

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 00-003

AN ORDER to create PI 6.07, relating to public library system aid payment adjustments.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

01-10-00 RECEIVED BY LEGISLATIVE COUNCIL.

02-03-00 REPORT SENT TO AGENCY.

RS:AS:jal;rv

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO

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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 00-003

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

4. Adequacy of References to Related Statutes, Rules and Forms

In s. PI 6.07 (4) (intro.), "ss." should be replaced with "s." and "Stats." should be inserted after "43.15 (3) (b) and (c).".

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In the analysis, it would be helpful to include some background information to explain the context of the rule change.

b. In s. PI 6.07 (1), the colon at the end of the subsection should be replaced with a period. In addition, an introductory paragraph should be inserted in sub. (2) to precede pars. (a) to (c).

c. In s. PI 6.07 (6) (b), to what territory does the phrase "territory establishing a public library system" refer? The existing system or the new library?

**PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING RULES**

The state superintendent of public instruction hereby proposes to create s. PI 6.07, relating to public library system aid payment adjustments.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 43.24 (1) (b) and 227.11 (2) (a), Stats.

Statute interpreted: s. 43.24 (1), Stats.

The proposed rule adjusts public library aid payments to be consistent with system services areas after territorial changes occur. If the territory of a public library system is altered before the new distribution formula created under s. 43.24 (1) (c), Stats., becomes effective, the department shall adjust the aid paid based on the previous funding formula established under s. 43.24 (1), Stats.

The amount of the transfer will be the 1999 share of state aid generated by the territory causing the change applied to the current appropriation. The territorial share will be determined by summing the territory's payment factors (square miles, population, and expenditure) as calculated for the 1999 system aids payment and dividing by \$13,249,800, the total amount paid in 1999.

SECTION 1. PI 6.07 is created to read:

PI 6.07 Public library system aid adjustment due to territory alteration. (1) For any year in which a public library system aid adjustment is required under s. 43.24 (1) (b), Stats., the state aid payment to a public library system with altered territory shall be determined by adding together the results of sub. (2) (a) to (c) then using the applicable formula under subs. (3) to (6).

(2)(a) Multiply the square mile area of the territory as determined for the payment of 1999 public library system aid by \$8 if the territory was a member of a single county system in 1999 or by \$20 if the territory was a member of a multicounty public library system in 1999.

(b) Multiply the total public operating expenditures within the territory from local and county sources as determined for the payment of 1999 public library system aid by .04.

(c) Multiply the population of the territory as determined for the payment of 1999 public library system aid by \$1.37379.

(3) For a system with territory withdrawing or being expelled from the system or for a county abolishing a public library system under s. 43.18, Stats., or for territory leaving a system under s. 43.15 (3) (b), and (c), Stats., as a result of the establishment of a public library or joint public library, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Subtract the results of sub. (2) for the abolished, expelled, withdrawing or leaving territory from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(4) For a system with territory joining a system under ss. 43.13 or 43.15 (3) (b) and (c), calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Add the result of sub. (2) for the joining territory to the 1999 state aid payment to the public library system being joined. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(5) For the establishment of a system under s. 43.13, Stats., including systems merged under s. 43.15 (4) (a), Stats., calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Determine the result of sub. (2) for the territory establishing a public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(6) For a public library established after January 1, 1999 that does not select membership in a public library system, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

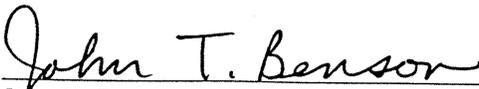
(a) Subtract the result of sub. (2) for the territory establishing the public library from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

The proposed rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

Dated this 30th day of December, 1999



John T. Benson
State Superintendent



State of Wisconsin Department of Public Instruction

Mailing Address: P.O. Box 7841, Madison, WI 53707-7841
125 South Webster Street, Madison, WI 53702
(608) 266-3390 TDD (608) 267-2427 FAX (608) 267-1052
Internet Address: www.dpi.state.wi.us

MAR 07 2000

John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent

March 1, 2000

Members of the Wisconsin Senate
State Capitol
Madison, WI 53702

Dear Senator:

PI 6.07

Attached, pursuant to s. 227.24 (3), Stats., is a copy of emergency rules relating to public library system aid payment adjustments. Emergency rules are necessary to establish a formula to adjust library aid payments where a territorial change has occurred as required under s. 43.24 (1) (b), Stats. The department is in the process of developing permanent rules.

The rule adjusts public library aid payments to be consistent with system services areas after territorial changes occur. If the territory of a public library system is altered before the new distribution formula created under s. 43.24 (1) (c), Stats., becomes effective, the department shall adjust the aid paid based on the previous funding formula established under s. 43.24 (1), Stats.

