



## 1995 ASSEMBLY BILL 1102

May 9, 1996 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION. Referred to calendar.

1     **AN ACT to repeal** subchapter VI of chapter 14 [precedes 14.91], 15.06 (2) (c), 15.06  
2         (3) (a) 6., 20.265, 20.923 (4) (g) 1g., 115.001 (13m), 115.745, 118.192 (5), 118.38  
3         (2m), 230.08 (2) (t) and 973.135 (1) (a); **to renumber** 20.255 (4) (g), 20.255 (4)  
4         (m) and 973.135 (1) (am); **to renumber and amend** 15.67, 142.07 (4) and  
5         230.08 (2) (e) 3g.; **to amend** 14.017 (2), 15.01 (2), 15.02 (1), 15.06 (1) (a), 15.06  
6         (4), 15.06 (5), 15.06 (6), 15.07 (2) (f), 15.105 (26) (a) 1., 15.195 (4) (d), 15.197 (11n)  
7         (a) 3., 15.197 (23) (a) 9., 15.347 (4) (c), 15.374 (1), 15.375 (1), 15.375 (2), 15.375  
8         (3) (b) 1., 15.375 (3) (b) 6. (intro.), 15.377 (1), 15.377 (3), 15.377 (4), 15.377 (6),  
9         15.377 (7m), 15.57 (1), 15.707 (1), 15.945 (1), 20.255 (title), 20.255 (2) (ed),  
10         20.255 (2) (r), 20.255 (3) (ec), 20.435 (6) (hx), 20.866 (2) (zh) (title), 24.61 (3) (c)  
11         2. a., 35.24 (1) (a), 36.11 (6) (c), 36.51 (7), 38.04 (7m), 38.04 (11) (a) 2., 38.04 (26),  
12         38.36 (7), 39.285, 39.30 (2) (f), 39.40 (5), 39.41 (2) (c), 39.41 (3) (a), 39.435 (4) (d),  
13         40.02 (55) (a), 43.03 (intro.), 43.05 (13), 43.07 (intro.), 43.07 (2), 43.07 (3), 43.07  
14         (4), 43.07 (5), 43.07 (7), 43.13 (4), 43.70, 48.57 (1) (c), 48.982 (2) (g) (intro.), 60.33  
15         (9) (a), 61.34 (4), 62.12 (9), 66.03 (3) (c), 66.03 (5), 66.30 (6) (g), 101.14 (1) (c),  
16         chapter 115 (title), 115.28 (7) (a), 115.28 (7m), 115.28 (20) (a), 115.28 (20) (b),  
17         115.28 (20) (c), 115.28 (20) (d), 115.28 (20) (e), 115.28 (27), 115.29 (intro.), 115.29

1 (1), 115.29 (2), 115.29 (4), 115.30 (4) (a), 115.30 (4) (c), 115.30 (4) (f), 115.345 (1)  
2 to (4), 115.345 (6) to (8), 115.35 (5) (c), 115.361 (5) (c) 3., 115.40 (4) (a), 115.40  
3 (4) (b), 115.40 (4) (c) (intro.), 115.45 (2) (b), 115.45 (6) (b), 115.47, 115.77 (1),  
4 115.77 (2) (intro.), 115.79 (1) (intro.), 115.79 (1) (d), 115.81 (7), 115.81 (8), 115.85  
5 (2) (c) 2. (intro.), 115.89, 115.93 (1), 116.03 (11), 116.03 (13), 117.03 (2), 117.05  
6 (1), 117.05 (1m), 117.05 (2) (a), 117.05 (10), 118.01 (1), 118.165 (2), 118.167,  
7 118.20 (2), 118.20 (4) to (7), 118.255 (4), 118.37 (3) (b) and (3m) (b), 118.38 (3),  
8 119.04 (title), 119.04 (1), 119.28 (5), 120.17 (8) (bm), 121.006 (1) (a), 121.06 (1),  
9 121.135 (1), 121.15 (2) (c), 121.52 (4), 121.56, 121.58 (5), 121.91 (5) (a), 255.30  
10 (4), 887.23 (1), 967.02 (2), 973.135 (title), 973.135 (2) and 973.135 (3); **to repeal**  
11 **and recreate** 15.227 (24) (a) 4., 15.37, 43.01 (6), 67.03 (1) (b), 73.0305,  
12 subchapter II (title) of chapter 115 [precedes 115.28], 115.28 (3m), 115.48,  
13 116.03 (10), 116.03 (12m), 118.255 (3), 121.17 and 121.845 (3); **to create** 15.07  
14 (1) (b) 22., 15.377 (8), 20.566 (2) (b), 39.27, 118.243 and 973.135 (1) (b) of the  
15 statutes; and **to affect** 1995 Wisconsin Act 27, section 93, 1995 Wisconsin Act  
16 27, section 99, 1995 Wisconsin Act 27, section 207, 1995 Wisconsin Act 27,  
17 section 223m, 1995 Wisconsin Act 27, section 558, 1995 Wisconsin Act 27,  
18 section 560, 1995 Wisconsin Act 27, sections 562 and 563, 1995 Wisconsin Act  
19 27, section 568, 1995 Wisconsin Act 27, section 599, 1995 Wisconsin Act 27,  
20 section 620, 1995 Wisconsin Act 27, section 1200, 1995 Wisconsin Act 27,  
21 sections 1815 to 1840, 1995 Wisconsin Act 27, sections 1851p and 1851t, 1995  
22 Wisconsin Act 27, sections 1853 and 1854, 1995 Wisconsin Act 27, sections 1856  
23 to 1859, 1995 Wisconsin Act 27, sections 1860 and 1861, 1995 Wisconsin Act 27,  
24 sections 1862 to 1887, 1995 Wisconsin Act 27, sections 1887g to 1890, 1995  
25 Wisconsin Act 27, sections 1892 and 1893, 1995 Wisconsin Act 27, section 1894,

1 1995 Wisconsin Act 27, sections 1895 and 1896, 1995 Wisconsin Act 27, sections  
2 1900 to 1911, 1995 Wisconsin Act 27, sections 1918 to 1930, 1995 Wisconsin Act  
3 27, sections 1931 to 1933, 1995 Wisconsin Act 27, sections 1934m to 1945, 1995  
4 Wisconsin Act 27, section 4200, 1995 Wisconsin Act 27, section 9127 (1), 1995  
5 Wisconsin Act 27, section 9145 (1), 1995 Wisconsin Act 27, section 9145 (8g),  
6 1995 Wisconsin Act 27, section 9145 (8h), 1995 Wisconsin Act 27, section 9145  
7 (13q), 1995 Wisconsin Act 27, section 9154, 1995 Wisconsin Act 27, section 9427  
8 (1), 1995 Wisconsin Act 27, section 9427 (2), 1995 Wisconsin Act 27, section 9454  
9 (2), 1995 Wisconsin Act 27, section 9459 (2) (b), 1995 Wisconsin Act 225, section  
10 71 and 1995 Wisconsin Act 225, section 551 (2); **relating to:** the higher  
11 educational aids board and the educational approval board; eliminating the  
12 restructuring of the department of public instruction and the creation of the  
13 education commission; requiring each school district to notify each owner of  
14 taxable property of information about the district's prior year's property tax  
15 levy and rate, about the district's proposed current year's property tax levy and  
16 rate, about the changes in those rates and levies and about the change since the  
17 previous school year in the amount of school aid that the district received; and  
18 making appropriations.

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### *Analysis by the Legislative Reference Bureau*

The 1995-97 biennial budget act (1995 Wisconsin Act 27) made a number of changes with respect to the powers of the state superintendent of public instruction and the name and structure of the department of public instruction (DPI), the higher educational aids board (HEAB) and the educational approval board (EAB). The act:

1. Changed the name of DPI to the department of education (DOE).
2. Created an 11-member education commission, including the state superintendent as chairperson, to function as the policy-making unit for DOE.
3. Vested the administrative powers and duties of DOE in a secretary of education, to be appointed by the governor with senate confirmation.

4. Assigned all duties and powers of the state superintendent to the secretary of education and DOE.

5. Created an office of the state superintendent attached to DOE.

6. Eliminated HEAB, which was an independent agency, and transferred its responsibilities for administering the state's student financial aid system to DOE.

7. Eliminated EAB, which was attached to the technical college system board, and transferred its responsibilities for approving veterans' education and training programs and regulating private vocational and technical schools to DOE.

On March 29, 1996, the Wisconsin supreme court held that certain specified provisions of 1995 Wisconsin Act 27, relating to items 1 to 5, above, were unconstitutional and therefore void. *Thompson v. Craney*, No. 95-2168-0A (March 29, 1996).

This bill revises the statutes, including those sections of the statutes that relate to the constitutional issues but that were not specified by the court, to make them consistent with the court's decision. The bill also reenacts certain provisions of the statutes that were voided by the court but that were unrelated to the constitutional issues before the court.

The court did not explicitly address the elimination of HEAB and EAB and the transfer of their functions to DOE. This bill restores HEAB and EAB but with several modifications. With respect to HEAB, the bill attaches the board to DPI for administrative purposes.

With respect to EAB, the bill restores it to the technical college system board and modifies its membership. Currently, EAB consists of up to 7 members who are appointed to serve at the pleasure of the governor. The bill provides for EAB to consist of 6 members appointed for 6-year terms and a student appointed for a 2-year term. One member must be a representative of a proprietary school and one must be a veteran of the U.S. armed forces. Senate confirmation is required for all members, although the bill allows initial appointees by the governor to serve until they are confirmed by the senate.

This bill also requires each school district, no later than 10 days before the district certifies its levy, to notify each owner of taxable property in the district of the district's previous year's property tax levy and rate and of the district's proposed property tax levy and rate for the current year, of the change, expressed in both a dollar amount and a percentage, from the previous year to the current year in the levy and rate and of the change, expressed in both a dollar amount and a percentage, from the previous school year to the current school year in the state school aid that the district received. The bill provides an appropriation to reimburse school districts for the costs of providing the notice.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 14.017 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is  
2 amended to read:

3           14.017 (2) STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE. There is created  
4 in the office of the governor a state council on alcohol and other drug abuse consisting  
5 of the governor, the attorney general, the ~~secretary of education~~ state superintendent  
6 of public instruction, the secretary of health and social services, the commissioner  
7 of insurance, the secretary of corrections, the secretary of transportation and the  
8 chairperson of the pharmacy examining board, or their designees; a representative  
9 of the controlled substances board; a representative of any governor's committee or  
10 commission created under subch. I of ch. 14 to study law enforcement issues; 6  
11 members, one of whom is a consumer representing the public at large, with  
12 demonstrated professional, research or personal interest in alcohol and other drug  
13 abuse problems, appointed for 4-year terms; a representative of an organization or  
14 agency which is a direct provider of services to alcoholics and other drug abusers; a  
15 member of the Wisconsin County Human Service Association, Inc., who is nominated  
16 by that association; and 2 members of each house of the legislature, representing the  
17 majority party and the minority party in each house, chosen as are the members of  
18 standing committees in their respective houses. Section 15.09 applies to the council.

19           **SECTION 2.** Subchapter VI of chapter 14 [precedes 14.91] of the statutes, as  
20 created by 1995 Wisconsin Act 27, is repealed.

21           **SECTION 3.** 15.01 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is  
22 amended to read:

23           15.01 (2) "Commission" means a 3-member governing body in charge of a  
24 department or independent agency or of a division or other subunit within a  
25 department, ~~except for the education commission which shall consist of 11 members,~~

1 the Wisconsin waterways commission which shall consist of 5 members, the parole  
2 commission which shall consist of 5 members and the Fox river management  
3 commission which shall consist of 7 members. A Wisconsin group created for  
4 participation in a continuing interstate body shall be known as a “commission”, but  
5 is not a commission for purposes of s. 15.06. The parole commission created under  
6 s. 15.145 (1) shall be known as a “commission”, but is not a commission for purposes  
7 of s. 15.06.

8 **SECTION 4.** 15.02 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is  
9 amended to read:

10 15.02 (1) SEPARATE CONSTITUTIONAL OFFICES. The governor, lieutenant governor,  
11 secretary of state, ~~state superintendent of public instruction~~ and state treasurer  
12 each head a staff to be termed the “office” of the respective constitutional officer.

13 **SECTION 5.** 15.06 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27,  
14 is amended to read:

15 15.06 (1) (a) Except as otherwise provided in this subsection and ~~s. 15.37~~, the  
16 members of commissions shall be nominated by the governor, and with the advice  
17 and consent of the senate appointed, for staggered 6-year terms expiring on March  
18 1 of the odd-numbered years.

19 **SECTION 6.** 15.06 (2) (c) of the statutes, as created by 1995 Wisconsin Act 27,  
20 is repealed.

21 **SECTION 7.** 15.06 (3) (a) 6. of the statutes, as created by 1995 Wisconsin Act 27,  
22 is repealed.

23 **SECTION 8.** 15.06 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is  
24 amended to read:

1           15.06 (4) CHAIRPERSON; ADMINISTRATIVE DUTIES. The administrative duties of  
2 each commission, ~~other than the education commission,~~ shall be vested in its  
3 chairperson, to be administered by the chairperson under the statutes and rules of  
4 the commission and subject to the policies established by the commission.

5           **SECTION 9.** 15.06 (5) of the statutes, as affected by 1995 Wisconsin Act 27, is  
6 amended to read:

7           15.06 (5) FREQUENCY OF MEETINGS; PLACE. Every commission shall meet on the  
8 call of the chairperson or a majority of its members, ~~except that the education~~  
9 ~~commission shall meet on the call of the chairperson or a majority of its voting~~  
10 ~~members.~~ Every commission shall maintain its offices in Madison, but may meet or  
11 hold hearings at such other locations as will best serve the citizens of this state.

