

2013 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB318)

Received: 10/11/2013 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Nikiya Harris (608) 266-2500 By/Representing: David Crowley
May Contact: Drafter: tkuczens
Subject: Education - MPS Addl. Drafters:
Extra Copies: pg, ffk

Submit via email: YES
Requester's email: Sen.Harris@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit MPS and City of Milwaukee from using city attorney's office to do work relating to sale of MPS buildings

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>
/?	tkuczens 10/11/2013			_____			
/1		jdyer 10/14/2013	jfrantze 10/14/2013	_____	sbasford 10/14/2013	sbasford 10/14/2013	

FE Sent For:

<END>

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1/2	tkuczens	10/14 JLD	Jb	10/14			

FE Sent For:

<END>

Kuczenski, Tracy

From: Crowley, David
Sent: Friday, October 11, 2013 3:37 PM
To: Kuczenski, Tracy
Subject: More Amendments for SB318

Tracy,

Can you draft these as well?

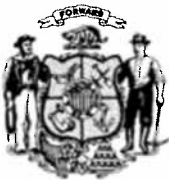
1. SUBSTITUTE Amendment: Prohibit the City and MPS from using the City Attorney for work related to the sale of MPS facilities. Delete the rest of the bill. This would maintain current law and relieve the City Attorney from the built in conflict of interest on this issue, which has made it difficult to implement current law. This is a more equitable solution than essentially prohibiting the District from using the City Attorney in many other instances - - not just facilities.
2. Amendment 2: Delete Page 3 lines 1-17 it's likely we'll NEVER be able to retain the services of the City Attorney if this provision remains. This should really be its own bill. We propose removing ALL of the language restricting the use of the City Attorney.
3. Amendment 3: p. 6, delete lines 8,9,10 which refer to third party real estate companies. There remains a lack of clarity as to what happens to a facility if a deal falls apart with a school operator, the real estate agent could possibly use the facility for some other purpose.

Give me a call if you have any questions.

Respectfully,

David Crowley

Sent from my iPhone



Handwritten notes: "TKK" and "الحال" with arrows pointing to the QR code area.

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

RMR

SENATE SUBSTITUTE AMENDMENT,
TO SENATE BILL 318

10/11/13

wrote at 10/14 a.m.

Handwritten checkmark

Gen

1 AN ACT ...; relating to: use of Milwaukee city attorney's office in connection with
2 sale of Milwaukee Public Schools school facilities. ✓

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

3 SECTION 1. 62.03 (1) ✓ of the statutes is amended to read:

4 62.03 (1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) ~~and~~ ³ (11) (j)
5 and (k) ³ and (12) (h) ✓, 62.175, 62.23 (7) (em) and (he) and 62.237, does not apply to 1st
6 class cities under special charter.

History: 1977 c. 151; 1979 c. 90 s. 21; 1979 c. 221, 260, 355; 1981 c. 281 s. 17; 1983 a. 395, 532, 538; 1989 a. 113; 1993 a. 400; 1999 a. 150.

7 SECTION 2. 62.09 (12) (h) of the statutes is created to read:

8 62.09 (12) (h) An attorney for a 1st class city ✓ may not represent the city in any
9 matter involving the sale or lease of school buildings or the sites on which the school
10 buildings are situated. ✓

1 SECTION 3. 119.12 (6) of the statutes is amended to read:

2 119.12 (6) The city attorney of the city shall be the legal adviser of and attorney
3 for the board, ~~except that the~~ but may not represent the board in any matter
4 involving the sale or lease of school buildings or the sites on which the school
5 buildings are situated. The board may retain an attorney to represent the board in
6 any matter if the board determines that it requires specialized legal expertise not
7 possessed by the city attorney, the city attorney does not have sufficient staff to
8 adequately represent the interests of the board or a conflict of interest exists. The
9 board shall provide the city attorney with reasonable notice of any board meeting at
10 which the board will consider retention of an attorney.

History: 1977 c. 318, 403, 445, 447; 1983 a. 27; 1985 a. 158; 1991 a. 39.

(END)