The amount of the transfer will be the 1999 share of state aid generated by the territory causing the change applied to the current appropriation. The territorial share will be determined by summing the territory's payment factors (square miles, population, and expenditure) as calculated for the 1999 system aids payment and dividing by \$13,249,800, the total amount paid in 1999.

If you have any questions on these emergency rules, or the proposed permanent rules, please contact Larry Nix, Director, Public Library Development, at (608) 266-7270 or Lori Slauson, Administrative Rules Coordinator, Policy and Budget, at (608) 267-9127.

Sincerely,

Steven B. Dold
Deputy State Superintendent

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
ADOPTING EMERGENCY RULES**

The state superintendent of public instruction hereby creates s. PI 6.07, relating to public library system aid payment adjustments.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 43.24 (1) (b) and 227.11 (2) (a), Stats.

Statute interpreted: s. 43.24 (1), Stats.

The proposed rule adjusts public library aid payments to be consistent with system services areas after territorial changes occur. If the territory of a public library system is altered before the new distribution formula created under s. 43.24 (1) (c), Stats., becomes effective, the department shall adjust the aid paid based on the previous funding formula established under s. 43.24 (1), Stats.

The amount of the transfer will be the 1999 share of state aid generated by the territory causing the change applied to the current appropriation. The territorial share will be determined by summing the territory's payment factors (square miles, population, and expenditure) as calculated for the 1999 system aids payment and dividing by \$13,249,800, the total amount paid in 1999.

SECTION 1. PI 6.07 is created to read:

PI 6.07 Public library system aid adjustment due to territory alteration. (1) For any year in which a public library system aid adjustment is required under s. 43.24 (1) (b), Stats., the state aid payment to a public library system with altered territory shall be determined by adding together the results of sub. (2) (a) to (c) then using the applicable formula under subs. (3) to (6).

(2) To determine the amount to be applied toward the applicable formula under subs. (3) to (6), the department shall add the results of all of the following for the territory causing the adjustment:

(a) Multiply the square mile area of the territory as determined for the payment of 1999 public library system aid by \$8 if the territory was a member of a single county system in 1999 or by \$20 if the territory was a member of a multicounty public library system in 1999.

(b) Multiply the total public operating expenditures within the territory from local and county sources as determined for the payment of 1999 public library system aid by .04.

(c) Multiply the population of the territory as determined for the payment of 1999 public library system aid by \$1.37379.

(3) For a system with territory withdrawing or being expelled from the system or for a county abolishing a public library system under s. 43.18, Stats., or for territory leaving a system under s. 43.15 (3) (b), and (c), Stats., as a result of the establishment of a public library or joint public library, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Subtract the results of sub. (2) for the abolished, expelled, withdrawing or leaving territory from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(4) For a system with territory joining a system under s. 43.13 or 43.15 (3) (b) and (c), Stats., calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Add the result of sub. (2) for the joining territory to the 1999 state aid payment to the public library system being joined. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(5) For the establishment of a system under s. 43.13, Stats., including systems merged under s. 43.15 (4) (a), Stats., calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Determine the result of sub. (2) for the territory establishing a public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(6) For a public library established after January 1, 1999 that does not select membership in a public library system, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Subtract the result of sub. (2) for the territory establishing the public library from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

FINDING OF EMERGENCY

The Department of Public Instruction finds that an emergency exists and that the attached rule is necessary for the immediate preservation of the public welfare. A statement of the facts constituting the emergency is:

In accordance with s. 43.24 (1) (b), Stats., the rules adjust public library aid payments to be consistent with system services areas after territorial changes occur. Using the formula created under the rule, an aid adjustment will be paid by the department in April for a territorial change. Emergency rules must be in place before the formula may be used.

The rules contained in this order shall take effect upon publication as emergency rules pursuant to the authority granted by s. 227.24, Stats.

Dated this 1st day of March, 2000



John T. Benson
State Superintendent

FISCAL ESTIMATE FORM

1999 Session

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

LRB #

Introduction #

Admin. Rule # PI 6.07

Subject

Public Library System Aid Payment Adjustments

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Existing Appropriation
 Decrease Existing Appropriation
 Create New Appropriation

Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

Towns Villages Cities

2. Decrease Costs
 Permissive Mandatory

4. Decrease Revenues
 Permissive Mandatory

Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG

Affected Ch. 20 Appropriations

SEG-S

Assumptions Used in Arriving at Fiscal Estimate:

In accordance with s. 43.24 (1) (b), Stats., the proposed rules adjust public library aid payments to be consistent with system services areas after territorial changes occur.

The formula used to make aid payment adjustments will change but the total funds distributed statewide will remain the same. Therefore, the proposed rules will have no fiscal effect.