12           **SECTION 10.** 15.06 (6) of the statutes, as affected by 1995 Wisconsin Act 27, is  
13 amended to read:

14           15.06 (6) QUORUM. A majority of the membership of a commission constitutes  
15 a quorum to do business, ~~except that a majority of the voting members of the~~  
16 ~~education commission constitutes a quorum to do business and except that vacancies~~  
17 shall not prevent a commission from doing business. This subsection does not apply  
18 to the parole commission.

19           **SECTION 11.** 15.07 (1) (b) 22. of the statutes is created to read:

20           15.07 (1) (b) 22. Educational approval board.

21           **SECTION 12.** 15.07 (2) (f) of the statutes, as affected by 1995 Wisconsin Act 27,  
22 is amended to read:

23           15.07 (2) (f) ~~The secretary of education~~ state superintendent of public  
24 instruction or his or her designated representative shall serve as chairperson of the  
25 school district boundary appeal board.

1           **SECTION 13.** 15.105 (26) (a) 1. of the statutes, as affected by 1995 Wisconsin Act  
2 27, is amended to read:

3           15.105 **(26)** (a) 1. An employe of the division for libraries and community  
4 learning in the department of ~~education appointed by the secretary of education~~  
5 public instruction.

6           **SECTION 14.** 15.195 (4) (d) of the statutes, as affected by 1995 Wisconsin Act 27,  
7 is amended to read:

8           15.195 **(4)** (d) The ~~secretary of education~~ state superintendent of public  
9 instruction or his or her designee.

10          **SECTION 15.** 15.197 (11n) (a) 3. of the statutes, as affected by 1995 Wisconsin  
11 Act 27, is amended to read:

12          15.197 **(11n)** (a) 3. The ~~secretary of education~~ state superintendent of public  
13 instruction.

14          **SECTION 16.** 15.197 (23) (a) 9. of the statutes, as affected by 1995 Wisconsin Act  
15 27, is amended to read:

16          15.197 **(23)** (a) 9. One member who has knowledge of the problems of gang  
17 influence and gang violence in public schools, appointed by the ~~secretary of education~~  
18 state superintendent of public instruction.

19          **SECTION 17.** 15.227 (24) (a) 4. of the statutes, as affected by 1995 Wisconsin Act  
20 27, is repealed and recreated to read:

21          15.227 **(24)** (a) 4. The state superintendent of public instruction or the state  
22 superintendent's designee.

23          **SECTION 18.** 15.347 (4) (c) of the statutes, as affected by 1995 Wisconsin Act 27,  
24 is amended to read:



1           15.347 (4) (c) One from the department of ~~education~~ public instruction,  
2 appointed by the ~~secretary of education~~ state superintendent of public instruction.

3           **SECTION 19.** 15.37 of the statutes, as affected by 1995 Wisconsin Act 27, is  
4 repealed and recreated to read:

5           **15.37 Department of public instruction; creation.** There is created a  
6 department of public instruction under the direction and supervision of the state  
7 superintendent of public instruction.

8           **SECTION 20.** 15.374 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
9 is amended to read:

10           15.374 (1) **OFFICE OF EDUCATIONAL ACCOUNTABILITY.** There is created an office of  
11 educational accountability in the department of ~~education~~ public instruction. The  
12 director of the office shall be appointed by the ~~secretary of education~~ state  
13 superintendent of public instruction.

14           **SECTION 21.** 15.375 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
15 is amended to read:

16           15.375 (1) **AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION BOARD.** There is  
17 created an American Indian language and culture education board which is attached  
18 to the department of ~~education~~ public instruction under s. 15.03. The board shall  
19 consist of 13 members appointed by the governor for staggered 4-year terms from  
20 recommendations made by the various Indian tribes, bands and organizations in this  
21 state. The members shall include parents or guardians of American Indian children,  
22 American Indian teachers, school administrators, a school board member, persons  
23 involved in programs for American Indian children and persons experienced in the  
24 training of teachers for American Indian language and culture education programs.  
25 Members shall be appointed so as to be representative of all the American Indian

1 tribes, bands and organizations in this state. In addition to its duties under subch.  
2 IV of ch. 115, the board shall advise the ~~secretary of education~~ state superintendent  
3 of public instruction, the board of regents of the university of Wisconsin system, the  
4 higher educational aids board and the technical college system board on all matters  
5 relating to the education of American Indians. The board does not have rule-making  
6 authority.

7 **SECTION 22.** 15.375 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
8 is amended to read:

9 15.375 (2) SCHOOL DISTRICT BOUNDARY APPEAL BOARD. There is created a school  
10 district boundary appeal board in the department of ~~education~~ public instruction.  
11 The board shall consist of 12 school board members appointed by the ~~secretary of~~  
12 ~~education~~ state superintendent of public instruction for staggered 2-year terms and  
13 the ~~secretary of education~~ state superintendent of public instruction or his or her  
14 designee. Four board members shall be school board members of school districts with  
15 small enrollments, 4 board members shall be school board members of school  
16 districts with medium enrollments and 4 board members shall be school board  
17 members of school districts with large enrollments. No 2 school board members of  
18 the board may reside within the boundaries of the same cooperative educational  
19 service agency.

20 **SECTION 23.** 15.375 (3) (b) 1. of the statutes, as affected by 1995 Wisconsin Act  
21 27, is amended to read:

22 15.375 (3) (b) 1. The ~~secretary of education~~ state superintendent of public  
23 instruction.

24 **SECTION 24.** 15.375 (3) (b) 6. (intro.) of the statutes, as affected by 1995  
25 Wisconsin Act 27, is amended to read:

1           15.375 (3) (b) 6. (intro.) One member, appointed for a 3-year term by the  
2 ~~secretary of education~~ state superintendent of public instruction, to represent each  
3 of the following:

4           **SECTION 25.** 15.377 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
5 is amended to read:

6           15.377 (1) COUNCIL ON THE EDUCATION OF THE BLIND. There is created in the  
7 department of ~~education~~ public instruction a council on the education of the blind  
8 consisting of 3 members, who shall be visually handicapped and shall have a  
9 recognized interest in and a demonstrated knowledge of the problems of the visually  
10 handicapped, appointed by the ~~secretary of education~~ state superintendent of public  
11 instruction for staggered 6-year terms. "Visually handicapped" means having a)  
12 visual acuity equal to or less than 20/70 in the better eye with correcting lenses, or  
13 b) a visual acuity greater than 20/70 in the better eye with correcting lenses, but  
14 accompanied by a limitation in the field of vision such that the widest diameter of the  
15 visual field subtends an angle no greater than 20 degrees.

16           **SECTION 26.** 15.377 (3) of the statutes, as affected by 1995 Wisconsin Act 27,  
17 is amended to read:

18           15.377 (3) COUNCIL ON INSTRUCTIONAL TELECOMMUNICATIONS. There is created  
19 in the department of ~~education~~ public instruction a council on instructional  
20 telecommunications. The ~~secretary of education~~ state superintendent of public  
21 instruction shall appoint one member to represent each of the cooperative  
22 educational service agencies, from nominations made by the boards of control of the  
23 cooperative educational service agencies, and 2 members to represent private  
24 primary and secondary educational institutions. Council members shall be  
25 appointed for 4-year terms.

1           **SECTION 27.** 15.377 (4) of the statutes, as affected by 1995 Wisconsin Act 27,  
2 is amended to read:

3           **15.377 (4) COUNCIL ON EXCEPTIONAL EDUCATION.** There is created in the  
4 department of ~~education~~ public instruction a council on exceptional education  
5 consisting of 15 members appointed by the ~~secretary of education~~ state  
6 superintendent of public instruction for 3-year terms. No more than 7 members of  
7 the council may be persons who do not have children with exceptional educational  
8 needs and who are representatives of the state, school districts, county handicapped  
9 children's education boards or cooperative educational service agencies. At least 5  
10 members of the council shall be parents or guardians of a child with exceptional  
11 educational needs, at least one member of the council shall be a school board member,  
12 at least one member shall be a certified teacher of regular education as defined in s.  
13 115.76 (9) and at least one member shall be a certified teacher of special education.

14           **SECTION 28.** 15.377 (6) of the statutes, as affected by 1995 Wisconsin Act 27,  
15 is amended to read:

16           **15.377 (6) COUNCIL ON LIBRARY AND NETWORK DEVELOPMENT.** There is created in  
17 the department of ~~education~~ public instruction a council on library and network  
18 development composed of 15 members. Seven of the members shall be library  
19 science, audiovisual and informational science professionals representative of  
20 various types of libraries and information services, including public libraries, public  
21 library systems, school libraries, public and private academic libraries, special  
22 libraries and library educators. Eight of the members shall be public members who  
23 have demonstrated an interest in libraries or other types of information services.  
24 The members of the council shall be appointed for 3-year terms. The council shall  
25 meet 6 times annually and shall also meet on the call of the ~~secretary of education~~

1 state superintendent of public instruction, and may meet at other times on the call  
2 of the chairperson or a majority of its members.

3 **SECTION 29.** 15.377 (7m) of the statutes, as affected by 1995 Wisconsin Act 27,  
4 is amended to read:

5 15.377 **(7m)** COUNCIL ON SUICIDE PREVENTION. There is created a council on  
6 suicide prevention in the department of ~~education~~ public instruction. The council  
7 shall consist of 2 persons appointed by the ~~secretary of education~~ state  
8 superintendent of public instruction, at least one of whom is not an employe of the  
9 department of ~~education~~ public instruction, 2 persons appointed by the secretary of  
10 health and social services, at least one of whom is not an employe of the department  
11 of health and social services, one person and one physician appointed jointly by the  
12 ~~secretary of education~~ state superintendent of public instruction and the secretary  
13 of health and social services and one person appointed by the executive staff director  
14 of the office of justice assistance in the department of administration. Members shall  
15 be appointed for 3-year terms.

16 **SECTION 30.** 15.377 (8) of the statutes is created to read:

17 15.377 **(8)** COUNCIL ON FINANCIAL AIDS. There is created in the department of  
18 public instruction a council on financial aids. The council shall consist of 7 students  
19 and 7 financial aid administrators. The higher educational aids board shall establish  
20 appropriate procedures for the selection of students by representative student  
21 groups. To represent the University of Wisconsin System, 3 students shall be  
22 selected. To represent technical college institutions, 2 students shall be selected. To  
23 represent private institutions of higher education, 2 students shall be selected.  
24 Insofar as practicable, the student selection procedures shall provide that within a  
25 reasonable period of time students from all institutions have an opportunity to serve

1 on the council. The Wisconsin Association of Student Financial Aids Administrators  
2 shall select financial aids administrators. To represent the University of Wisconsin  
3 System, 3 financial aids administrators shall be selected. To represent technical  
4 college institutions, 2 financial aids administrators shall be selected. To represent  
5 private institutions of higher education, 2 financial aids administrators shall be  
6 selected.

7 **SECTION 31.** 15.57 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is  
8 amended to read:

9 15.57 (1) The secretary of administration, the ~~secretary of education~~ state  
10 superintendent of public instruction, the president of the university of Wisconsin  
11 system and the director of the technical college system board, or their designees.

12 **SECTION 32.** 15.67 of the statutes is renumbered 15.375 (4) and amended to  
13 read:

14 15.375 (4) (title) HIGHER EDUCATIONAL AIDS BOARD; CREATION. There is created  
15 a higher educational aids board consisting which is attached to the department of  
16 public instruction under s. 15.03. The board shall consist of the state superintendent  
17 of public instruction and 18 members, appointed to serve at the pleasure of the  
18 governor. To represent public institutions of higher education, the governor shall  
19 appoint 3 members of the board of regents of the university of Wisconsin system, 2  
20 members of the technical college system board, one student enrolled at least  
21 half-time and in good academic standing at an institution or center within the  
22 university of Wisconsin system who is at least 18 years old and a resident of this state  
23 and one student enrolled at least half-time and in good academic standing at a  
24 technical college who is at least 18 years old and a resident of this state. To represent  
25 private institutions of higher education, the governor shall appoint 5 members of

1 boards of trustees of independent colleges and universities in this state and one  
2 student enrolled at least half-time and in good academic standing at a private  
3 institution of higher education located in this state who is at least 18 years old and  
4 a resident of this state. The governor shall appoint 5 members to represent the  
5 general public. If a student member loses the status upon which the appointment  
6 was based, he or she shall cease to be a member of the higher educational aids board  
7 upon appointment to the higher educational aids board of a qualified successor.

8 **SECTION 33.** 15.707 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
9 is amended to read:

10 15.707 (1) HISTORICAL MARKERS COUNCIL. There is created in the historical  
11 society a historical markers council. The council shall consist of the director of the  
12 historical society, the ~~secretary of education~~ state superintendent of public  
13 instruction, the secretary of transportation, the secretary of natural resources, the  
14 secretary of tourism, the secretary of veterans affairs, the chairperson of the historic  
15 preservation review board, the president of the Wisconsin trust for historic  
16 preservation and the president of the Wisconsin council for local history, or their  
17 designees. The director of the historical society or a designee shall serve as secretary  
18 of the council.

19 **SECTION 34.** 15.945 (1) of the statutes is amended to read:

20 15.945 (1) EDUCATIONAL APPROVAL BOARD. There is created an educational  
21 approval board which is attached to the technical college system board under s.  
22 15.03. The board shall consist of ~~not more than 7~~ 6 members, ~~who shall be~~  
23 ~~representatives of state agencies and other persons with a demonstrated interest in~~  
24 ~~educational programs appointed to serve at the pleasure of the governor~~ appointed  
25 for 6-year terms, and a student enrolled at least half-time and in good academic

1 standing at a proprietary school approved by the board who is at least 18 years old  
 2 and a resident of this state, appointed for a 2-year term. One member shall be a  
 3 representative of a proprietary school approved by the board and one member shall  
 4 be a person who has served on active duty under honorable conditions in the U.S.  
 5 armed forces or in forces incorporated as part of the U.S. armed forces. If the student  
 6 member loses the status upon which the appointment was based, he or she shall  
 7 cease to be a member of the board upon appointment to the board of a qualified  
 8 successor.

