LRBa1025

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB261)

Received: **09/29/2003**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Jensen (608) 264-6970**

By/Representing: **Joyce Kiel**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - charter schools**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Rep.Jensen@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Transportation to charter schools

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	pgrant 09/29/2003	jdyer 09/29/2003 jdyer 09/29/2003		_____ _____ _____ _____			
/1	pgrant 09/29/2003	jdyer 09/29/2003	pgreensl 09/29/2003	_____ _____	lnorthro 09/29/2003	lnorthro 09/29/2003	

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2	pgrant 09/29/2003	wjackson 09/29/2003	chaugen 09/29/2003	_____ _____	mbarman 09/29/2003	mbarman 09/29/2003	
/3			rschluet 09/29/2003	_____ _____	mbarman 09/29/2003	mbarman 09/29/2003	

FE Sent For:

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/2			chaugen 09/29/2003	_____ _____	mbarman 09/29/2003	mbarman 09/29/2003	

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/1			pgreensl 09/29/2003	_____ _____	lnorthro 09/29/2003	lnorthro 09/29/2003	

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
			ch 9-29	ch / gf 9-29			

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By/Representing: **Joyce Kiel**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - charter schools**

Extra Copies: **MJL**

JLD

Submit via email: **YES**

Requester's email: **Rep.Jensen@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Transportation to charter schools

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	pgrant	9/29 jld	9/29 pg	9/29 pg/rs			

FE Sent For:

<END>

9/29/03

for JENSEN (Joyce Kiel)

AA to AB 261

if MPS & Racine sd are (as of 7/1/03) providing transp. to (reg) ch. school, then must provide pupils similarly situated to (2r) ch. schools in sd beg 04-05

- pvn/local
- sim. situated
- 59 (1)

2003 Date (time) needed noon DN LRBa 1025 / 1

AMENDMENT

PG : jld :

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

S A AMENDMENT

~~**TO S A AMENDMENT** _____ (LRBa _____),~~

~~**TO S A SUBSTITUTE AMENDMENT** _____ (LRBs _____),~~

TO 2003 SB SJR SR AB AJR AR 261 ~~(LRB- _____)~~

At the locations indicated, amend the _____ as follows:

(fill ONLY if "engrossed ...." or "as shown by .....")

insert

#. Page 2, line 9: delete lines 9 to 23 and substitute:

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

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

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

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

CS

TRANSPORTATION TO CHARTER SCHOOLS.

"SEC. 3m. CR. 121.54 (2m)

Subject to par. (b), if during any part of the 2003-04 school year 121.54 (2m) (a) 1. the board of school directors of the school district operating under ch. 119 ~~or the ... School District~~, transported pupils to a charter school ~~located in district and~~ operating under a contract with ~~the school during the 2003-04 school year~~ the board of school directors, beginning in the 2004-05 school year the board of school directors shall provide transportation to pupils who ~~are similarly situated and~~ attend a charter school ~~...~~ established ~~...~~ under s. 118.40 (2r) ~~and~~ that is located in the school district.

Subject to par. (b), ¶ 2. if during any part of the 2003-04 school year the school board of the Racine Unified School District transported pupils to a charter school operating under a contract with the school board, beginning in the 2004-05 school year the school board shall provide transportation to pupils who ~~are similarly situated and~~

attend a charter school established under s. 118.40 (2r) that is located in the school district.

(b) Transportation may be provided for fewer than all of the pupils described under par. (a), but if it is there shall be reasonable uniformity in the transportation provided to the pupils attending charter schools under contract with the school board and charter schools established under s. 118.40 (2r)."

(End)

d-note

(insert)

#. Page 1, line 2: ~~delete~~ before "charter"

~~schools located in a "and substitute~~ insert

"eligibility to attend".

#. Page 1, line 3: after "district" insert

"and transportation of pupils attending certain charter

schools".

(end ins)

DN

Please note the following about this amendment:

¶ 1. It is possible that a Wisconsin court would find that this amendment constitutes a private or local bill under art. IV, sec. 18, of the Wisconsin Constitution.

¶ 2. Because the amendment affects Racine, it may be subject to an objection based on germaneness. (See the changes to the relating clause.)

¶ 3. As you know, the statutes are not completely clear on whether a school district is required to transport pupils to charter schools. This amendment requires transportation to s. 118.40 (2r) charter schools if the school district transported pupils to regular charter schools during

the 2003-04 school year.
But ~~it~~ it does not explicitly require the school
district to ~~keep~~ continue transporting pupils to ~~the~~
regular charter schools. OK?