Long-Range Fiscal Implications:

Prepared By: (Name & Phone # / Agency Name)
Lori Slauson 608/267-9127

Authorized Signature / Telephone No.
Gina Frank-Reece 608/266-2804

Date

Department of Public Instruction

Gina Frank-Reece

1/5/00



State of Wisconsin
Department of Public Instruction

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FEB 16 2000

John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent

February 11, 2000

Dear Colleague:

The Department of Public Instruction will hold a public hearing to consider emergency and proposed permanent rules, relating to public library system aid payment adjustments. Emergency rules will be promulgated by the department in March 2000. The hearing will be held as follows:

DATE AND TIME

April 4, 2000
1:00 - 3:00 p.m.

LOCATION

Madison
GEF 3 Building
125 South Webster St.
Room 041

The hearing site is fully accessible to people with disabilities. If you require reasonable accommodation to access any meeting, please call Larry Nix, Director, Public Library Development, at (608) 266-7270 or leave a message with the Teletypewriter (TTY) at (608) 267-2427 at least 10 days prior to the hearing date. Reasonable accommodation includes materials prepared in an alternative format, as provided under the Americans with Disabilities Act.

The administrative rule is available on the internet at <http://www.dpi.state.wi.us/dltcl/pld/libraryaid.html>. A copy of the rule and the fiscal estimate may be obtained by sending an email request to lori.slauson@dpi.state.wi.us or by writing to Mr. Nix or Lori Slauson, Administrative Rules and Federal Grants Coordinator, Department of Public Instruction, 125 South Webster Street, P.O. Box 7841, Madison, WI 53707. Written comments on the proposed rules received at the above address no later than April 7, 2000, will be given the same consideration as testimony presented at the hearing. Comments submitted via email will not be accepted as formal testimony.

The proposed rule adjusts public library aid payments to be consistent with system services areas after territorial changes occur. If the territory of a public library system is altered before the new distribution formula created under s. 43.24 (1) (c), Stats., becomes effective, the department shall adjust the aid paid based on the previous funding formula established under s. 43.24 (1), Stats.

The amount of the transfer will be the 1999 share of state aid generated by the territory causing the change applied to the current appropriation. The territorial share will be determined by summing the territory's payment factors (square miles, population, and expenditure) as calculated for the 1999 system aids payment and dividing by \$13,249,800, the total amount paid in 1999.

Sincerely,

Lori L. Slauson
Administrative Rules and Federal Grants Coordinator

**PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING RULES**

The state superintendent of public instruction hereby proposes to create s. PI 6.07, relating to public library system aid payment adjustments.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 43.24 (1) (b) and 227.11 (2) (a), Stats.

Statute interpreted: s. 43.24 (1), Stats.

The proposed rule adjusts public library aid payments to be consistent with system services areas after territorial changes occur. If the territory of a public library system is altered before the new distribution formula created under s. 43.24 (1) (c), Stats., becomes effective, the department shall adjust the aid paid based on the previous funding formula established under s. 43.24 (1), Stats.

The amount of the transfer will be the 1999 share of state aid generated by the territory causing the change applied to the current appropriation. The territorial share will be determined by summing the territory's payment factors (square miles, population, and expenditure) as calculated for the 1999 system aids payment and dividing by \$13,249,800, the total amount paid in 1999.

SECTION 1. PI 6.07 is created to read:

PI 6.07 Public library system aid adjustment due to territory alteration. (1) For any year in which a public library system aid adjustment is required under s. 43.24 (1) (b), Stats., the state aid payment to a public library system with altered territory shall be determined by adding together the results of sub. (2) (a) to (c) then using the applicable formula under subs. (3) to (6):

(2) (a) Multiply the square mile area of the territory as determined for the payment of 1999 public library system aid by \$8 if the territory was a member of a single county system in 1999 or by \$20 if the territory was a member of a multicounty public library system in 1999.

(b) Multiply the total public operating expenditures within the territory from local and county sources as determined for the payment of 1999 public library system aid by .04.

(c) Multiply the population of the territory as determined for the payment of 1999 public library system aid by \$1.37379.

(3) For a system with territory withdrawing or being expelled from the system or for a county abolishing a public library system under s. 43.18, Stats., or for territory leaving a system under s. 43.15 (3) (b), and (c), Stats., as a result of the establishment of a public library or joint public library, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Subtract the results of sub. (2) for the abolished, expelled, withdrawing or leaving territory from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(4) For a system with territory joining a system under ss. 43.13 or 43.15 (3) (b) and (c), calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Add the result of sub. (2) for the joining territory to the 1999 state aid payment to the public library system being joined. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(5) For the establishment of a system under s. 43.13, Stats., including systems merged under s. 43.15 (4) (a), Stats., calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Determine the result of sub. (2) for the territory establishing a public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(6) For a public library established after January 1, 1999 that does not select membership in a public library system, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

