: after "annual" insert "pledged".

11 **11.** Page 789, line 20: delete "of the authority" and substitute "on the bonds".

12 **12.** Page 789, line 24: substitute "(j)" for "(g)".

13 **13.** Page 790, line 4: before "amount" insert "principal".

14 **14.** Page 790, line 6: substitute "\$170,000,000" for "\$200,000,000".

15 **15.** Page 790, line 11: delete "of bonds by the refunding bonds".

16 **16.** Page 790, line 12: substitute "(j)" for "(g)".

17 **17.** Page 790, line 13: delete "debt of the authority relating".

18 **18.** Page 790, line 14: delete "to the bonds has" and substitute "bonds of the  
19 authority issued under this subsection have".

20 **19.** Page 790, line 15: substitute "bonds" for "debt".

21 **20.** Page 790, line 17: substitute "(j)" for "(g)".

22 **21.** Page 790, line 22: substitute "(e)" for "(b)".

- 1           **22.** Page 790, line 25: delete “described under sub. (5) (a) 4.”
- 2           **23.** Page 791, line 1: delete “d.”
- 3           **24.** Page 791, line 4: substitute “(f)” for “(c)”.
- 4           **25.** Page 791, line 5: after “authority” insert “for bonds issued under this  
5 subsection”.
- 6           **26.** Page 791, line 6: delete the material beginning with “bonds secured in”  
7 and ending with “special debt service reserve fund” on line 7 and substitute “the  
8 bonds”.
- 9           **27.** Page 791, line 8: substitute “the bonds, the purchase or redemption of the”  
10 for “these bonds, the purchase or redemption of these”.
- 11           **28.** Page 791, line 9: on lines 9 and 10, substitute “the” for “these”.
- 12           **29.** Page 791, line 12: on lines 12 and 19, substitute “(h)” for “(e)”.
- 13           **30.** Page 791, line 20: substitute “(g)” for “(d)”.
- 14           **31.** Page 791, line 22: substitute “(h)” for “(e)”.
- 15           **32.** Page 791, line 23: after “bonds” insert “under this subsection”.
- 16           **33.** Page 792, line 1: substitute “(h)” for “(e)”.
- 17           **34.** Page 792, line 3: substitute “(h)” for “(e)”.
- 18           **35.** Page 792, line 6: delete “the bonds” and substitute “bonds under this  
19 subsection”.
- 20           **36.** Page 793, line 5: substitute “(i)” for “(f)”.
- 21           **37.** Page 793, line 9: substitute “(j)” for “(g)”.
- 22           **38.** Page 793, line 10: on lines 10 and 14, substitute “(h)” for “(e)”.

1           **39.** Page 793, line 22: after “appropriation.” insert “This paragraph applies  
2 only to bonds issued under, and in compliance with, this subsection.”.

3           **40.** Page 793, line 22: after that line insert:

4           “(k) *Minority contracting provisions.* 1. With regard to a public school  
5 construction project that is financed from the proceeds of bonds that are issued under  
6 this subsection, a person who is awarded a contract for construction work or  
7 professional services shall agree, as a condition to receiving the contract, that at least  
8 50% of the employees hired because of the contract will be minority group members,  
9 as defined in s. 560.036 (1) (f).

10           2. With regard to a public school construction project that is financed from the  
11 proceeds of bonds that are issued under this subsection, at least 50% of the aggregate  
12 dollar value of contracts awarded shall be awarded to minority businesses, as defined  
13 in s. 560.036 (1) (e), in the following areas:

14           a. Contracts for the construction of a public school.

15           b. Contracts for professional services related to the construction of a public  
16 school.

17           (L) *Types of schools.* The proceeds of bonds issued under this subsection may  
18 not be used for middle schools, for charter or private schools or for modular schools.”.

19           **41.** Page 1117, line 12: after that line insert:

20           “**SECTION 2108g.** 119.16 (3) (b) of the statutes is amended to read:

21           119.16 (3) (b) Schoolhouses Except as provided in par. (c), schoolhouses and the  
22 sites on which they are situated shall be the property of the city, ~~but no.~~ No site may  
23 be purchased or leased and no schoolhouse may be constructed unless a resolution

1 therefor is duly adopted by the board. Deeds Except as provided in par. (c), deeds of  
2 conveyance and leases shall be made to the city.

3 **SECTION 2108r.** 119.16 (3) (c) of the statutes is created to read:

4 119.16 (3) (c) If the redevelopment authority of the city issues bonds under s.  
5 66.431 (5r), the board may lease buildings or sites from the redevelopment authority  
6 or borrow money from the redevelopment authority for the purposes of par. (a).

7 **SECTION 2108s.** 119.16 (10) of the statutes is created to read:

8 119.16 (10) PUBLIC HEARINGS ON SCHOOL CONSTRUCTION. The board shall hold a  
9 public hearing in each attendance district in which a new school that is financed with  
10 bond proceeds under s. 66.431 (5r) is to be constructed.”.

11 **42.** Page 1130, line 9: on lines 9 and 13, delete “(5) (a) 4.” and substitute “(5r)”.

12 **43.** Page 1130, line 18: delete “DEBT SERVICE. The” and substitute “LEASE OR  
13 LOAN PAYMENTS. If the”.

14 **44.** Page 1130, line 19: after “119” insert “leases buildings or sites from the  
15 redevelopment authority of the city or borrows money from the redevelopment  
16 authority of the city under s. 119.16 (3) (c), it”.

17 **45.** Page 1130, line 20: delete “pay debt service on bonds issued under s.  
18 66.431 (5m)” and substitute “make lease payments or repay the loan”.

19 **46.** Page 1130, line 21: delete “pay the debt service” and substitute “make  
20 lease payments or repay the loan”.

21 **47.** Page 1530, line 23: substitute “July” for “January”.

1           **48.** Page 1568, line 1: delete “for its approval under paragraph (b)” and  
2 substitute “, the senate and assembly education committees and the Milwaukee  
3 school construction board”.

4           **49.** Page 1568, line 13: after that line insert:

5           “6. A plan for complying with section 121.85 (2) to (5) of the statutes.

6           (am) Before submitting the report under paragraph (a), the board of school  
7 directors shall hold all of the following kinds of hearings on the report:

8           1. A general listening session.

9           2. A hearing at which goals and objectives are discussed.

10          3. A hearing to finalize the board’s goals and objectives.

11          4. A hearing at which the board solicits ideas on a plan to implement the goals  
12 and objectives.

13          5. A hearing at which the board presents an initial draft of a plan for  
14 implementing the goals and objectives.

15          6. A hearing at which the board presents a final draft of a plan for implementing  
16 the goals and objectives.

17          7. A hearing at which the board presents the plan.

18          (ar) The Milwaukee school construction board shall review the report under  
19 paragraph (a) and may modify the report. The Milwaukee school construction board  
20 shall approve the report, any modifications to the report, and shall submit the report,  
21 including a recommendation of the amount of bonding necessary for school  
22 construction to the joint committee on finance and the senate and assembly  
23 education committees by June 1, 2000.”.

24          **50.** Page 1568, line 14: delete “(a)” and substitute “(ar)”.