9           **SECTION 35.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
 10 insert the following amounts for the purposes indicated:

	<b>1995-96</b>	<b>1996-97</b>
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12 **20.566 Revenue, department of**

13 (2) STATE AND LOCAL FINANCE

14 (b) *Reimbursement to school dis-*

<i>tricts of their notification costs</i>	GPR	A	-0-	494,000
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16           **SECTION 36.** 20.255 (title) of the statutes, as affected by 1995 Wisconsin Act 27,  
 17 is amended to read:

18           **20.255** (title) **Education Public instruction, department of.**

19           **SECTION 37.** 20.255 (2) (ed) of the statutes, as affected by 1995 Wisconsin Act  
 20 27, is amended to read:

21           20.255 (2) (ed) (title) *Youth service centers, truancy abatement and burglary*  
 22 *suppression.* The amounts in the schedule for youth service centers, ~~truancy~~  
 23 ~~abatement and burglary suppression under 1993 Wisconsin Act 16, section 9145 (1t)~~



1 ~~(b). No moneys may be encumbered under this paragraph after June 30, 1996 s.~~  
2 ~~119.55 (1).~~

3 **SECTION 38.** 20.255 (2) (r) of the statutes, as affected by 1995 Wisconsin Act 27,  
4 is amended to read:

5 20.255 (2) (r) *Driver education; local assistance.* From the transportation fund,  
6 the amounts in the schedule to be distributed to school districts which operate driver  
7 education courses in accordance with s. 121.41 (1). The distribution shall be made  
8 to school districts upon such reports in such form and containing such information  
9 as the ~~department of education~~ state superintendent of public instruction requires.

10 **SECTION 39.** 20.255 (3) (ec) of the statutes, as affected by 1995 Wisconsin Act  
11 27, is amended to read:

12 20.255 (3) (ec) *Wisconsin geography alliance.* The amounts in the schedule for  
13 payments to the Wisconsin geography alliance under s. 115.28 (27). ~~No money may~~  
14 ~~be encumbered from the appropriation under this paragraph after June 30, 1996.~~

15 **SECTION 40.** 20.255 (4) (g) of the statutes, as affected by 1995 Wisconsin Act 27,  
16 is renumbered 20.292 (2) (g).

17 **SECTION 41.** 20.255 (4) (m) of the statutes, as affected by 1995 Wisconsin Act  
18 27, is renumbered 20.292 (2) (m).

19 **SECTION 42.** 20.265 of the statutes, as created by 1995 Wisconsin Act 27, is  
20 repealed.

21 **SECTION 43.** 20.435 (6) (hx) of the statutes, as affected by 1995 Wisconsin Act  
22 27, is amended to read:

23 20.435 (6) (hx) *Services for drivers, receipts.* The amounts in the schedule for  
24 services for drivers. Of the moneys received from the driver improvement surcharge  
25 on court fines and forfeitures authorized under s. 346.655, 15% shall be credited to

1 this appropriation. These moneys may be transferred to sub. (7) (hy) and ss. 20.255  
2 (1) (hm), 20.285 (1) (ia) and 20.455 (5) (h) by the secretary of administration after  
3 consultation with the secretaries of health and social services, ~~education~~ and  
4 transportation, the state superintendent of public instruction, the attorney general  
5 and the president of the university of Wisconsin system.

6 **SECTION 44.** 20.566 (2) (b) of the statutes is created to read:

7 20.566 (2) (b) *Reimbursement to school districts of their notification costs.* The  
8 amounts in the schedule to reimburse school districts for the costs incurred under  
9 s. 118.243.

10 **SECTION 45.** 20.866 (2) (zh) (title) of the statutes, as affected by 1995 Wisconsin  
11 Act 27, is amended to read:

12 20.866 (2) (zh) (title) *Education Public instruction; state schools and library*  
13 *facilities.*

14 **SECTION 46.** 20.923 (4) (g) 1g. of the statutes, as created by 1995 Wisconsin Act  
15 27, is repealed.

16 **SECTION 47.** 24.61 (3) (c) 2. a. of the statutes, as affected by 1995 Wisconsin Act  
17 27, is amended to read:

18 24.61 (3) (c) 2. a. The school board is subject to an order issued by the  
19 ~~department of education~~ state superintendent of public instruction under s. 115.33  
20 (3) after December 31, 1991, regarding noncompliance with the standard under s.  
21 121.02 (1) (i).

22 **SECTION 48.** 35.24 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27,  
23 is amended to read:

24 35.24 (1) (a) The Blue Book shall contain the biographies and pictures of state  
25 officers, senators and representatives to the assembly and officers of each house,

1 information pertaining to the organization of Wisconsin state government, and  
2 statistical and other information of the same general character as that heretofore  
3 published, but so selected and condensed as will limit the number of pages to 1,000  
4 or less. In making such selection the legislative reference bureau is directed to  
5 consult freely with the ~~secretary of education~~ state superintendent of public  
6 instruction and the director of the historical society, and insofar as possible, make  
7 the book useful for civics classes in schools.

8 **SECTION 49.** 36.11 (6) (c) of the statutes, as created by 1995 Wisconsin Act 27,  
9 is amended to read:

10 36.11 (6) (c) By April 10, 1996, and annually thereafter, the board shall develop  
11 and submit to the ~~education commission~~ higher educational aids board for its review  
12 under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435,  
13 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year  
14 to students enrolled in the system.

15 **SECTION 50.** 36.51 (7) of the statutes, as affected by 1995 Wisconsin Act 27, is  
16 amended to read:

17 36.51 (7) All meals served must meet the approval of the board, which shall  
18 establish minimum nutritional standards and reasonable expenditure limits  
19 consistent with the standards and limits established by the ~~department of education~~  
20 state superintendent of public instruction under s. 115.345 (6). The board shall give  
21 special consideration to the dietary problems of elderly persons in formulating a  
22 nutritional plan. However, no center or institution may be required to provide  
23 special foods for individual persons with allergies or medical disorders.

24 **SECTION 51.** 38.04 (7m) of the statutes, as created by 1995 Wisconsin Act 27,  
25 is amended to read:

1           38.04 **(7m)** FINANCIAL AIDS. By April 10, 1996, and annually thereafter, the  
2 board shall develop and submit to the ~~education commission~~ higher educational aids  
3 board for its review under s. 39.285 (1) a proposed formula for the awarding of grants  
4 under s. 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming  
5 academic year to students enrolled in the technical colleges.

6           **SECTION 52.** 38.04 (11) (a) 2. of the statutes, as affected by 1995 Wisconsin Act  
7 27, is amended to read:

8           38.04 **(11)** (a) 2. In consultation with the ~~department of education~~ state  
9 superintendent of public instruction, the board shall establish, by rule, a uniform  
10 format for district boards to use in reporting the number of pupils attending district  
11 schools under ss. 118.15 (1) (b), (cm) and (d) and 118.37 and in reporting pupil  
12 participation in technical preparation programs under s. 118.34, including the  
13 number of courses taken for advanced standing in the district's associate degree  
14 program and for technical college credit. The format shall be identical to the format  
15 established by the ~~department of education~~ state superintendent of public  
16 instruction under s. 115.28 (38).

17           **SECTION 53.** 38.04 (26) of the statutes, as affected by 1995 Wisconsin Act 27,  
18 is amended to read:

19           38.04 **(26)** TECHNICAL PREPARATION PROGRAMS. In consultation with the  
20 ~~department of education~~ state superintendent of public instruction, the board shall  
21 approve courses for technical preparation programs under s. 118.34. By July 1, 1994,  
22 and annually thereafter by July 1, the board shall publish a list of the approved  
23 courses that indicates the schools in which each course is taught and the credit  
24 equivalency available in each district for each course.

1           **SECTION 54.** 38.36 (7) of the statutes, as affected by 1995 Wisconsin Act 27, is  
2 amended to read:

3           38.36 (7) All meals served must meet the approval of the board, which shall  
4 establish minimum nutritional standards and reasonable expenditure limits  
5 consistent with the standards and limits established by the ~~department of education~~  
6 state superintendent of public instruction under s. 115.345 (6). The board shall give  
7 special consideration to the dietary problems of elderly persons in formulating a  
8 nutritional plan. However, no district board may be required to provide special foods  
9 for individual persons with allergies or medical disorders.

10           **SECTION 55.** 39.27 of the statutes is created to read:

11           **39.27 Council on financial aids.** The council on financial aids shall advise  
12 the executive secretary of the board on matters pertaining to the state's student  
13 financial aids programs and shall meet on the call of the executive secretary of the  
14 board.

15           **SECTION 56.** 39.285 of the statutes, as created by 1995 Wisconsin Act 27, is  
16 amended to read:

17           **39.285** (title) ~~Education commission~~ **Board review of proposed**  
18 **formulae.** (1) By May 1, 1996, and annually thereafter, the ~~education commission~~  
19 board shall approve, modify or disapprove any proposed formula for the awarding of  
20 grants for the upcoming academic year submitted under sub. (2) or s. 36.11 (6) (c) or  
21 38.04 (7m).

22           (2) By April 10, 1996, and annually thereafter, the Wisconsin Association of  
23 Independent Colleges and Universities shall develop and submit to the ~~education~~  
24 commission board for its review under sub. (1) a proposed formula for the awarding

1 of grants under s. 39.30 for the upcoming academic year to students enrolled at  
2 private institutions of higher education.

3 **SECTION 57.** 39.30 (2) (f) of the statutes, as created by 1995 Wisconsin Act 27,  
4 is amended to read:

5 39.30 (2) (f) No grants may be awarded under this section unless the applicable  
6 formula submitted under s. 39.285 (2) is approved or modified by the ~~education~~  
7 ~~commission board~~ under s. 39.285 (1).

8 **SECTION 58.** 39.40 (5) of the statutes, as created by 1995 Wisconsin Act 27, is  
9 amended to read:

10 39.40 (5) The ~~department~~ board shall administer the repayment and  
11 forgiveness of loans made under s. 36.25 (16), 1993 stats. The ~~department~~ board  
12 shall treat such loans as if they had been made under sub. (2).

13 **SECTION 59.** 39.41 (2) (c) of the statutes, as affected by 1995 Wisconsin Act 27,  
14 is amended to read:

15 39.41 (2) (c) Subject to sub. (4), for each year the student is exempt from tuition  
16 and fees under par. (a) or (b), the ~~department~~ board shall pay the center, institution  
17 or district school, on behalf of the student, an amount equal to 50% of the student's  
18 tuition and fees, except that the maximum payment for a student who receives an  
19 original scholarship for the 1996-97 academic year or for any academic year  
20 thereafter may not exceed \$1,125 per academic year.

21 **SECTION 60.** 39.41 (3) (a) of the statutes, as affected by 1995 Wisconsin Act 27,  
22 is amended to read:

23 39.41 (3) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,  
24 on a full-time basis, by September 30 of the academic year immediately following the  
25 school year in which the senior was designated a scholar, in a private institution of

1 higher education that is located in this state and participating in the program under  
2 this section, the department board shall pay the institution, on behalf of the pupil,  
3 an amount equal to 50% of the tuition and fees charged a resident undergraduate at  
4 the university of Wisconsin-Madison in the same academic year, except that the  
5 maximum payment for a pupil who receives an original scholarship for the 1996-97  
6 academic year or for any academic year thereafter may not exceed \$1,125 per  
7 academic year.

8 **SECTION 61.** 39.435 (4) (d) of the statutes, as created by 1995 Wisconsin Act 27,  
9 is amended to read:

10 39.435 (4) (d) The awarding of grants under this section is subject to any  
11 formula approved or modified by the ~~education commission~~ board under s. 39.285 (1).

12 **SECTION 62.** 40.02 (55) (a) of the statutes, as affected by 1995 Wisconsin Act 27,  
13 is amended to read:

14 40.02 (55) (a) Any person employed as a librarian by any school board in a  
15 library in any school under its jurisdiction, including a charter school as defined in  
16 s. 115.001 (1), whose qualifications as a librarian are at least equal to the minimum  
17 librarian qualifications prescribed by the ~~department of education~~ state  
18 superintendent of public instruction.

19 **SECTION 63.** 43.01 (6) of the statutes, as affected by 1995 Wisconsin Act 27, is  
20 repealed and recreated to read:

21 43.01 (6) "State superintendent" means the state superintendent of public  
22 instruction.

23 **SECTION 64.** 43.03 (intro.) of the statutes, as affected by 1995 Wisconsin Act 27,  
24 is amended to read:

1           **43.03** (title) **General duties of ~~department~~ state superintendent**. (intro.)

2           The ~~department~~ state superintendent shall:

3           **SECTION 65.** 43.05 (13) of the statutes, as affected by 1995 Wisconsin Act 27,  
4           is amended to read:

5           43.05 **(13)** Carry out such other programs and policies as directed by the  
6           ~~department~~ state superintendent.

7           **SECTION 66.** 43.07 (intro.) of the statutes, as affected by 1995 Wisconsin Act 27,  
8           is amended to read:

9           **43.07 Council on library and network development.** (intro.) The  
10          ~~department~~ state superintendent and the division shall seek the advice of and  
11          consult with the council on library and network development in performing their  
12          duties in regard to library service. The ~~secretary~~ state superintendent or the  
13          administrator of the division shall attend every meeting of the council. The council  
14          may initiate consultations with the department and the division. The council shall:

15          **SECTION 67.** 43.07 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is  
16          amended to read:

17          43.07 **(2)** Advise the ~~secretary~~ state superintendent in regard to the general  
18          policies and activities of the state's program for library development, interlibrary  
19          cooperation and network development.

