



2011 SENATE BILL 348

December 27, 2011 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Education.

1 **AN ACT to amend** 14.019 (5), 15.373 (1), 15.373 (2), 20.255 (1) (d), 20.255 (2) (bc),
2 20.255 (2) (cf), 20.866 (2) (zh), 35.81 (1), 35.82 (1), 35.83 (3) (c), 43.01 (2), 43.03
3 (7), 43.05 (11), 43.24 (2) (a), 43.27, 49.155 (1g) (f), 49.45 (2) (a) 5., 115.76 (6),
4 115.762 (title) and 119.28 (5) of the statutes; **relating to:** eliminating an
5 obsolete reference governing pilot payments to Second Chance Partnership to
6 establish a work-based learning program; changing the name of the Division
7 for Libraries, Technology, and Community Learning, the name of the Reference
8 and Loan Library, and the name of the Division for Learning Support, Equity
9 and Advocacy; participation in a public library system; and the appropriation
10 to the Department of Public Instruction for children-at-risk programs
11 (suggested as remedial legislation by the Department of Public Instruction).

Analysis by the Legislative Reference Bureau

Second Chance Partnership

Under current law, the Department of Public Instruction (DPI) makes payments to Second Chance Partnership, a nonprofit corporation operating a

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program in which children at risk participate in apprenticeships while earning high school diplomas. This bill eliminates a nonstatutory reference to 2005 Wisconsin Act 25, section 9137 (3q); that section provided funding in the 2005-06 and 2006-07 school years to the Second Chance Partnership to create a pilot work-based learning program.

Name changes

Under current law, there is within DPI a Division for Libraries, Technology, and Community Learning. Under this bill, the name of the division is changed to the Division for Libraries and Technology.

Under current law, DPI must maintain a Reference and Loan Library to supplement the collections of other libraries in the state by providing certain special materials that are not generally available from local libraries or other local or state-level resource providers and to provide certain information services to other libraries in the state and state employees. This bill changes the name of the Reference and Loan Library to the Resources for Libraries and Lifelong Learning Service.

This bill changes the name of the Division for Learning Support, Equity and Advocacy in DPI to the Division for Learning Support.

Participation in a public library system

Under current law, a municipal, county, or joint public library may participate in a public library system if it has a written agreement with the system board to provide to any system resident the same library services that are provided to the residents of the municipality or county that established the member library, with two exceptions: a municipal, county, or joint public library may give preference to its residents in group programs and may provide remote access to a library's database only to its residents.

Current law also provides that a public library system is eligible for state aid if it has written agreements to provide to any system resident the same library services that are provided to the residents of the municipality or county that established the member library, with one exception: the system may give preference to its residents in group programs.

This bill reconciles these two provisions. The bill provides that a public library system is eligible for state aid if it has the written agreements with all of its member libraries that are required by law for the member libraries to participate in the system.

Educare Center of Milwaukee

Under current law, money is appropriated to DPI for aid for children-at-risk programs. 2005 Wisconsin Act 25 directed DPI to pay certain amounts from this appropriation to the Educare Center of Milwaukee during the 2005-07 fiscal biennium. This bill eliminates this dated material from the appropriation.

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For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

1 **SECTION 1.** 14.019 (5) of the statutes is amended to read:

2 14.019 (5) FINAL REPORT; DEPOSIT. Any nonstatutory committee created by the
3 governor and in existence at the time of the general election for a new gubernatorial
4 term shall prepare a final written report on its activities to be submitted to the
5 governor and, if the incumbent governor is not reelected, to the governor-elect prior
6 to the first Monday of January of the year in which the new gubernatorial term
7 begins. The number of copies prepared of such final reports shall be determined by
8 the coordinator under sub. (3). The governor shall deposit sufficient copies of every
9 final report required under this subsection with the ~~reference and loan library~~
10 resources for libraries and lifelong learning service under s. 43.05 (11) for
11 distribution under s. 35.83 (3).

12 **SECTION 2.** 15.373 (1) of the statutes is amended to read:

13 15.373 (1) DIVISION FOR LEARNING SUPPORT, ~~EQUITY AND ADVOCACY~~. There is
14 created in the department of public instruction a division for learning support, ~~equity~~
15 ~~and advocacy~~.

