



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1628/1
TKK:wlj:rs

**ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 224**

October 18, 2011 – Offered by Representative KNUDSON.

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

2 **1.** Page 2, line 1: delete that line and substitute:

3 “**SECTION 1e.** 43.58 (7) (b) of the statutes is renumbered 43.58 (7) (b) 2. and
4 amended to read:”.

5 **2.** Page 2, line 2: after “(b)” insert “2.”.

6 **3.** Page 2, line 7: after “or may” insert “, subject to subd. 3.”.

7 **4.** Page 2, line 7: delete “charitable” and substitute “charitable”.

8 **5.** Page 2, line 8: delete lines 8 to 12 and substitute “organization, described
9 in section 501 (c) (3) of the Internal Revenue Code and exempt from federal income
10 tax under section 501 (a) of the Internal Revenue Code, the purpose of which is
11 providing financial or material support to the public library community foundation.”.

12 **6.** Page 3, line 2: after that line insert:

1 **“SECTION 1m.** 43.58 (7) (b) 1. of the statutes is created to read:

2 43.58 (7) (b) 1. In this paragraph, “community foundation” means a charitable
3 organization, described in section 501 (c) (3) of the Internal Revenue Code and
4 exempt from federal income tax under section 501 (a) of the Internal Revenue Code,
5 dedicated to encouraging and assisting charitable activities and enterprises in a
6 designated community in this state and having expertise in finance, fund
7 development, and grantmaking.

8 **SECTION 1s.** 43.58 (7) (b) 3. of the statutes is created to read:

9 43.58 (7) (b) 3. A library board may pay or transfer a gift, bequest, or
10 endowment to a community foundation only if the library board and the community
11 foundation agree, in writing and at the time of the payment or transfer of the gift,
12 bequest, or endowment, to each of the following:

13 a. The community foundation agrees to make disbursements from and of the
14 gift, bequest, or endowment to the library board upon the written request of the
15 library board.

16 b. The library board retains control over the manner in which any
17 disbursement made under subd. 3. a. is used.

18 c. The library board exercises its rights over the use of each disbursement made
19 under subd. 3. a. in accordance with the law applicable to trust investments and the
20 provisions of this chapter.”.

21 **7.** Page 3, line 3: delete that line and substitute:

22 **“SECTION 2e.** 118.27 of the statutes is renumbered 118.27 (2) and amended to
23 read:”.

1 **8.** Page 3, line 4: delete that line and substitute “118.27 **(2)** The school board
2 of a district may receive, accept₁”.

3 **9.** Page 3, line 5: delete “securities” and substitute “securities₂”.

4 **10.** Page 3, line 13: after “or may” insert “, subject to sub. (3)”.

5 **11.** Page 3, line 13: delete the material beginning with “charitable” and ending
6 with “grant” on line 18 and substitute “community foundation”.

7 **12.** Page 3, line 18: after “control” insert “₃”.

8 **13.** Page 3, line 18: delete “control” and substitute “control₄”.

9 **14.** Page 3, line 19: after that line insert:

10 “**SECTION 2m.** 118.27 (1) of the statutes is created to read:

11 118.27 **(1)** In this section, “community foundation” means a charitable
12 organization, described in section 501 (c) (3) of the Internal Revenue Code and
13 exempt from federal income tax under section 501 (a) of the Internal Revenue Code,
14 dedicated to encouraging and assisting charitable activities and enterprises in a
15 designated community in this state and having expertise in finance, fund
16 development, and grantmaking.

17 **SECTION 2s.** 118.27 (3) of the statutes is created to read:

18 118.27 **(3)** A school board may transfer a gift or grant to a community
19 foundation only if the school board and the community foundation agree, in writing
20 and at the time of the transfer of the gift or grant, to each of the following:

21 (a) The community foundation agrees to make disbursements from and of the
22 gift or grant to the school board upon the written request of the school board.

1 (b) The school board retains control over the manner in which any
2 disbursement made under par. (a) is used.

3 (c) The school board exercises its rights over the use of each disbursement made
4 under par. (a) in accordance with the law applicable to trust investments.”.

5 **15.** Page 3, line 20: delete that line and substitute:

6 “**SECTION 3e.** 119.18 (16) of the statutes is renumbered 119.18 (16) (b) and
7 amended to read:”.

8 **16.** Page 3, line 21: delete “GIFTS AND GRANTS.” and substitute “(b)”.

9 **17.** Page 3, line 21: delete “accept” substitute “accept_s”.

10 **18.** Page 3, line 22: delete “securities” substitute “securities_s”.

11 **19.** Page 4, line 2: after “or may” insert “, subject to par. (c)”.

12 **20.** Page 4, line 3: delete the material beginning with “charitable” and ending
13 with “grant” on line 7 and substitute “community foundation”.

14 **21.** Page 4, line 7: delete “control” substitute “control_s”.

15 **22.** Page 4, line 9: after that line insert:

16 “**SECTION 3m.** 119.18 (16) (a) of the statutes is created to read:

17 119.18 (16) (a) In this subsection, “community foundation” means a charitable
18 organization, described in section 501 (c) (3) of the Internal Revenue Code and
19 exempt from federal income tax under section 501 (a) of the Internal Revenue Code,
20 dedicated to encouraging and assisting charitable activities and enterprises in a
21 designated community in this state and having expertise in finance, fund
22 development, and grantmaking.

23 **SECTION 3s.** 119.18 (16) (c) of the statutes is created to read:

1 119.18 **(16)** (c) The board may transfer a gift or grant to a community
2 foundation only if the board and the community foundation agree, in writing and at
3 the time of the transfer of the gift or grant, to each of the following:

4 1. The community foundation agrees to make disbursements from and of the
5 gift or grant to the board upon the written request of the board.

6 2. The board retains control over the manner in which any disbursement made
7 under subd. 1. is used.

8 3. The board exercises its rights over the use of each disbursement made under
9 subd. 1. in accordance with the law applicable to trust investments.”.

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(END)