20          **SECTION 68.** 43.07 (3) of the statutes, as affected by 1995 Wisconsin Act 27, is  
21          amended to read:

22          43.07 **(3)** Advise the ~~secretary~~ state superintendent in regard to the general  
23          policies and activities of the state's program for the development of school library  
24          media programs and facilities and the coordination of these programs with other  
25          library services.



1           **SECTION 69.** 43.07 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is  
2 amended to read:

3           43.07 (4) Hold a biennial meeting for the purpose of discussing the report  
4 submitted by the ~~department~~ state superintendent under s. 43.03 (3) (d). Notice of  
5 the meeting shall be sent to public libraries, public library systems, school libraries  
6 and other types of libraries and related agencies. After the meeting, the council shall  
7 make recommendations to the ~~department~~ state superintendent regarding the  
8 report and any other matter the council deems appropriate.

9           **SECTION 70.** 43.07 (5) of the statutes, as affected by 1995 Wisconsin Act 27, is  
10 amended to read:

11           43.07 (5) On or before July 1 of every odd-numbered year, transmit to the  
12 ~~department~~ state superintendent a descriptive and statistical report on the  
13 condition and progress of library services in the state and recommendations on how  
14 library services in the state may be improved. The ~~department~~ state superintendent  
15 shall include the report as an addendum to the department's biennial report under  
16 s. 15.04 (1) (d).

17           **SECTION 71.** 43.07 (7) of the statutes, as affected by 1995 Wisconsin Act 27, is  
18 amended to read:

19           43.07 (7) Receive complaints, suggestions and inquiries regarding the  
20 programs and policies of the department relating to library and network  
21 development, inquire into such complaints, suggestions and inquiries, and advise  
22 the ~~secretary~~ state superintendent and the division on any action to be taken.

23           **SECTION 72.** 43.13 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is  
24 amended to read:

1           43.13 (4) Any decision by the division under this section may be appealed to  
2 the department state superintendent.

3           **SECTION 73.** 43.70 of the statutes, as affected by 1995 Wisconsin Act 27, is  
4 amended to read:

5           **43.70 Common school fund.** (1) No later than October 15 of each year, each  
6 school district administrator shall certify to the department state superintendent,  
7 on forms provided by the department state superintendent, a report of the total  
8 number of children between the ages of 4 and 20 years residing in the school district  
9 on the preceding June 30. The number may be estimated by using statistically  
10 significant sampling techniques that have been approved by the department state  
11 superintendent.

12           (2) Annually, within 40 days after December 1, the department state  
13 superintendent shall ascertain the aggregate amount of all moneys received as  
14 income in the common school fund prior to that December 1 and shall apportion such  
15 amount to the school districts in proportion to the number of children resident  
16 therein between the ages of 4 and 20 years, as shown by the census report certified  
17 under sub. (1).

18           (3) Immediately upon making such apportionment, the department state  
19 superintendent shall certify to the department of administration the amount that  
20 each school district is entitled to receive under this section and shall notify each  
21 school district administrator of the amount so certified for his or her school district.  
22 Within 15 days after receiving such certification, the department of administration  
23 shall issue its warrants upon which the state treasurer shall pay the amount  
24 apportioned forthwith to the proper school district treasurer. All moneys  
25 apportioned from the common school fund shall be expended for the purchase of

1 library books and other instructional materials for school libraries, but not for public  
2 library facilities operated by school districts under s. 43.52, in accordance with rules  
3 promulgated by the ~~department~~ state superintendent. Appropriate records of such  
4 purchases shall be kept and necessary reports thereon shall be made to the  
5 ~~department~~ state superintendent.

6 **SECTION 74.** 48.57 (1) (c) of the statutes, as affected by 1995 Wisconsin Act 27,  
7 is amended to read:

8 48.57 (1) (c) To provide appropriate protection and services for children in its  
9 care, including providing services for children and their families in their own homes,  
10 placing the children in licensed foster homes, licensed treatment foster homes or  
11 licensed group homes in this state or another state within a reasonable proximity to  
12 the agency with legal custody or contracting for services for them by licensed child  
13 welfare agencies, except that the county department shall not purchase the  
14 educational component of private day treatment programs unless the county  
15 department, the school board as defined in s. 115.001 (7) and the ~~department of~~  
16 ~~education~~ state superintendent of public instruction all determine that an  
17 appropriate public education program is not available. Disputes between the county  
18 department and the school district shall be resolved by the ~~department of education~~  
19 state superintendent of public instruction.

20 **SECTION 75.** 48.982 (2) (g) (intro.) of the statutes, as affected by 1995 Wisconsin  
21 Act 27, is amended to read:

22 48.982 (2) (g) (intro.) In coordination with the departments of health and social  
23 services and ~~education~~ public instruction:

24 **SECTION 76.** 60.33 (9) (a) of the statutes, as affected by 1995 Wisconsin Act 27,  
25 is amended to read:

1           60.33 (9) (a) Perform the clerk's duties under chs. 115 to 121, relating to  
2           education public instruction.

3           **SECTION 77.** 61.34 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is  
4           amended to read:

5           61.34 (4) VILLAGE FINANCES. The village board may levy and provide for the  
6           collection of taxes and special assessments; may refund any tax or special  
7           assessment paid, or any part thereof, when satisfied that the same was unjust or  
8           illegal; and generally may manage the village finances. The village board may loan  
9           money to any school district located within the village or within which the village is  
10          wholly or partially located in such sums as are needed by such district to meet the  
11          immediate expenses of operating the schools thereof, and the board of the district  
12          may borrow money from such village accordingly and give its note therefor. No such  
13          loan shall be made to extend beyond August 30 next following the making thereof or  
14          in an amount exceeding one-half of the estimated receipts for such district as  
15          certified by the ~~department of education~~ state superintendent of public instruction  
16          and the local school clerk. The rate of interest on any such loan shall be determined  
17          by the village board.

18          **SECTION 78.** 62.12 (9) of the statutes, as affected by 1995 Wisconsin Act 27, is  
19          amended to read:

20          62.12 (9) LOANS. The council may loan money to any school district located  
21          within the city, or within which the city is wholly or partially located, in such sums  
22          as are needed by such district to meet the immediate expenses of operating the  
23          schools thereof, and the board of the district may borrow money from such city  
24          accordingly and give its note therefor. No such loan shall be made to extend beyond  
25          August 30 next following the making thereof or in an amount exceeding one-half of

1 the estimated receipts for such district as certified by the ~~department of education~~  
2 state superintendent of public instruction and the local school clerk. The rate of  
3 interest on any such loan shall be determined by the city council.

4 **SECTION 79.** 66.03 (3) (c) of the statutes, as affected by 1995 Wisconsin Act 27,  
5 is amended to read:

6 66.03 (3) (c) When as a result of any annexation whereby a school district is left  
7 without a school building, any moneys are received by such school district as a result  
8 of the division of assets and liabilities required by s. 66.03, which are derived from  
9 values that were capital assets, such moneys and interest thereon shall be held in  
10 trust by such school district and dispensed only for procuring new capital assets or  
11 remitted to an operating district as the remainder of the suspended district becomes  
12 a part of such operating district, and shall in no case be used to meet current  
13 operating expenditures. This shall include any funds in the hands of any district  
14 officers on July 1, 1953, resulting from such action previously taken under s. 66.03.  
15 The boards involved shall, as part of their duties in division of assets and liabilities  
16 in school districts, make a written report of the allocation of assets and liabilities to  
17 the ~~department of education~~ state superintendent of public instruction and any local  
18 superintendent of schools whose territory is involved in the division of assets.

19 **SECTION 80.** 66.03 (5) of the statutes, as affected by 1995 Wisconsin Act 216,  
20 is amended to read:

21 66.03 (5) APPORTIONMENT BOARD. The boards or councils of the municipalities,  
22 or committees, thereof selected for that purpose, acting together, shall constitute an  
23 apportionment board. When any municipality is dissolved by reason of all of its  
24 territory being so transferred the board or council thereof existing at the time of such  
25 dissolution shall, for the purpose of this section, continue to exist as the governing

1 body of such municipality until there has been an apportionment of assets by  
2 agreement of the interested municipalities or by an order of the circuit court. After  
3 an agreement for apportionment of assets has been entered into between the  
4 interested municipalities, or an order of the circuit court becomes final, a copy of such  
5 apportionment agreement, or of such order, certified to by the clerks of the interested  
6 municipalities, shall be filed with the department of revenue, the department of  
7 natural resources, the department of transportation, the ~~department of education~~  
8 state superintendent of public instruction, the department of administration, and  
9 with any other department or agency of the state from which the town may be  
10 entitled by law to receive funds or certifications or orders relating to the distribution  
11 or disbursement of funds, with the county treasurer, with the treasurer of any  
12 municipality, or with any other entity from which payment would have become due  
13 if such dissolved municipality from which such territory was transferred had  
14 continued in existence. Subject to ss. 79.006 and 86.303 (4), thereafter payments  
15 from the shared revenue account made pursuant to ch. 79, payments of forest crop  
16 taxes under s. 77.05, of transportation aids under s. 20.395, of state aids for school  
17 purposes under ch. 121, payments for managed forest land under subch. VI of ch. 77  
18 and all payments due from a department or agency of the state, from a county, from  
19 a municipality, or from any other entity from which payments would have become  
20 due if such dissolved municipality from which such territory was transferred had  
21 continued in existence, shall be paid to the interested municipality as provided by  
22 such agreement for apportionment of assets or by any order of apportionment by the  
23 circuit court and such payments shall have the same force and effect as if made to  
24 the dissolved municipality from which such territory was transferred.

1           **SECTION 81.** 66.30 (6) (g) of the statutes, as affected by 1995 Wisconsin Act 27,  
2 is amended to read:

3           66.30 **(6)** (g) At least 30 days prior to entering into a contract under this  
4 subsection or a modification or extension of the contract, the school boards of the  
5 districts involved or their designated agent shall file the proposed agreement with  
6 ~~the department of education~~ state superintendent of public instruction to enable the  
7 ~~department~~ state superintendent or state superintendent's designee to assist and  
8 advise the school boards involved in regard to the applicable recognized accounting  
9 procedure for the administration of the school aid programs. ~~The department of~~  
10 ~~education~~ state superintendent shall review the terms of the proposed contract to  
11 ensure that each participating district's interests are protected.

12           **SECTION 82.** 67.03 (1) (b) of the statutes, as affected by 1995 Wisconsin Act 27,  
13 is repealed and recreated to read:

14           67.03 **(1)** (b) For any school district which offers no less than grades 1 to 12 and  
15 which at the time of incurring such debt is eligible to receive state aid under s. 121.08,  
16 10% of such equalized value shall be permitted. Any school district about to incur  
17 indebtedness may apply to the state superintendent of public instruction for, and the  
18 state superintendent may issue, a certificate as to the eligibility of the school district  
19 to receive state aid under s. 121.08, which certificate shall be conclusive as to such  
20 eligibility for 30 days, but not beyond the next June 30.

21           **SECTION 83.** 73.0305 of the statutes, as affected by 1995 Wisconsin Act 27, is  
22 repealed and recreated to read:

23           **73.0305 Revenue limits calculations.** The department of revenue shall  
24 annually determine and certify to the state superintendent of public instruction, no  
25 later than the 4th Monday in June, the allowable rate of increase for the limit

1 imposed under subch. VII of ch. 121. For that limit, the allowable rate of increase  
2 is the percentage change in the consumer price index for all urban consumers, U.S.  
3 city average, between the preceding March 31 and the 2nd preceding March 31, as  
4 computed by the federal department of labor.

5 **SECTION 84.** 101.14 (1) (c) of the statutes, as affected by 1995 Wisconsin Act 27,  
6 is amended to read:

7 101.14 (1) (c) The department is hereby empowered and directed to provide the  
8 form of a course of study in fire prevention for use in the public schools, dealing with  
9 the protection of lives and property against loss or damage as a result of preventable  
10 fires, and transmit the same by the first day of August in each year to the ~~department~~  
11 of education state superintendent of public instruction.

12 **SECTION 85.** Chapter 115 (title) of the statutes, as affected by 1995 Wisconsin  
13 Act 27, is amended to read:

14 **CHAPTER 115**

15 **DEPARTMENT OF EDUCATION STATE**

16 **SUPERINTENDENT; GENERAL**

17 **CLASSIFICATIONS AND DEFINITIONS;**

18 **HANDICAPPED CHILDREN**

19 **SECTION 86.** 115.001 (13m) of the statutes, as created by 1995 Wisconsin Act  
20 27, is repealed.

21 **SECTION 87.** Subchapter II (title) of chapter 115 [precedes 115.28] of the  
22 statutes, as affected by 1995 Wisconsin Act 27, is repealed and recreated to read:

23 **CHAPTER 115**

24 **SUBCHAPTER II**



1 STATE SUPERINTENDENT OF  
2 PUBLIC INSTRUCTION

3 **SECTION 88.** 115.28 (3m) of the statutes, as affected by 1995 Wisconsin Act 27,  
4 is repealed and recreated to read:

5 115.28 (3m) SUPERVISION OF COOPERATIVE EDUCATIONAL SERVICE AGENCIES; RULES.

6 (a) Supervise and audit the receipts and expenditures of the cooperative educational  
7 service agencies, conduct program review of the agencies, approve agency  
8 evaluations, supervise boundary reorganization where necessary, advise the  
9 administrators of the agencies and provide assistance in organizing the agencies  
10 throughout the state.

11 (b) Promulgate rules establishing procedures for the reorganization of  
12 cooperative educational service agencies and boundary appeals.

13 (c) Every 3rd year as scheduled by the department, report to the appropriate  
14 standing committees of the legislature under s. 13.172 (3) on all cooperative  
15 educational service agency programs and services. The report shall include  
16 information on the efficiency and effectiveness of the programs and services.