¶ 4. Note that, under the "city option" (see s. 121.54
(1)(a) and (c), stats.), currently MPS is not
~~currently~~ required to transport pupils to
any public or private school. This amendment
~~would~~ requires transportation to ~~the~~ s. 118.40 (2r)
charter schools but does not affect the
lack of such a requirement for public and
private schools. OK?

PG

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1025/1dn
PG:jld:pg

September 29, 2003

Please note the following about this amendment:

1. It is possible that a Wisconsin court would find that this amendment constitutes a private or local bill under art. IV, sec. 18, of the Wisconsin Constitution.

2. Because the amendment affects Racine, it may be subject to an objection based on germaneness. (See the changes to the relating clause.)

3. As you know, the statutes are not completely clear on whether a school district is required to transport pupils to charter schools. This amendment requires transportation to s. 118.40 (2r) charter schools if the school district transported pupils to regular charter schools during the 2003–04 school year. But it does not explicitly require the school district to continue transporting pupils to regular charter schools. OK?

4. Note that, under the "city option" (see s. 121.54 (1) (a) and (c), stats.), currently MPS is not required to transport pupils to any public or private school. This amendment requires transportation to s. 118.40 (2r) charter schools but does not affect the lack of such a requirement for public and private schools. OK?

Peter R. Grant
Managing Attorney
Phone: (608) 267–3362
E–mail: peter.grant@legis.state.wi.us

Steve Knutson
AA to AB261
6-5120

MPS
& Racine only

if as of 7/1/03 if s.d. gave transp
to its stdt
then must provide same level of transp
to all ch schools in district

ASSEMBLY AMENDMENT ,

TO 2003 ASSEMBLY BILL 261

At the locations indicated, amend the bill as follows:

1. Page 1, line 2: before "charter" insert "eligibility to attend".

2. Page 1, line 3: after "district" insert "and transportation of pupils attending certain charter schools".

3. Page 2, line 9: delete lines 9 to 23 and substitute:

"**SECTION 3m.** 121.54 (2m) of the statutes is created to read:

121.54 **(2m)** TRANSPORTATION TO CHARTER SCHOOLS. (a) 1. Subject to par. (b), if during any part of the 2003–04 school year the board of school directors of the school district operating under ch. 119 transported pupils to a charter school operating under a contact with the board of school directors, beginning in the 2004–05 school year the board of school directors shall provide transportation to pupils who attend a charter school established under s. 118.40 (2r) that is located in the school district.

provided transportation for pupils attending public

at the beginning

2. Subject to par. (b), if ~~during any part~~ of the 2003–04 school year the school board of the Racine Unified School District ~~transported pupils to a charter~~ school ~~operating under a contract with the school board~~, beginning in the 2004–05 school year the school board shall provide transportation ~~to~~ for pupils who attend a charter school ~~established under s. 118.40 (2r)~~ that is located in the school district.

(b) Transportation may be provided for fewer than all of the pupils described under par. (a), but if it is there shall be reasonable uniformity in the transportation ~~provided~~ furnished to pupils a~~ttending charter schools under contract with the school board and charter schools established under s. 118.40 (2r)~~, whether they attend public or charter schools.".

(END)

2003 – 2004 LEGISLATURE

LRBa1025/~~2~~ 3
PG:jld:ch
&WLJ

now

ASSEMBLY AMENDMENT ,

TO 2003 ASSEMBLY BILL 261

At the locations indicated, amend the bill as follows:

1. Page 1, line 2: before "charter" insert "eligibility to attend".

2. Page 1, line 3: after "district" insert "and transportation of pupils attending certain charter schools".

3. Page 2, line 9: delete lines 9 to 23 and substitute:

"**SECTION 3m.** 121.54 (2m) of the statutes is created to read:

121.54 **(2m)** TRANSPORTATION TO CHARTER SCHOOLS. (a) 1. Subject to par. (b), if at the beginning of the 2003–04 school year the board of school directors of the school district operating under ch. 119 provided transportation for pupils attending public school, beginning in the 2004–05 school year the board of school directors shall provide transportation for pupils who attend a charter school, including a charter school established under s. 118.40 (2r), that is located in the school district.

2. Subject to par. (b), if at the beginning of the 2003–04 school year the school board of the Racine Unified School District provided transportation for pupils attending public school, beginning in the 2004–05 school year the school board shall provide transportation for pupils who attend a charter school, including a charter school established under s. 118.40(2r), that is located in the school district.

(b) Transportation may be provided for fewer than all of the pupils described under par. (a), but if it is there shall be reasonable uniformity in the transportation furnished to pupils, whether they attend public or charter schools.".

(END)