

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB79)

Received: **02/26/2003**

Received By: **rmarchan**

Wanted: **Today**

Identical to LRB:

For: **Steve Wieckert. (608) 266-3070**

By/Representing: **scott**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Econ. Development - bus. dev.**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us** ✓

Pre Topic:

No specific pre topic given

Topic:

AA to AB-79 (WHEFA bonding)

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>
/?	rmarchan 02/26/2003	wjackson 02/26/2003					
/1			rschluet 02/26/2003		mbarman 02/26/2003	mbarman 02/26/2003	

FE Sent For:

<END>

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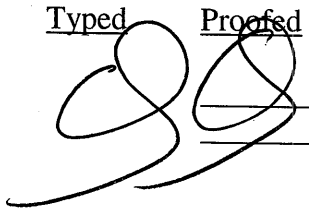
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2-26-23
<END>

FE Sent For:

328 NW

For Weekend
AAn:scott

Alternative 1:

231.01 (4m) "Educational facility" means a facility used for education by a regionally accredited, private, postsecondary educational an institution that is described in section 501 (c) (3) of the Internal Revenue Code, as defined in s. 71.22 (4), and that is exempt from federal taxation under section 501 (a) of the Internal Revenue Code, and that is

(a) in the case of a postsecondary educational institution, regionally accredited, and

(b) in other cases, accredited to the satisfaction of the authority.

118.165(1)

Alternative 2:

231.01 (4m) "Educational facility" means a facility used for education by a regionally accredited, private, postsecondary educational an institution that is described in section 501 (c) (3) of the Internal Revenue Code, as defined in s. 71.22 (4), and that is exempt from federal taxation under section 501 (a) of the Internal Revenue Code, and that is

(a) in the case of a postsecondary educational institution, regionally accredited, and

(b) in other cases, recognized as a private school by the department of public instruction.

2003 ASSEMBLY BILL 79

February 18, 2003 - Introduced by Representatives WIECKERT, VUKMIR, JENSEN, MONTGOMERY, OWENS, VAN ROY, HINES, LADWIG, BIES, J. WOOD, KAUFERT, AINSWORTH, VRAKAS, HUNDERTMARK, F. LASEE, MCCORMICK and J. FITZGERALD, cosponsored by Senators KANAVAS, SCHULTZ, S. FITZGERALD, WELCH and ELLIS. Referred to Committee on Education Reform.

1 AN ACT *to amend* 231.01 (4m) of the statutes; **relating to:** authorizing the
2 Wisconsin Health and Educational Facilities Authority to issue bonds to
3 finance a project undertaken for a facility used for education by a private,
4 tax-exempt institution.

Analysis by the Legislative Reference Bureau

Under current law, the Wisconsin Health and Educational Facilities Authority (WHEFA) may issue bonds to finance certain projects undertaken for educational facilities. Projects that may be financed include, among others, the construction, remodeling, furnishing, or equipping of an educational facility or related structure. An educational facility is defined as a regionally accredited, private, nonprofit postsecondary educational institution. This bill redefines an educational facility as a facility used for education by a regionally accredited, private, nonprofit institution so that the education-related projects for which WHEFA may issue bonds are not limited to facilities and related structures for postsecondary education purposes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 231.01 (4m) of the statutes is amended to read:

ASSEMBLY BILL 79

1 231.01 **(4m)** “Educational facility” means a facility used for education by a
2 regionally accredited, private, ~~postsecondary educational~~ institution that is
3 described in section 501 (c) (3) of the Internal Revenue Code, as defined in s. 71.22
4 (4), and that is exempt from federal taxation under section 501 (a) of the Internal
5 Revenue Code.

6

(END)

Now

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 79

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 5: delete the material beginning with that line and ending with
3 page 2, line 5, and substitute:

4 "SECTION 1g. 231.01 (4m) of the statutes is renumbered 231.01 (4m) (intro.) and
5 amended to read:

6 231.01 (4m) (intro.) "Educational facility" means a regionally accredited,
7 private, postsecondary educational facility used for education by a private
8 institution that is described in section 501 (c) (3) of the Internal Revenue Code, as
9 defined in s. 71.22 (4), that is exempt from federal taxation under section 501 (a) of
10 the Internal Revenue Code, and that satisfies any of the following:

History: 1973 c. 304; 1975 c. 413 s. 18; 1977 c. 29; 1979 c. 221; 1981 c. 298; 1981 c. 314 s. 144; 1983 a. 27, 189; 1985 a. 29; 1987 a. 27; 1989 a. 31; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 27, 124, 438, 490, 491; 1995 a. 27 ss. 6296, 9126 (19); 1995 a. 332; 1997 a. 77; 2001 a. 16, 104.

11 SECTION 1r. 231.01 (4m) (a) and (b) of the statutes are created to read:

1 231.01 **(4m)** (a) The institution is a postsecondary educational institution that
2 is regionally accredited.

3 (b) The institution is a private elementary or secondary school that is
4 accredited to the satisfaction of the authority.”

5

(END)

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

LRBa0192/7dn
RJM:7:.....
wlj

Representative Wieckert:

Please review the attached amendment. It varies slightly from the language provided to me. It seems consistent with your intent to retain the term "private" in proposed s. 231.01 (4m) (intro.). Also, because the proposed reference to s. 118.165, stats., could conceivably describe a postsecondary school, I did not include the reference in proposed s. 231.01 (4m) (b). Please feel free to call if you have any questions.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0192/1dn
RJM:wlj:rs

February 26, 2003

Representative Wieckert:

Please review the attached amendment. It varies slightly from the language provided to me. It seems consistent with your intent to retain the term "private" in proposed s. 231.01 (4m) (intro.). Also, because the proposed reference to s. 118.165, stats., could conceivably describe a postsecondary school, I did not include the reference in proposed s. 231.01 (4m) (b). Please feel free to call if you have any questions.

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