17 **SECTION 89.** 115.28 (7) (a) of the statutes, as affected by 1995 Wisconsin Act 27,  
18 is amended to read:

19 115.28 (7) (a) License all teachers for the public schools of the state, make rules  
20 establishing standards of attainment and procedures for the examination and  
21 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.192 and  
22 118.195, prescribe by rule standards and procedures for the approval of teacher  
23 preparatory programs leading to licensure, file in the secretary's state  
24 superintendent's office all papers relating to state teachers' licenses and register  
25 each such license.

1           **SECTION 90.** 115.28 (7m) of the statutes, as affected by 1995 Wisconsin Act 27,  
2 is amended to read:

3           115.28 **(7m)** CERTIFICATION OF SCHOOL NURSES. Certify school nurses, make  
4 rules for the examination and certification of school nurses and file in the ~~secretary's~~  
5 state superintendent's office all papers relating to school nurses certification and  
6 register each such certification.

7           **SECTION 91.** 115.28 (20) (a) of the statutes, as affected by 1995 Wisconsin Act  
8 27, is amended to read:

9           115.28 **(20)** (a) Advise the ~~secretary~~ state superintendent on funding criteria  
10 and evaluation plans for grant programs for the school district operating under ch.  
11 119.

12           **SECTION 92.** 115.28 (20) (b) of the statutes, as affected by 1995 Wisconsin Act  
13 27, is amended to read:

14           115.28 **(20)** (b) Advise the ~~secretary~~ state superintendent on the programs that  
15 meet or do not meet the funding criteria.

16           **SECTION 93.** 115.28 (20) (c) of the statutes, as affected by 1995 Wisconsin Act  
17 27, is amended to read:

18           115.28 **(20)** (c) Assist the ~~secretary~~ state superintendent in monitoring the  
19 progress of funded programs.

20           **SECTION 94.** 115.28 (20) (d) of the statutes, as affected by 1995 Wisconsin Act  
21 27, is amended to read:

22           115.28 **(20)** (d) Recommend to the ~~secretary~~ state superintendent needed  
23 changes in statutes or rules relating to grant programs.

24           **SECTION 95.** 115.28 (20) (e) of the statutes, as affected by 1995 Wisconsin Act  
25 27, is amended to read:

1           115.28 (20) (e) Submit to the secretary state superintendent an annual report  
2 detailing the council's activities, accomplishments and projected needs.

3           **SECTION 96.** 115.28 (27) of the statutes, as affected by 1995 Wisconsin Act 27,  
4 is amended to read:

5           115.28 (27) WISCONSIN GEOGRAPHY ALLIANCE. Annually allocate the amount in  
6 the appropriation under s. 20.255 (3) (ec) to the Wisconsin geography alliance to train  
7 teachers and develop curricula for primary and secondary education in geography.  
8 ~~This subsection does not apply after June 30, 1996.~~

9           **SECTION 97.** 115.29 (intro.) of the statutes, as affected by 1995 Wisconsin Act  
10 27, is amended to read:

11           **115.29 General powers.** (intro.) The secretary state superintendent may:

12           **SECTION 98.** 115.29 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
13 is amended to read:

14           115.29 (1) DESIGNATE REPRESENTATIVE. Designate the deputy secretary state  
15 superintendent or another employe of the department as the secretary's state  
16 superintendent's representative on any body on which the secretary state  
17 superintendent is required to serve, except the board of regents of the university of  
18 Wisconsin system.

19           **SECTION 99.** 115.29 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
20 is amended to read:

21           115.29 (2) EDUCATIONAL MEETINGS. Attend such educational meetings and make  
22 such investigations as the secretary state superintendent deems important and as  
23 will acquaint the secretary state superintendent with the different systems of public  
24 schools in the United States.

1           **SECTION 100.** 115.29 (4) of the statutes, as affected by 1995 Wisconsin Act 27,  
2 is amended to read:

3           **115.29 (4) HIGH SCHOOL GRADUATION EQUIVALENCY.** Grant declarations of  
4 equivalency of high school graduation to persons, if in the secretary's state  
5 superintendent's judgment they have presented satisfactory evidence of having  
6 completed a recognized high school course of study or its equivalent. The secretary  
7 state superintendent may establish the standards by which high school graduation  
8 equivalency is determined. Such standards may consist of evidence of high school  
9 courses completed in high schools recognized by the proper authorities as accredited,  
10 results of examinations given by or at the request of the secretary state  
11 superintendent, successful completion of correspondence study courses given by  
12 acceptable correspondence study schools, a general educational development  
13 certificate of high school equivalency issued by an agency of the U.S. government,  
14 course credits received in schools meeting the approval of the secretary state  
15 superintendent or other standards established by the secretary state  
16 superintendent.

17           **SECTION 101.** 115.30 (4) (a) of the statutes, as affected by 1995 Wisconsin Act  
18 27, is amended to read:

19           **115.30 (4) (a)** The condition of all schools under the department's state  
20 superintendent's supervision.

21           **SECTION 102.** 115.30 (4) (c) of the statutes, as affected by 1995 Wisconsin Act  
22 27, is amended to read:

23           **115.30 (4) (c)** The secretary's state superintendent's visits to educational  
24 institutions.

1           **SECTION 103.** 115.30 (4) (f) of the statutes, as affected by 1995 Wisconsin Act  
2 27, is amended to read:

3           115.30 (4) (f) A summary of the receipts and disbursements of all schools under  
4 the ~~department's~~ state superintendent's jurisdiction.

5           **SECTION 104.** 115.345 (1) to (4) of the statutes, as affected by 1995 Wisconsin  
6 Act 27, are amended to read:

7           115.345 (1) Any school district approved by the department state  
8 superintendent may establish a system to provide the opportunity for authorized  
9 elderly persons to participate in its school lunch program. If a school board desires  
10 to establish such a service, it shall develop a plan for the provision of food services  
11 for elderly persons and submit the plan to the ~~department~~ state superintendent.  
12 Upon petition of 5% of the voters in the school district who voted in the last school  
13 board election, the school board shall formulate a food services plan, provided that  
14 hot food service facilities are available to school children in the district.

15           (2) Each plan shall provide at least one meal per day for each day that school  
16 is in regular session. The school board may provide additional service at other times  
17 in its discretion, if the number of eligible persons in the district or adjacent districts  
18 is of sufficient size, in the opinion of the ~~department~~ state superintendent, so that  
19 unwarranted production expense is not incurred.

20           (3) Any school board which operates a food services plan for elderly persons  
21 under this section shall make facilities available for service to elderly persons at  
22 every high school and junior high school in the district which provides hot food  
23 service to its students. Upon application, the ~~department~~ state superintendent may  
24 grant exceptions from compliance with this subsection for reasons of safety,

1 convenience or insufficient interest in a given neighborhood. The school board may,  
2 in addition, provide service at elementary schools if desired.

3 (4) Meals may be served at schools where they are served to students or at any  
4 site more convenient to the majority of authorized elderly persons interested in the  
5 service. Food may be transported to authorized elderly persons who are unable to  
6 leave their homes or distributed to nonprofit organizations for such purposes.  
7 However, no state funds under this section may be used for food delivery to individual  
8 homes. The ~~department~~ state superintendent may require consolidation of  
9 programs between districts and between schools if such a procedure will be  
10 convenient and economical.

11 **SECTION 105.** 115.345 (6) to (8) of the statutes, as affected by 1995 Wisconsin  
12 Act 27, are amended to read:

13 115.345 (6) All meals served must meet the approval of the ~~department which~~  
14 state superintendent who shall establish minimum nutritional standards not  
15 inconsistent with federal standards and reasonable expenditure limits such that the  
16 average cost per meal is not excessive. The ~~department~~ state superintendent shall  
17 give special consideration to dietary problems of elderly persons in formulating a  
18 nutritional plan. However, no school board shall be required to provide special foods  
19 for individual persons with allergies or medical disorders.

20 (7) Participants in a program under this section may be required to document  
21 their Wisconsin residency in a manner approved by the department. The  
22 ~~department~~ state superintendent may issue identification cards to such persons if  
23 necessary.

24 (7m) A private school may establish a food services plan for elderly persons.  
25 If the plan meets all of the requirements of this section and is approved by the

1 ~~department~~ state superintendent, the private school is eligible for reimbursement  
2 in the same manner as school districts under sub. (5).

3 **(8)** The ~~department~~ state superintendent shall adopt reasonable rules  
4 necessary to implement this section.

5 **SECTION 106.** 115.35 (5) (c) of the statutes, as affected by 1995 Wisconsin Act  
6 27, is amended to read:

7 115.35 **(5)** (c) As to the ~~department's~~ state superintendent's recommendations  
8 to improve such programs and cooperation.

9 **SECTION 107.** 115.361 (5) (c) 3. of the statutes, as affected by 1995 Wisconsin  
10 Act 27, is amended to read:

11 115.361 **(5)** (c) 3. Annually by July 1, evaluate the programs funded under this  
12 subsection and submit a report describing its his or her conclusions and  
13 recommendations to the chief clerk of each house of the legislature for distribution  
14 to the appropriate standing committees under s. 13.172 (3).

15 **SECTION 108.** 115.40 (4) (a) of the statutes, as affected by 1995 Wisconsin Act  
16 27, is amended to read:

17 115.40 **(4)** (a) The ~~secretary~~ state superintendent and the secretary of health  
18 and social services shall provide technical assistance to and consult with applicants  
19 regarding the preparation of their applications.

20 **SECTION 109.** 115.40 (4) (b) of the statutes, as affected by 1995 Wisconsin Act  
21 27, is amended to read:

22 115.40 **(4)** (b) The ~~secretary~~ state superintendent and the secretary of health  
23 and social services shall review the applications and jointly determine the grant  
24 recipients and the amount of each grant. A grant may not be awarded to a school  
25 board, agency or organization unless the percentage of the participating school

1 district's membership in the previous school year for whom aid to families with  
2 dependent children was being received under s. 49.19 was greater than 5%. In this  
3 paragraph, "membership" has the meaning given in s. 121.004 (5).

4 **SECTION 110.** 115.40 (4) (c) (intro.) of the statutes, as affected by 1995 Wisconsin  
5 Act 27, is amended to read:

6 115.40 (4) (c) (intro.) The ~~secretary~~ state superintendent and the secretary of  
7 health and social services shall give preference in awarding grants under this section  
8 to all of the following:

9 **SECTION 111.** 115.45 (2) (b) of the statutes, as affected by 1995 Wisconsin Act  
10 27, is amended to read:

11 115.45 (2) (b) The council for Milwaukee public schools grant programs under  
12 s. 115.28 (20) shall review the applications submitted under par. (a) and make  
13 recommendations to the ~~secretary~~ state superintendent regarding the schools to be  
14 selected and amounts of the grants to be awarded. The council's recommendations  
15 shall be based upon and include information regarding the degree to which the  
16 proposed projects will effectively meet the requirements under sub. (4).

17 **SECTION 112.** 115.45 (6) (b) of the statutes, as affected by 1995 Wisconsin Act  
18 27, is amended to read:

19 115.45 (6) (b) By March 1, 1986, and annually thereafter, submit to the joint  
20 committee on finance and the chief clerk of each house of the legislature, for  
21 distribution to the appropriate standing committees under s. 13.172 (3), a budget  
22 report detailing the grants ~~the department~~ he or she intends to award under this  
23 section in the next fiscal year. The report shall provide summary data on the results  
24 of the annual testing required under sub. (4) (b) and include a description of the  
25 guidelines used to determine the individual schools and private service providers



1 that will receive funds under this section and the types of expenditures eligible for  
2 such funds.

3 **SECTION 113.** 115.47 of the statutes, as affected by 1995 Wisconsin Act 27, is  
4 amended to read:

5 **115.47 Designated state official under agreement.** The “designated state  
6 official” for this state under s. 115.46 shall be the ~~secretary~~ state superintendent.

7 **SECTION 114.** 115.48 of the statutes, as affected by 1995 Wisconsin Act 27, is  
8 repealed and recreated to read:

9 **115.48 Contracts under agreement.** True copies of all contracts made on  
10 behalf of this state pursuant to the agreement shall be kept on file in the department  
11 and in the office of the secretary of state. The department shall publish all such  
12 contracts in convenient form.

13 **SECTION 115.** 115.745 of the statutes, as affected by 1995 Wisconsin Act 27, is  
14 repealed.

15 **SECTION 116.** 115.77 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
16 is amended to read:

17 115.77 (1) APPOINTMENT OF ADMINISTRATOR. ~~The secretary~~ state superintendent  
18 shall appoint the administrator.

19 **SECTION 117.** 115.77 (2) (intro.) of the statutes, as affected by 1995 Wisconsin  
20 Act 27, is amended to read:

21 115.77 (2) DUTIES OF ADMINISTRATOR. (intro.) Subject to the direction of the  
22 ~~secretary~~ state superintendent, the administrator:

23 **SECTION 118.** 115.79 (1) (intro.) of the statutes, as affected by 1995 Wisconsin  
24 Act 27, is amended to read:

1           115.79 (1) (intro.) The secretary state superintendent shall consult with the  
2 council on exceptional education concerning:

3           **SECTION 119.** 115.79 (1) (d) of the statutes, as affected by 1995 Wisconsin Act  
4 27, is amended to read:

5           115.79 (1) (d) Any other matters upon which the secretary state  
6 superintendent wishes the council's opinion.

7           **SECTION 120.** 115.81 (7) of the statutes, as affected by 1995 Wisconsin Act 27,  
8 is amended to read:

9           115.81 (7) (title) APPEAL TO DEPARTMENT STATE SUPERINTENDENT. Within 45 days  
10 after the decision of the hearing officer under sub. (6), either party may appeal the  
11 decision to the department state superintendent. An appeal under this subsection  
12 shall be initiated by filing a written request for review with the department state  
13 superintendent. The request for review shall contain a brief statement of the  
14 grounds on which the review is requested and shall be served on all parties. The  
15 secretary state superintendent shall appoint an impartial reviewing officer to  
16 conduct the appeal. The reviewing officer shall review the record established at the  
17 hearing under sub. (6) and issue a written decision within 30 days of receipt of the  
18 request for review. A reviewing officer may receive additional testimony and may  
19 grant specific extensions of time for cause at the request of either party.

20           **SECTION 121.** 115.81 (8) of the statutes, as affected by 1995 Wisconsin Act 27,  
21 is amended to read:

22           115.81 (8) APPEAL TO COURT. Within 45 days after the decision of the reviewing  
23 officer appointed by the secretary state superintendent under sub. (7), either party  
24 may appeal the decision to the circuit court for the county in which the child resides.

1           **SECTION 122.** 115.85 (2) (c) 2. (intro.) of the statutes, as affected by 1995  
2    Wisconsin Act 27, is amended to read:

3           115.85 (2) (c) 2. (intro.) The ~~department~~ state superintendent shall approve a  
4    placement in a public special education program located in another state if ~~the~~  
5    ~~department~~ he or she determines that the program is appropriate to meet the child's  
6    exceptional educational needs and that:

7           **SECTION 123.** 115.89 of the statutes, as affected by 1995 Wisconsin Act 27, is  
8    amended to read:

9           **115.89 Noncomplying school district; remedies.** (1) If, after a public  
10   hearing in the school district or as the result of a monitoring procedure or a complaint  
11   investigation, the ~~department~~ state superintendent finds that a school board has  
12   violated this subchapter or the rules promulgated under this subchapter, the  
13   ~~department~~ state superintendent may make recommendations to the school board  
14   to remedy the violation and may require the school board to submit a remedial plan  
15   incorporating such recommendations.

16           (3) If, after consultation with the school board, the ~~department~~ state  
17   superintendent finds that the remedial plan has not incorporated ~~the department's~~  
18   his or her recommendations, or that its implementation has been inadequate to  
19   ensure compliance with this subchapter and the rules promulgated under this  
20   subchapter, the ~~department~~ state superintendent shall request the attorney general  
21   to proceed against the school district for injunctive or other appropriate relief.

22           **SECTION 124.** 115.93 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
23    is amended to read:

24           115.93 (1) Except as provided under sub. (2), if upon receipt of the reports under  
25    s. 115.92 (2) the ~~department~~ state superintendent is satisfied that the school age

1 parents program has been maintained during the preceding school year in  
2 accordance with the rules under s. 115.92 (3), the department state superintendent  
3 shall certify to the department of administration in favor of each school district  
4 maintaining the program a sum equal to 63% of the amount expended by the school  
5 district during the preceding school year for salaries of teachers and instructional  
6 aides, special transportation and other expenses approved by the department state  
7 superintendent. The department of administration shall pay such amounts to the  
8 school district from the appropriation under s. 20.255 (2) (b).

9 **SECTION 125.** 116.03 (10) of the statutes, as affected by 1995 Wisconsin Act 27,  
10 is repealed and recreated to read:

11 116.03 (10) Authorize the expenditure of money for the purposes set forth in  
12 this chapter and for the actual and necessary expenses of the board of control and  
13 agency administrator and for the acquisition of equipment, space and personnel. All  
14 accounts of the agency shall be paid by check, share draft or other draft signed by the  
15 chairperson and secretary to the board of control.

16 **SECTION 126.** 116.03 (11) of the statutes, as affected by 1995 Wisconsin Act 27,  
17 is amended to read:

18 116.03 (11) Establish the salaries of the agency administrator and other  
19 professional and nonprofessional employees. State reimbursement for the cost of the  
20 salary of the agency administrator shall be equal to the actual salary paid or the  
21 maximum of the salary range for public instruction supervisors ~~in the department~~  
22 under the state superintendent, whichever is less.

23 **SECTION 127.** 116.03 (12m) of the statutes, as created by 1995 Wisconsin Act  
24 27, is repealed and recreated to read:

1           116.03 (12m) Every 3rd year as scheduled by the state superintendent, provide  
2 to the school board of each school district in the agency an accountability plan that  
3 addresses both the efficiency and effectiveness of all agency programs and services.

4           **SECTION 128.** 116.03 (13) of the statutes, as affected by 1995 Wisconsin Act 27,  
5 is amended to read:

6           116.03 (13) Every 3rd year, as scheduled by the department state  
7 superintendent, submit to the department state superintendent for its his or her  
8 approval an evaluation of agency programs and services.

9           **SECTION 129.** 117.03 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
10 is amended to read:

11           117.03 (2) "Appeal panel" means a panel appointed by the secretary state  
12 superintendent under s. 117.05 (1).

13           **SECTION 130.** 117.05 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
14 is amended to read:

15           117.05 (1) APPEAL PANELS. The secretary state superintendent shall appoint 3  
16 members of the board to hear appeals filed under ss. 117.12 (4) and 117.13 (3). No  
17 2 members of the appeal panel may be board members from any of the following kinds  
18 of school districts: those with small enrollments, those with medium enrollments or  
19 those with large enrollments.

20           **SECTION 131.** 117.05 (1m) of the statutes, as affected by 1995 Wisconsin Act 27,  
21 is amended to read:

22           117.05 (1m) BOARD AND APPEAL PANEL MEETINGS. The secretary state  
23 superintendent shall set the time and place for meetings of the board under ss.  
24 117.10, 117.12 (5) and 117.132 and for meetings of appeal panels under ss. 117.12 (4)  
25 and 117.13.

1           **SECTION 132.** 117.05 (2) (a) of the statutes, as affected by 1995 Wisconsin Act  
2 27, is amended to read:

3           117.05 (2) (a) *Board.* The ~~secretary~~ state superintendent shall appoint 7  
4 members of the board to perform any review under ss. 117.10, 117.12 (5) and 117.132.  
5 The 7 members shall include the ~~secretary~~ state superintendent or his or her  
6 designee on the board, 2 board members from school districts with small  
7 enrollments, 2 board members from school districts with medium enrollments and  
8 2 board members from school districts with large enrollments. Any action of the  
9 board under this chapter requires the affirmative vote of at least 4 of the 7 members  
10 appointed under this paragraph.

11           **SECTION 133.** 117.05 (10) of the statutes, as affected by 1995 Wisconsin Act 27,  
12 is amended to read:

13           117.05 (10) (title) ~~SECRETARY~~ STATE SUPERINTENDENT TO ADVISE. The ~~secretary~~  
14 state superintendent shall advise and consult with school boards regarding school  
15 district organization and reorganization. If, in the ~~secretary's~~ state superintendent's  
16 opinion, one or more school districts should be altered, consolidated or dissolved, he  
17 or she may make recommendations to the school boards.

18           **SECTION 134.** 118.01 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
19 is amended to read:

20           118.01 (1) PURPOSE. Public education is a fundamental responsibility of the  
21 state. The constitution vests in the state superintendent the supervision of public  
22 instruction and directs the legislature to provide for the establishment of district  
23 schools. The effective operation of the public schools is dependent upon a common  
24 understanding of what public schools should be and do. Establishing such goals and  
25 expectations is a necessary and proper complement to the state's financial

1 contribution to education. Each school board should provide curriculum, course  
2 requirements and instruction consistent with the goals and expectations established  
3 under sub. (2). Parents and guardians of pupils enrolled in the school district share  
4 with the state and school board the responsibility for pupils meeting the goals and  
5 expectations under sub. (2).

6 **SECTION 135.** 118.165 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
7 is amended to read:

8 118.165 (2) An institution may request the ~~department~~ state superintendent  
9 to approve the institution's educational program as a private school. The ~~department~~  
10 state superintendent shall base its his or her approval solely on the criteria under  
11 sub. (1).

12 **SECTION 136.** 118.167 of the statutes, as affected by 1995 Wisconsin Act 27, is  
13 amended to read:

14 **118.167 (title) Private school determination by ~~department~~ state**  
15 **superintendent.** If an association that regulates or accredits private educational  
16 institutions in this state submits an affidavit to the ~~department~~ state  
17 superintendent attesting that the institution meets or exceeds all of the criteria  
18 under s. 118.165 and the ~~department~~ state superintendent finds that the institution  
19 does meet or exceed all of the criteria under s. 118.165, the ~~department~~ state  
20 superintendent shall determine that the institution is a private school. If at any time  
21 the ~~department~~ state superintendent finds that an institution determined to be a  
22 private school under this section no longer meets the criteria under s. 118.165, the  
23 ~~department~~ state superintendent may withdraw the determination.

24 **SECTION 137.** 118.192 (5) of the statutes, as affected by 1995 Wisconsin Act 27,  
25 is repealed.

1           **SECTION 138.** 118.20 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
2 is amended to read:

3           118.20 (2) The ~~department~~ state superintendent or a person designated by the  
4 state superintendent may receive and investigate complaints charging  
5 discrimination in employment, assignment or reassignment of teachers or  
6 administrative personnel in the public schools and the ~~department~~ state  
7 superintendent or designee may hold hearings, subpoena witnesses and take  
8 testimony to effectuate the purposes of this section.

9           **SECTION 139.** 118.20 (4) to (7) of the statutes, as affected by 1995 Wisconsin Act  
10 27, are amended to read:

11           118.20 (4) After hearing, if the ~~department~~ state superintendent finds that the  
12 respondent has engaged in discrimination prohibited by this section the ~~department~~  
13 state superintendent shall make written findings and recommend such action by the  
14 respondent as shall satisfy the purposes of this section and shall serve a certified  
15 copy of the findings and recommendations on the respondent together with an order  
16 requiring the respondent to comply with the recommendations. Any person  
17 aggrieved by noncompliance with the order shall be entitled to have the order  
18 enforced specifically by suit in equity. If the ~~department~~ state superintendent finds  
19 that the respondent has not engaged in the alleged discrimination, the ~~department~~  
20 state superintendent shall serve a certified copy of the ~~department's~~ state  
21 superintendent's findings on the complainant together with an order dismissing the  
22 complaint.

23           (5) If any public school official, employe, teachers agency or placement bureau  
24 violates sub. (1) or fails or refuses to obey any lawful order made by the ~~department~~  
25 state superintendent pursuant to this section, such person shall forfeit and pay into



1 the state treasury not less than \$25 nor more than \$50, or be imprisoned not less than  
2 5 nor more than 30 days. Such violation or failure or refusal to obey an order shall  
3 be grounds for the removal of any school district administrator, member of a school  
4 board or other public school official. Findings and orders of the ~~department~~ state  
5 superintendent under this section shall be subject to judicial review under ch. 227.

6 (6) Upon request of the ~~department~~ state superintendent, the attorney general  
7 or district attorney of the county in which any investigation, hearing or trial under  
8 this section is pending, shall aid and prosecute under supervision of the ~~department~~  
9 state superintendent, all necessary actions or proceedings for the enforcement of this  
10 section and for the punishment of all violations thereof.

11 (7) In administering this section the ~~department~~ state superintendent shall  
12 have authority to make, amend and rescind rules necessary to carry out the purposes  
13 of this section.

14 **SECTION 140.** 118.243 of the statutes is created to read:

15 **118.243 Property tax and state school aids notification.** Each school  
16 district shall notify each owner of taxable property in the district, no later than 10  
17 days before the district certifies its levy, on a form that the department of revenue  
18 prescribes, of all of the following:

19 (1) Information concerning the amount of the school district's prior year's  
20 property tax levy and property tax rate.

21 (2) Information concerning the proposed changes for the current year in the  
22 amount of the school district's property tax levy and property tax rate.

23 (3) The proposed change, expressed in both a dollar amount and a percentage,  
24 from the previous year to the current year in the school district's property tax levy  
25 and property tax rate.

1           (4) The change, expressed in both a dollar amount and a percentage, from the  
2 previous school year to the current school year in the state school aid that the school  
3 district received.

4           **SECTION 141.** 118.255 (3) of the statutes, as affected by 1995 Wisconsin Act 27,  
5 is repealed and recreated to read:

6           118.255 (3) The school board, cooperative educational service agency or county  
7 handicapped children's education board maintaining health treatment services shall  
8 report annually to the department, and at such other times as the department  
9 directs, such information as the department requires.

10          **SECTION 142.** 118.255 (4) of the statutes, as affected by 1995 Wisconsin Act 27,  
11 is amended to read:

12          118.255 (4) If the ~~department~~ state superintendent is satisfied that the health  
13 treatment services program has been maintained during the preceding school year  
14 in accordance with law, the ~~department~~ state superintendent shall certify to the  
15 department of administration in favor of each school board, cooperative educational  
16 service agency and county handicapped children's education board maintaining such  
17 health treatment services, an amount equal to 63% of the amount expended for items  
18 listed in s. 115.88 (1) by the school board, cooperative educational service agency and  
19 county handicapped children's education board during the preceding year for these  
20 health treatment services. The department of administration, upon such  
21 certification shall distribute the amounts to the appropriate school board,  
22 cooperative educational service agency and county handicapped children's education  
23 board.

24          **SECTION 143.** 118.37 (3) (b) and (3m) (b) of the statutes, as affected by 1995  
25 Wisconsin Act 27, are amended to read:

1           118.37 (3) (b) If the pupil specifies in the notice under par. (a) that he or she  
2 intends to take a course at an institution of higher education for high school credit,  
3 the school board shall determine whether the course is comparable to a course offered  
4 in the school district, and whether the course satisfies any of the high school  
5 graduation requirements under s. 118.33 and the number of high school credits to  
6 award the pupil for the course, if any. The ~~department~~ state superintendent shall  
7 develop guidelines to assist school districts in making the determinations. The  
8 school board shall notify the pupil of its determinations, in writing, before the end  
9 of the semester in which it received the notice under par. (a). If the pupil disagrees  
10 with the school board's decision regarding comparability of courses, satisfaction of  
11 high school graduation requirements or the number of high school credits to be  
12 awarded, the pupil may appeal the school board's decision to the ~~department~~ state  
13 superintendent within 30 days after the decision. The ~~department's~~ state  
14 superintendent's decision shall be final and is not subject to review under subch. III  
15 of ch. 227.

