

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB534)

Received: 04/13/2010

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Frederick Kessler (608) 266-5813**

By/Representing: **Asra**

May Contact:

Drafter: **pgrant**

Subject: **Education - MPS**

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Rep.Kessler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow state superintendent to intervene in MPCP schools

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>
/?	pgrant 04/13/2010	kfollett 04/13/2010		_____			
/1			phenry 04/14/2010	_____	cduerst 04/14/2010	cduerst 04/14/2010	

FE Sent For:

<END>

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0387(1)-AB534)

Received: 04/13/2010

Received By: pgrant

Wanted: As time permits

Companion to LRB:

For: Frederick Kessler (608) 266-5813

By/Representing: Asra

May Contact:

Drafter: pgrant

Subject: Education - MPS

Addl. Drafters:

Extra Copies: TKK

Submit via email: YES

Requester's email: Rep.Kessler@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow state superintendent to intervene in MPCP schools

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?	pgrant	11/5 f 4/13	4/13 ph	4/14 ph			

FE Sent For:

<END>

4/13/10

Asra / Kesler

do amdt to ms to AB534

to

to give im power for waiver school

Date (time) needed

Wed. am

LRBa 2176/1

AMENDMENT

DN

PG: kf

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

*4ps. request
fix sheet please*

S A AMENDMENT

TO S A AMENDMENT _____ (LRBa /),

TO S A SUBSTITUTE AMENDMENT 1 (LRBs 0387/1),

TO 2005 SB SJR SR AB AJR AR 534 (LRB- /)

At the locations indicated, amend the substitute amendment as follows:
(fill ONLY if "engrossed" or "as shown by")

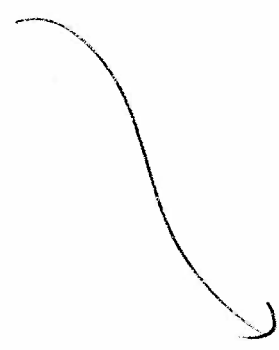
✓
#. Page 1, line 5: after "district" insert
"and in certain private schools"

✓
#. Page 8, line 18: after that line insert:

#. Page, line:

#. Page, line:

#. Page, line:



Sm.
" SEC. CR; 119.23 (10 m)

(intro.) and 1.

119.23 (10m) Section 118.42 (2), (3)(b) and
(c), (4), and (5) applies to private

schools participating in the program under

this section, insofar as applicable. For the

purpose of this section, the following terms used in

s. 118.42 have the meaning indicated:

(a) "Public school" means a
private school participating in the program
under this section.

(b) "School board" means the
governing body of a private school participating in the
program under this section.

(c) "School district superintendent"

means ~~the administrative head~~
~~of a private school participating~~
~~in the program under this section.~~
→ administrator . "

(End)

D-Note

LRB 9217611dn
PG:lgf

(DN) Date

Representative Kessler:

Because this amendment authorizes the state superintendent of public instruction directly

to intervene in the operation of private schools participating in

the Milwaukee Parental Choice Program. Because most of the MPCP schools

are parochial schools, a court rule that this grant of authority involves

the ~~unconstitutional~~ excessive entanglement of

government and religion, violating

the first amendment to the U.S. Constitution.

PG

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

LRBa2176/1dn
PG:kjf:ph

Apr 14, 2010

Representative Kessler:

This amendment authorizes the state superintendent of public instruction to directly intervene in the operation of private schools participating in the Milwaukee Parental Choice Program. Because most of the MPCP schools are parochial schools, a court could rule that this grant of authority involves the excessive entanglement of government and religion, violating the First Amendment to the U.S. Constitution.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov