

**ASSEMBLY BILL 847 (LRB -4263)**

An Act to repeal 119.23 (7) (b); to renumber 119.23 (1) (a); to renumber and amend 119.23 (7) (am); and to create 119.23 (1) (am), 119.23 (7) (am) 2. and 3., 119.23 (7) (d), 119.23 (7) (e), 119.23 (10) and 119.23 (11) of the statutes; relating to: the Milwaukee Parental Choice Program and granting rule-making authority. (FE)

**2004**

02-26.	A.	Introduced by Representative <b>Sinicki</b> ; cosponsored by Senator <b>Moore</b> .	
02-16.	A.	Read first time and referred to committee on Education Reform .....	702
02-23.	A.	Fiscal estimate received.	
02-24.	A.	Assembly amendment 1 offered by Representative Sinicki ( <b>LRB a2299</b> ) .....	717
02-26.	A.	Public hearing held.	
02-26.	A.	Executive action taken.	
03-02.	A.	Assembly substitute amendment 1 offered by Representatives Sinicki and Jensen ( <b>LRB s0405</b> ) .....	758
03-02.	A.	Report passage recommended by committee on Education Reform, Ayes 12, Noes 0 .....	759
03-02.	A.	Referred to committee on Rules .....	759
03-02.	A.	Refused to suspend rules to withdraw from committee on Rules and place on after Assembly Bill 836, Ayes 62, Noes 34 .....	769
03-02.	A.	Assembly amendment 1 to Assembly substitute amendment 1 offered by Representatives Staskunas and Krusick ( <b>LRB a2494</b> ) .....	758
03-02.	A.	Made a special order of business at 9:04 A.M. on 3-4-2004 pursuant to AR 35 .....	779
03-04.	A.	Read a second time .....	795
03-04.	A.	Assembly amendment 1 to Assembly substitute amendment 1 laid on table, Ayes 59, Noes 37 .....	795
03-04.	A.	Assembly substitute amendment 1 <b>adopted</b> .....	796
03-04.	A.	Ordered to a third reading .....	796
03-04.	A.	Rules suspended .....	796
03-04.	A.	Read a third time and <b>passed</b> , Ayes 87, Noes 8, Paired 2 .....	796
03-04.	A.	Ordered immediately messaged .....	796
03-05.	S.	Received from Assembly.	
03-05.	S.	Read first time and referred to committee on Senate Organization.	
03-05.	S.	Available for scheduling.	
03-08.	S.	Placed on calendar 3-9-2004 by committee on Senate Organization.	
03-09.	S.	Read a second time.	
03-09.	S.	Senate substitute amendment 1 offered by Senators Moore and Jauch ( <b>LRB s0430</b> ).	
03-09.	S.	Senate substitute amendment 1 rejected, Ayes 18, Noes 15.	
03-09.	S.	Ordered to a third reading.	
03-09.	S.	Rules suspended.	
03-09.	S.	Read a third time and <b>concurred in</b> , Ayes 33, Noes 0.	
03-09.	S.	Ordered immediately messaged.	
03-10.	A.	Received from Senate concurred in.	

**2003  
ENROLLED BILL**

03en AB-847

**ADOPTED DOCUMENTS:**

Orig     Engr

A SubAmdt /

03 5040512

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Relief from RMA

3/10/02  
Date

[Signature]  
Enrolling Drafter

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2003 ASSEMBLY BILL 847**

March 2, 2004 - Offered by Representatives SINICKI and JENSEN.

1     **AN ACT** *to repeal* 119.23 (7) (b); *to renumber and amend* 119.23 (7) (am); and  
2           *to create* 119.23 (7) (am) 2., 119.23 (7) (d), 119.23 (10) and 119.23 (11) of the  
3           statutes; **relating to:** the Milwaukee Parental Choice Program and granting  
4           rule-making authority.

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

5           **SECTION 1.** 119.23 (7) (am) of the statutes is renumbered 119.23 (7) (am) (intro.)  
6           and amended to read:  
7           119.23 (7) (am) (intro.) Each private school participating in the program under  
8           this section is subject to uniform financial accounting standards established by the  
9           department ~~and annually.~~ Annually by September 1 following a school year in which  
10          a private school participated in the program under this section, the private school  
11          shall submit to the department ~~an~~ all of the following:

1           1. An independent financial audit of the private school conducted by a certified  
2           public accountant, accompanied by the auditor's statement that the report is free of  
3           material misstatements and fairly presents pupil costs under sub. (4) (b) 1. The audit  
4           under this subdivision shall be limited in scope to those records that are necessary  
5           for the department to make payments under subs. (4) and (4m).

6           **SECTION 2.** 119.23 (7) (am) 2. of the statutes is created to read:

7           119.23 (7) (am) 2. Evidence of sound fiscal practices, as prescribed by the  
8           department by rule.

9           **SECTION 3.** 119.23 (7) (b) of the statutes is repealed.

10          **SECTION 4.** 119.23 (7) (d) of the statutes is created to read:

11          119.23 (7) (d) By August 1 before the first school term of participation in the  
12          program, or by May 1 if the private school begins participating in the program during  
13          summer school, each private school participating in the program under this section  
14          shall submit to the department all of the following:

15           1. A copy of the school's current certificate of occupancy issued by the city. If  
16          the private school moves to a new location, the private school shall submit a copy of  
17          the new certificate of occupancy issued by the city to the department before the  
18          attendance of pupils at the new location and before the next succeeding date specified  
19          in s. 121.05 (1) (a). A temporary certificate of occupancy does not meet the  
20          requirement of this subdivision.

21           2. Evidence of financial viability, as prescribed by the department by rule.

22           3. Proof that the private school's administrator has participated in a fiscal  
23          management training program approved by the department.

24          **SECTION 5.** 119.23 (10) of the statutes is created to read:

1           119.23 (10) (a) The state superintendent may issue an order barring a private  
2 school from participating in the program under this section in the current school year  
3 if the state superintendent determines that the private school has done any of the  
4 following:

5           1. Misrepresented information required under sub. (7) (d).

6           2. Failed to provide the notice required under sub. (2) (a) 3., or the information  
7 required under sub. (7) (am) or (d), by the date or within the period specified.

8           3. Failed to refund to the state any overpayment made under sub. (4) (b) or (4m)  
9 by the date specified by department rule.

10          4. Failed to meet at least one of the standards under sub. (7) (a) by the date  
11 specified by department rule.

12          (b) The state superintendent may issue an order immediately terminating a  
13 private school's participation in the program under this section if he or she  
14 determines that conditions at the private school present an imminent threat to the  
15 health or safety of pupils.

16          (c) Whenever the state superintendent issues an order under par. (a) or (b), he  
17 or she shall immediately notify the parent or guardian of each pupil attending the  
18 private school under this section.

19          (d) The state superintendent may withhold payment from a parent or guardian  
20 under subs. (4) and (4m) if the private school attended by the child of the parent or  
21 guardian violates this section.

22           **SECTION 6.** 119.23 (11) of the statutes is created to read:

23           119.23 (11) The department shall promulgate rules to implement and  
24 administer this section.

25           **SECTION 7. Initial applicability.**