16           **(3m)** (b) The ~~department~~ state superintendent may waive the requirement  
17 under par. (a) if ~~the department~~ he or she determines that the requirement would  
18 impose too great a cost because of the lack of equipment or space.

19           **SECTION 144.** 118.38 (2m) of the statutes, as created by 1995 Wisconsin Act 27,  
20 is repealed.

21           **SECTION 145.** 118.38 (3) of the statutes, as created by 1995 Wisconsin Act 27,  
22 is amended to read:

23           118.38 (3) A waiver is effective for 4 years. The ~~secretary~~ department shall  
24 renew the waiver for additional 4-year periods if the school board has evaluated the  
25 educational and financial effects of the waiver over the previous 4-year period,

1 except that the ~~secretary~~ department is not required to renew a waiver if the  
2 ~~secretary~~ department determines that the school district is not making adequate  
3 progress toward improving pupil academic performance.

4 **SECTION 146.** 119.04 (title) of the statutes, as affected by 1995 Wisconsin Act  
5 27, is amended to read:

6 **119.04 (title) Education Public instruction laws applicable.**

7 **SECTION 147.** 119.04 (1) of the statutes, as affected by 1995 Wisconsin Act 225,  
8 is amended to read:

9 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
10 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
11 (2), 115.40, 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to  
12 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19, 118.20, 118.24 (1),  
13 (2) (c) to (f), (6) and (8), 118.243, 118.245, 118.255, 118.258, 118.30 to 118.43, 120.12  
14 (5) and (15) to (24), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34)  
15 and (35) and 120.14 are applicable to a 1st class city school district and board.

16 **SECTION 148.** 119.28 (5) of the statutes, as affected by 1995 Wisconsin Act 27,  
17 is amended to read:

18 119.28 (5) Any action under subs. (3) and (4) shall be subject to the direction  
19 of the ~~department~~ state superintendent and the division for learning support, equity  
20 and advocacy in the department as provided by law.

21 **SECTION 149.** 120.17 (8) (bm) of the statutes, as affected by 1995 Wisconsin Act  
22 27, is amended to read:

23 120.17 (8) (bm) If the equalized valuation of that part of a municipality lying  
24 within a school district is reduced due to the removal of property from the tax roll  
25 because the imposition of the property tax on that property is found unconstitutional,

1 the school district clerk shall notify the supervisor of equalization. The supervisor  
2 of equalization shall reduce the equalized valuation by the full value of the property  
3 so removed and certify the resulting equalized valuation to the ~~department~~ state  
4 superintendent and the school district clerk for use in computing the tax levy  
5 certifications under this subsection. Corrections may be made under this paragraph  
6 only for the valuations used by the department for the last 2 school years.

7 **SECTION 150.** 121.006 (1) (a) of the statutes, as affected by 1995 Wisconsin Act  
8 27, is amended to read:

9 121.006 (1) (a) The ~~department~~ state superintendent may withhold state aid  
10 from any school district in which the scope and character of the work are not  
11 maintained in such manner as to meet the ~~department's~~ state superintendent's  
12 approval.

13 **SECTION 151.** 121.06 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
14 is amended to read:

15 121.06 (1) Annually on or before October 1, the full value of the taxable  
16 property in each part of each city, village and town in each school district shall be  
17 determined by the department of revenue according to its best judgment from all  
18 sources of information available to it and shall be certified by the department of  
19 revenue to the ~~department~~ state superintendent.

20 **SECTION 152.** 121.135 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
21 is amended to read:

22 121.135 (1) If, upon receipt of the report under s. 115.84, the ~~department~~ state  
23 superintendent is satisfied that there are children participating in a special  
24 education program provided by a county handicapped children's education board,  
25 the ~~department~~ state superintendent shall certify to the department of

1 administration from the appropriation under s. 20.255 (2) (bh) in favor of the county  
2 handicapped children's education board the amount determined under sub. (2),  
3 except as provided under sub. (3).

4 **SECTION 153.** 121.15 (2) (c) of the statutes, as affected by 1995 Wisconsin Act  
5 27, is amended to read:

6 121.15 (2) (c) If the ~~department~~ state superintendent notifies a school district  
7 that a state aid payment may be withheld under par. (a) or (b), the ~~department~~ state  
8 superintendent shall notify each member of the school board or the school district  
9 clerk. If the ~~department~~ state superintendent notifies the school district clerk, the  
10 school district clerk shall promptly distribute a copy of the notice to each member of  
11 the school board.

12 **SECTION 154.** 121.17 of the statutes, as affected by 1995 Wisconsin Act 27, is  
13 repealed and recreated to read:

14 **121.17 Use of federal revenue sharing funds.** It is the intent of the  
15 legislature that school districts receiving federal revenue sharing funds through the  
16 state under this subchapter shall utilize these funds in compliance with the federal  
17 revenue sharing requirements as defined in the state and local fiscal assistance act  
18 of 1972 (P.L. 92-512), as amended by P.L. 94-488. The department shall assure  
19 compliance with this section.

20 **SECTION 155.** 121.52 (4) of the statutes, as affected by 1995 Wisconsin Act 27,  
21 is amended to read:

22 121.52 (4) The use of any motor vehicle to transport pupils shall be  
23 discontinued upon receipt of an order signed by the ~~secretary~~ state superintendent  
24 or the secretary of transportation ordering such discontinuance. Personnel under

1 the ~~secretary~~ state superintendent or the secretary of transportation may ride any  
2 school bus at any time for the purpose of inspection.

3 **SECTION 156.** 121.56 of the statutes, as affected by 1995 Wisconsin Act 27, is  
4 amended to read:

5 **121.56 School bus routes.** The school board of each district shall make and  
6 be responsible for all necessary provisions for the transportation of pupils, including  
7 establishment, administration and scheduling of school bus routes. Upon the  
8 request of any school board, the ~~department~~ state superintendent shall provide  
9 advice and counsel on problems of school transportation. Any private school shall,  
10 upon the request of the public school officials, supply all necessary information and  
11 reports. The transportation of public and private school pupils shall be effectively  
12 coordinated to insure the safety and welfare of the pupils. Upon receipt of a signed  
13 order from the ~~secretary~~ state superintendent, the school board shall discontinue  
14 any route specified by the ~~secretary~~ state superintendent.

15 **SECTION 157.** 121.58 (5) of the statutes, as affected by 1995 Wisconsin Act 27,  
16 is amended to read:

17 121.58 (5) (title) ~~DEPARTMENT~~ STATE SUPERINTENDENT APPROVAL. If the  
18 ~~department~~ state superintendent is satisfied that transportation or board and  
19 lodging was provided in compliance with law, the ~~department~~ state superintendent  
20 shall certify to the department of administration the sum due the school district. In  
21 case of differences concerning the character and sufficiency of the transportation or  
22 board and lodging, the ~~department~~ state superintendent may determine such matter  
23 and ~~its~~ his or her decision is final.

24 **SECTION 158.** 121.845 (3) of the statutes, as affected by 1995 Wisconsin Act 27,  
25 is repealed and recreated to read:

1           121.845 (3) "School" means an organized educational activity operated by the  
2 school board and approved by the department.

3           **SECTION 159.** 121.91 (5) (a) of the statutes, as affected by 1995 Wisconsin Act  
4 27, is amended to read:

5           121.91 (5) (a) Upon request by a school board, the ~~department~~ state  
6 superintendent may increase the school district's limit under sub. (1) by the amount  
7 necessary to allow the school district to avoid increasing its level of short-term  
8 borrowing over the amount of short-term borrowing incurred by the school district  
9 in the 1992-93 school year if the school district presents clear and convincing  
10 evidence of the need for the increase in the limit. The school board shall provide the  
11 ~~department~~ state superintendent with any information that the ~~department~~ state  
12 superintendent requires to make the determination.

13           **SECTION 160.** 142.07 (4) of the statutes, as affected by 1995 Wisconsin Act 27,  
14 section 4201, is renumbered 233.40 (4) and amended to read:

15           233.40 (4) **ADDITIONAL CHARGES FORBIDDEN.** ~~The university of Wisconsin~~  
16 ~~hospital and clinics~~ University of Wisconsin Hospitals and Clinics Authority may not  
17 charge any compensation other than the amount provided by the board of regents of  
18 ~~the university of Wisconsin system~~ directors for any of the following patients:

19           (c) Any child referred to the ~~hospital or its~~ hospitals or their clinics by the  
20 children's consultation service of a mental health institute under s. 46.041.

21           (d) Any pupil referred to the ~~hospital or its~~ hospitals or their clinics by the  
22 ~~secretary of education~~ state superintendent of public instruction under s. 115.53 (4).

23           (e) Any American Indian child admitted to the hospitals whose care is being  
24 paid under sub. (3).



1           **SECTION 161.** 230.08 (2) (e) 3g. of the statutes, as affected by 1995 Wisconsin  
2 Act 27, is renumbered 230.08 (2) (e) 9. and amended to read:

3           230.08 (2) (e) 9. ~~Education~~ Public instruction — 5.

4           **SECTION 162.** 230.08 (2) (t) of the statutes, as created by 1995 Wisconsin Act  
5 27, is repealed.

6           **SECTION 163.** 255.30 (4) of the statutes, as affected by 1995 Wisconsin Act 27,  
7 is amended to read:

8           255.30 (4) ~~The department of education~~ state superintendent of public  
9 instruction shall prepare and circulate to each public and private educational  
10 institution in this state instructions and recommendations for implementing the eye  
11 safety provisions of this section.

12           **SECTION 164.** 887.23 (1) of the statutes, as affected by 1995 Wisconsin Act 27,  
13 is amended to read:

14           887.23 (1) WHO MAY REQUIRE. The department of health and social services, the  
15 department of corrections, the ~~department of education~~ state superintendent of  
16 public instruction or the board of regents of the university of Wisconsin system may  
17 order the deposition of any witness to be taken concerning any institution under his,  
18 her or its government or superintendence, or concerning the conduct of any officer  
19 or agent thereof, or concerning any matter relating to the interests thereof. Upon  
20 presentation of a certified copy of such order to any municipal judge, notary public  
21 or court commissioner, the officer shall take the desired deposition in the manner  
22 provided for taking depositions to be used in actions. When any officer or agent of  
23 any institution is concerned and will be affected by the testimony, 2 days' written  
24 notice of the time and place of taking the deposition shall be given him or her. Any  
25 party interested may appear in person or by counsel and examine the witness

1 touching the matters mentioned in the order. The deposition, duly certified, shall be  
2 delivered to the authority which ordered it.

3 **SECTION 165.** 967.02 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
4 is amended to read:

5 967.02 (2) "Department" means the department of corrections, except as  
6 provided in ss. ~~973.135 (1) (a)~~ and s. 975.001.

7 **SECTION 166.** 973.135 (title) of the statutes, as affected by 1995 Wisconsin Act  
8 27, is amended to read:

9 **973.135 (title) Courts to report convictions to the ~~department of~~**  
10 **education state superintendent of public instruction.**

11 **SECTION 167.** 973.135 (1) (a) of the statutes, as created by 1995 Wisconsin Act  
12 27, is repealed.

13 **SECTION 168.** 973.135 (1) (am) of the statutes, as affected by 1995 Wisconsin  
14 Act 27, is renumbered 973.135 (1) (a).

15 **SECTION 169.** 973.135 (1) (b) of the statutes is created to read:

16 973.135 (1) (b) "State superintendent" means the state superintendent of  
17 public instruction.

18 **SECTION 170.** 973.135 (2) of the statutes, as affected by 1995 Wisconsin Act 27,  
19 is amended to read:

20 973.135 (2) If a court determines that a person convicted of a crime specified  
21 in ch. 948, including a crime specified in s. 948.015, a felony for which the maximum  
22 term of imprisonment is at least 5 years, 4th degree sexual assault under s. 940.225  
23 (3m) or a crime in which the victim was a child, is employed by an educational agency,  
24 the clerk of the court in which such conviction occurred shall promptly forward to the  
25 ~~department~~ state superintendent the record of conviction.

1           **SECTION 171.** 973.135 (3) of the statutes, as affected by 1995 Wisconsin Act 27,  
2 is amended to read:

3           973.135 (3) If a conviction under sub. (2) is reversed, set aside or vacated, the  
4 clerk of the court shall promptly forward to the ~~department~~ state superintendent a  
5 certificate stating that the conviction has been reversed, set aside or vacated.

6           **SECTION 172.** 1995 Wisconsin Act 27, section 93 is repealed.

7           **SECTION 173.** 1995 Wisconsin Act 27, section 99 is repealed.

8           **SECTION 174.** 1995 Wisconsin Act 27, section 207 is repealed.

9           **SECTION 175.** 1995 Wisconsin Act 27, section 223m is repealed.

10          **SECTION 176.** 1995 Wisconsin Act 27, section 558 is repealed.

11          **SECTION 177.** 1995 Wisconsin Act 27, section 560 is repealed.

12          **SECTION 178.** 1995 Wisconsin Act 27, sections 562 and 563 are repealed.

13          **SECTION 179.** 1995 Wisconsin Act 27, section 568 is repealed.

14          **SECTION 180.** 1995 Wisconsin Act 27, section 599 is repealed.

15          **SECTION 181.** 1995 Wisconsin Act 27, section 620 is repealed.

16          **SECTION 182.** 1995 Wisconsin Act 27, section 1200 is repealed.

17          **SECTION 183.** 1995 Wisconsin Act 27, sections 1815 to 1840 are repealed.

18          **SECTION 184.** 1995 Wisconsin Act 27, sections 1851p and 1851t are repealed.

19          **SECTION 185.** 1995 Wisconsin Act 27, sections 1853 and 1854 are repealed.