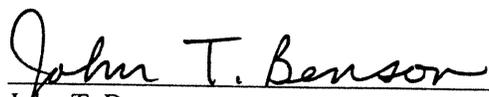
(a) Subtract the result of sub. (2) for the territory establishing the public library from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

The proposed rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

Dated this 30th day of December, 1999



John T. Benson
State Superintendent

JAN 18 2000



Memorandum

STATE OF WISCONSIN
DEPARTMENT OF PUBLIC INSTRUCTION

DATE: January 14, 2000
TO: Senator Robson and Representative Grothman, Co-Chairs JCRAR
FROM: Lori L. Slauson, Administrative Rules and Federal Grants Coordinator
SUBJECT: Emergency Rules

Attached for your review are emergency rules relating to:

- Grants for alcohol and other drug abuse (AODA) programs.
- Grants for alternative education programs.
- State aid for achievement guarantee contracts and aid for debt service.
- Supplemental aid for school districts with a large area.
- Aid for public library system payment adjustments.

The statement of emergency is included in each rule draft. The department has submitted these rules as proposed permanent rules.

Except for rules relating to aid for public library system payment adjustments (to be published and effective in April) and grants for AODA programs (to be published and effective in March), the department will submit these emergency rules to be published in the Wisconsin State Journal by the end of January. If you have any questions, please call me at 267-9127.

Thank you.

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
ADOPTING EMERGENCY RULES**

The state superintendent of public instruction hereby creates s. PI 6.07, relating to public library system aid payment adjustments.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 43.24 (1) (b) and 227.11 (2) (a), Stats.

Statute interpreted: s. 43.24 (1), Stats.

The proposed rule adjusts public library aid payments to be consistent with system services areas after territorial changes occur. If the territory of a public library system is altered before the new distribution formula created under s. 43.24 (1) (c), Stats., becomes effective, the department shall adjust the aid paid based on the previous funding formula established under s. 43.24 (1), Stats.

The amount of the transfer will be the 1999 share of state aid generated by the territory causing the change applied to the current appropriation. The territorial share will be determined by summing the territory's payment factors (square miles, population, and expenditure) as calculated for the 1999 system aids payment and dividing by \$13,249,800, the total amount paid in 1999.

SECTION 1. PI 6.07 is created to read:

PI 6.07 Public library system aid adjustment due to territory alteration. (1) For any year in which a public library system aid adjustment is required under s. 43.24 (1) (b), Stats., the state aid payment to a public library system with altered territory shall be determined by adding together the results of sub. (2) (a) to (c) then using the applicable formula under subs. (3) to (6):

(2) (a) Multiply the square mile area of the territory as determined for the payment of 1999 public library system aid by \$8 if the territory was a member of a single county system in 1999 or by \$20 if the territory was a member of a multicounty public library system in 1999.

(b) Multiply the total public operating expenditures within the territory from local and county sources as determined for the payment of 1999 public library system aid by .04.

(c) Multiply the population of the territory as determined for the payment of 1999 public library system aid by \$1.37379.

(3) For a system with territory withdrawing or being expelled from the system or for a county abolishing a public library system under s. 43.18, Stats., or for territory leaving a system under s. 43.15 (3) (b), and (c), Stats., as a result of the establishment of a public library or joint public library, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Subtract the results of sub. (2) for the abolished, expelled, withdrawing or leaving territory from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(4) For a system with territory joining a system under ss. 43.13 or 43.15 (3) (b) and (c), calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Add the result of sub. (2) for the joining territory to the 1999 state aid payment to the public library system being joined. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(5) For the establishment of a system under s. 43.13, Stats., including systems merged under s. 43.15 (4) (a), Stats., calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Determine the result of sub. (2) for the territory establishing a public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

(6) For a public library established after January 1, 1999 that does not select membership in a public library system, calculate as follows to determine the amount of state aid to be paid to the system for the current year:

(a) Subtract the result of sub. (2) for the territory establishing the public library from the 1999 state aid payment to the territory's then public library system. For any future system territory alteration, this amount shall be considered the 1999 public library system aid payment.

(b) Divide the result of par. (a) for the territory establishing a public library system by \$13,249,800.

(c) Multiply the result of par. (b) by the current year state appropriation.

FINDING OF EMERGENCY

The Department of Public Instruction finds that an emergency exists and that the attached rule is necessary for the immediate preservation of the public welfare. A statement of the facts constituting the emergency is:

In accordance with s. 43.24 (1) (b), Stats., the rules adjust public library aid payments to be consistent with system services areas after territorial changes occur. Using the formula created under the rule, an aid adjustment will be paid by the department in April for a territorial change. Emergency rules must be in place before the formula may be used.

The rules contained in this order shall take effect upon publication as emergency rules pursuant to the authority granted by s. 227.24, Stats.

Dated this _____ day of January, 2000

John T. Benson
State Superintendent