20          **SECTION 186.** 1995 Wisconsin Act 27, sections 1856 to 1859 are repealed.

21          **SECTION 187.** 1995 Wisconsin Act 27, sections 1860 and 1861 are repealed.

22          **SECTION 188.** 1995 Wisconsin Act 27, sections 1862 to 1887 are repealed.

23          **SECTION 189.** 1995 Wisconsin Act 27, sections 1887g to 1890 are repealed.

24          **SECTION 190.** 1995 Wisconsin Act 27, sections 1892 and 1893 are repealed.

25          **SECTION 191.** 1995 Wisconsin Act 27, section 1894 is repealed.

1           **SECTION 192.** 1995 Wisconsin Act 27, sections 1895 and 1896 are repealed.

2           **SECTION 193.** 1995 Wisconsin Act 27, sections 1900 to 1911 are repealed.

3           **SECTION 194.** 1995 Wisconsin Act 27, sections 1918 to 1930 are repealed.

4           **SECTION 195.** 1995 Wisconsin Act 27, sections 1931 to 1933 are repealed.

5           **SECTION 196.** 1995 Wisconsin Act 27, sections 1934m to 1945 are repealed.

6           **SECTION 197.** 1995 Wisconsin Act 27, section 4200 is repealed.

7           **SECTION 198.** 1995 Wisconsin Act 27, section 9127 (1) is repealed.

8           **SECTION 199.** 1995 Wisconsin Act 27, section 9145 (1) is repealed.

9           **SECTION 200.** 1995 Wisconsin Act 27, section 9145 (8g) is repealed.

10          **SECTION 201.** 1995 Wisconsin Act 27, section 9145 (8h) is repealed.

11          **SECTION 202.** 1995 Wisconsin Act 27, section 9145 (13q) is amended to read:

12           [1995 Wisconsin Act 27] Section 9145 (13q) ACHIEVEMENT GUARANTEE  
13 CONTRACTS. Notwithstanding section 20.255 (2) (cu) of the statues, as created by this  
14 act, the department of public instruction and, ~~beginning on January 1, 1996, the~~  
15 ~~department of education,~~ shall allocate \$196,000 from that appropriation in the  
16 1995-96 school year to design the evaluation required under section 118.43 (7) of the  
17 statues, as created by this act.

18          **SECTION 203.** 1995 Wisconsin Act 27, section 9154 is repealed.

19          **SECTION 204.** 1995 Wisconsin Act 27, section 9427 (1), as affected by 1995  
20 Wisconsin Act 225, is amended to read:

21           [1995 Wisconsin Act 27] Section 9427 (1) (title) ~~ELIMINATION OF AGENCY~~ HIGHER  
22 EDUCATION AID PROGRAMS. The treatment of sections ~~15.07 (1) (a) 1., 15.67, 20.235~~  
23 ~~(title), (1) (fe), (ff) and (fj) and (2) (aa), (n) and (qb), 20.255 (1) (a) and (4) (title), 20.285~~  
24 ~~(4) (dc), 36.25 (16), 39.155 (2), 39.26, 39.28 (1), (2), (3), (4) and (5), 39.29, 39.30 (2) (e),~~  
25 ~~(3) (e) and (f) and (4), 39.31 (intro.), (2) and (3), 39.32 (2) (intro.), (3) (intro.), (b) and~~

1 ~~(g), (5), (6), (7), (8), (10) and (11), 39.325, 39.33, 39.34, 39.35, 39.36, 39.37 (2) and (3),~~  
2 ~~39.374 (2) and (3), 39.38 (1), 39.39 (1) (a) (intro.) and (2) (intro.) and (b), 39.40 (2)~~  
3 ~~(intro.), (a) and (c), (2m), (3), (4) and (5), 39.41 (1) (ae) and (bg), (1m) (b), (c) (intro.)~~  
4 ~~and 5., (em), (d), (e), (f), (fm), (i) and (m), (2) (c), and (3) (a), (4), (5), (7) and (8), 39.42,~~  
5 ~~39.435 (1), (2), (3), (4) (a), (b) 1. and 2. and (c), (5) and (6), 39.44 (1) (b), (3) (b) and (c)~~  
6 ~~and (4), 39.45 (2) to (7), 39.46 (1) and (2) (d), 39.47 (1) and (2m) and 230.08 (2) (L) 4.~~  
7 ~~and subchapter III (title) of chapter 39 of the statutes, the repeal and recreation of~~  
8 ~~sections 39.155 (1), 39.38 (2) and 39.44 (2) of the statutes and SECTION 9127 (1) of this~~  
9 ~~act take takes effect on July 1, 1996.~~

10 **SECTION 205.** 1995 Wisconsin Act 27, section 9427 (2) is repealed.

11 **SECTION 206.** 1995 Wisconsin Act 27, section 9454 (2) is amended to read:

12 [1995 Wisconsin Act 27] Section 9454 (2) (title) ~~ELIMINATION OF EDUCATIONAL~~  
13 ~~EDUCATIONAL~~ APPROVAL BOARD. The treatment of ~~sections 15.07 (5) (i), 15.945 (1),~~  
14 ~~section 20.292 (2) (title), (a), (g) and (m) and 38.51 (title), (1) (a), (em) and (g), (2), (3),~~  
15 ~~(5), (6) (a), (7) (intro.), (g), (h) and (i), (8) (a), (b), (c) (intro.) and 1. of the statutes and~~  
16 ~~SECTION 9154 (1) of this act take takes effect on July 1, 1996.~~

17 **SECTION 207.** 1995 Wisconsin Act 27, section 9459 (2) (b) is amended to read:

18 [1995 Wisconsin Act 27] Section 9459 (2) (b) The treatment of sections 13.48  
19 (28), 13.94 (4) (a) 2., 16.50 (3), 16.505 (1) (intro.) and (2n) (by SECTION 294n), 36.25  
20 (13) (title), (a), (b), (c) and (d), 45.35 (6), 46.041 (1) (a), 46.215 (1) (a), 46.22 (1) (c) 1.  
21 (intro.), b. and c., 115.53 (4) (intro.) and (b), 142.07 (title), (1), and (3), ~~and (4) (by~~  
22 ~~SECTION 4200), 142.09, 142.11, 230.09 (2) (g), 233.03 (15) and (16), 233.04 (3b) (b) and~~  
23 ~~chapter 142 (title) of the statutes and the repeal of section 20.285 (1) (kb) of the~~  
24 ~~statutes take effect on June 29, 1996.~~

25 **SECTION 208.** 1995 Wisconsin Act 225, section 71 is repealed.

1           **SECTION 209.** 1995 Wisconsin Act 225, section 551 (2) is amended to read:

2           [1995 Wisconsin Act 225] Section 551 (2) The treatment of sections 14.38 (9),  
3           20.445 (5) (na), 46.215 (2) (c) 1., 46.25 (7) (by SECTION 98), 48.357 (4) (a), 48.396 (2)  
4           (e) (by SECTION 114), 48.533 (2) (by SECTION 119), 49.45 (3) (a), 49.482 (2) (g), 49.682  
5           (4) (a), 49.723 (2), 66.416 (2), 101.13 (6) (a), 106.04 (2r) (a) 5., 106.25 (2), 118.15 (5)  
6           (b) (by SECTION 393), 182.01 (4), 182.34 (7), 183.0109 (1) (b), 183.0120 (1) (intro.), (2),  
7           (3) (a) and (b) and (4), 186.29 (2) (c), 215.32 (6) (c) and (15) (c), 218.01 (2) (b) (by  
8           SECTION 437), 218.05 (4), 230.213 (by SECTION 441) and 301.031 (1) (a) of the statutes,  
9           ~~the repeal of section 20.923 (4) (c) 4. of the statutes,~~ the creation of section 66.416 (2)  
10          (b) of the statutes and the creation of 1995 Wisconsin Act 27, section 9142 (6) take  
11          effect on July 1, 1996.

12          **SECTION 9116. Nonstatutory provisions; education.**

13          (1) AGENCY NAME CHANGE.

14          (a) Wherever the term “department of education” appears in the statutes, as  
15          affected by the acts of 1995, except in sections 47.02 (3) (g), 446.02 (2) (b) and 449.18  
16          (2) (b) of the statutes, the term “department of public instruction” is substituted.

17          (b) Wherever the term “secretary of education” appears in the statutes, as  
18          affected by the acts of 1995, the term “state superintendent of public instruction” is  
19          substituted.

20          **SECTION 9128. Nonstatutory provisions; higher educational aids**  
21          **board.**

22          (1) ELIMINATION OF AGENCY. The repeal of 1995 Wisconsin Act 27, sections 93,  
23          207, 558, 560, 562, 563, 568, 1200, 1851p, 1851t, 1853, 1854, 1856 to 1859, 1860,  
24          1861, 1862 to 1887, 1887g to 1890, 1892, 1893, 1894, 1895, 1896, 1900 to 1911, 1918

1 to 1930, 1931 to 1933, 1934m to 1945, 9127 (1) and 9427 (2) and 1995 Wisconsin Act  
2 225, section 71 by this act applies notwithstanding section 990.03 of the statutes.

3 **SECTION 9154. Nonstatutory provisions; technical college system.**

4 (1) ELIMINATION OF EDUCATIONAL APPROVAL BOARD. The repeal of 1995 Wisconsin  
5 Act 27, sections 99, 223m, 599, 620, 1815 to 1840 and 9154 by this act applies  
6 notwithstanding section 990.03 of the statutes.

7 (2) APPOINTMENT OF EDUCATIONAL APPROVAL BOARD MEMBERS.

8 (a) Notwithstanding section 15.945 (1) of the statutes, as affected by this act,  
9 2 of the initial members of the educational approval board appointed for 6-year  
10 terms under that section of the statutes and the initial student member shall be  
11 appointed for terms expiring on May 1, 1997; 2 of the initial members of the  
12 educational approval board appointed for 6-year terms under that section of the  
13 statutes shall be appointed for terms expiring on May 1, 1999; and 2 of the initial  
14 members of the educational approval board appointed for 6-year terms under that  
15 section of the statutes shall be appointed for terms expiring on May 1, 2001. Persons  
16 serving on the educational approval board immediately prior to the effective date of  
17 this paragraph may continue to serve until their successors are appointed and  
18 qualified.

19 (b) Notwithstanding the appointment power of the senate under section 15.07  
20 (1) (b) 22. of the statutes, as created by this act, the governor may provisionally  
21 appoint initial members of the educational approval board under section 15.945 (1)  
22 of the statutes, as affected by this act. Such provisional appointments shall be in full  
23 force until withdrawn by the governor or acted upon by the senate, and if confirmed  
24 by the senate shall continue for the residue of the unexpired term, if any, of the  
25 member or until a successor is chosen and qualifies. A provisional appointee may

1 exercise all of the powers and duties of board membership to which the person is  
2 appointed during the time in which the appointee qualifies.

3 (c) A provisional appointment made under paragraph (b) that is withdrawn by  
4 the governor shall, upon withdrawal, lapse and create a vacancy for provisional  
5 appointment of another initial board member. Any provisional appointment made  
6 under paragraph (b) that is rejected by the senate shall upon rejection lapse and  
7 create a vacancy for nomination and appointment under section 15.07 (1) (b) 22. of  
8 the statutes, as created by this act, of another initial board member.

9 **SECTION 9158. Nonstatutory provisions; University of Wisconsin**  
10 **Hospitals and Clinics Authority.**

11 (1) The repeal of 1995 Wisconsin Act 27, section 4200 by this act applies  
12 notwithstanding section 990.03 (3) of the statutes.

13 **SECTION 9228. Appropriation changes; higher educational aids board.**

14 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
15 to the higher educational aids board under section 20.235 (2) (aa) of the statutes, as  
16 affected by the acts of 1995, the dollar amount is increased by \$656,700 for fiscal year  
17 1996-97 to increase the authorized FTE positions for the higher educational aids  
18 board by 9.5 GPR positions.

19 **SECTION 9262. Appropriation changes; other.**

20 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
21 to the department of public instruction under section 20.255 (1) (a) of the statutes,  
22 as affected by the acts of 1995, the dollar amount is decreased by \$577,800 for fiscal  
23 year 1996-97 to decrease the authorized FTE positions for the department by 8.5  
24 GPR positions related to the administration of higher educational aids.



1           (2) In the schedule under section 20.005 (3) of the statutes for the  
2           appropriation to the department of public instruction under section 20.255 (1) (a) of  
3           the statutes, as affected by the acts of 1995, the dollar amount is increased by \$31,000  
4           for fiscal year 1996-97 to increase funding for supplies and services for the division  
5           for libraries and community learning.

6           (3) In the schedule under section 20.005 (3) of the statutes for the  
7           appropriation to the department of public instruction under section 20.255 (1) (a) of  
8           the statutes, as affected by the acts of 1995, the dollar amount is increased by \$56,000  
9           for fiscal year 1996-97 to increase funding for capital equipment in the division for  
10          libraries and community learning.

11          (4) In the schedule under section 20.005 (3) of the statutes for the  
12          appropriation to the department of public instruction under section 20.255 (1) (a) of  
13          the statutes, as affected by the acts of 1995, the dollar amount is increased by \$60,000  
14          for fiscal year 1996-97 to increase funding for the science world program.

15          (5) In the schedule under section 20.005 (3) of the statutes for the  
16          appropriation to the department of public instruction under section 20.255 (2) (ed)  
17          of the statutes, as affected by the acts of 1995, the dollar amount is increased by  
18          \$133,000 for fiscal year 1996-97 to increase funding for the purpose for which the  
19          appropriation is made.

20          (6) In the schedule under section 20.005 (3) of the statutes for the  
21          appropriation to the department of public instruction under section 20.255 (2) (cp)  
22          of the statutes, as affected by the acts of 1995, the dollar amount is increased by  
23          \$100,000 for fiscal year 1996-97 to increase funding for the purpose for which the  
24          appropriation is made.