16 **SECTION 3.** 15.373 (2) of the statutes is amended to read:

17 15.373 (2) DIVISION FOR LIBRARIES, AND TECHNOLOGY, ~~AND COMMUNITY LEARNING~~.
18 There is created in the department of public instruction a division for libraries, and
19 ~~technology, and community learning~~.

20 **SECTION 4.** 20.255 (1) (d) of the statutes is amended to read:

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1 20.255 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse
2 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
3 the acquisition, construction, development, enlargement or improvement of
4 institutional facilities for individuals with hearing impairments under s. 115.52,
5 individuals with visual impairments under s. 115.525, and ~~reference and loan library~~
6 resources for libraries and lifelong learning service facilities under s. 43.05 (11) and
7 to make payments under an agreement or ancillary arrangement entered into under
8 s. 18.06 (8) (a).

9 **SECTION 5.** 20.255 (2) (bc) of the statutes is amended to read:

10 20.255 (2) (bc) *Aid for children-at-risk programs.* The amounts in the schedule
11 for aid for children-at-risk programs under s. 118.153 ~~and for payments to the~~
12 ~~Educare Center of Milwaukee under 2005 Wisconsin Act 25, section 9137 (2n).~~

13 **SECTION 6.** 20.255 (2) (cf) of the statutes is amended to read:

14 20.255 (2) (cf) *Alternative education grants.* The amounts in the schedule for
15 alternative education grants under s. 115.366 ~~and for payments to the Second~~
16 ~~Chance Partnership under 2005 Wisconsin Act 25, section 9137 (3q).~~

17 **SECTION 7.** 20.866 (2) (zh) of the statutes, as affected by 2011 Wisconsin Act 32,
18 is amended to read:

19 20.866 (2) (zh) *Public instruction; state school, state center and library*
20 *facilities.* From the capital improvement fund, a sum sufficient for the department
21 of public instruction to acquire, construct, develop, enlarge, or improve institutional
22 facilities for individuals with hearing impairments and individuals with visual
23 impairments and ~~reference and loan library~~ resources for libraries and lifelong
24 learning service facilities. The state may contract public debt in an amount not to
25 exceed \$12,350,600 for this purpose.

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1 **SECTION 8.** 35.81 (1) of the statutes is amended to read:

2 35.81 (1) “Division” means the division for libraries, and technology, ~~and~~
3 ~~community learning~~ in the department of public instruction.

4 **SECTION 9.** 35.82 (1) of the statutes is amended to read:

5 35.82 (1) The state historical society, the legislative reference bureau and the
6 ~~reference and loan library resources for libraries and lifelong learning service~~ of the
7 department of public instruction are designated as state document depository
8 libraries and shall receive state documents delivered under s. 35.83 (3).

9 **SECTION 10.** 35.83 (3) (c) of the statutes is amended to read:

10 35.83 (3) (c) The ~~reference and loan library resources for libraries and lifelong~~
11 ~~learning service~~ of the department of public instruction, one copy.

12 **SECTION 11.** 43.01 (2) of the statutes is amended to read:

13 43.01 (2) “Division” means the division for libraries, and technology, ~~and~~
14 ~~community learning~~ in the department.

15 **SECTION 12.** 43.03 (7) of the statutes is amended to read:

16 43.03 (7) Contract for service with libraries and other resource providers in and
17 outside of this state to serve as resources of specialized library materials and
18 information not available in from the ~~reference and loan library resources for~~
19 ~~libraries and lifelong learning service~~ under s. 43.05 (11).

20 **SECTION 13.** 43.05 (11) of the statutes is amended to read:

21 43.05 (11) Maintain a ~~reference and loan library resources for libraries and~~
22 ~~lifelong learning service~~ to supplement the collections of all types of libraries in this
23 state by providing specialized materials not appropriately held and information
24 sources not provided by local libraries or readily available from other area or
25 state-level resource providers. The ~~library service~~ shall provide specialized library

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1 and information services to state agency libraries and state employees, institution
2 libraries, public library systems, public libraries, school libraries, and other types of
3 libraries according to policies developed by the division. Library and information
4 services may include development of collections of specialized materials, interlibrary
5 loan services, reference services, provision of database search services, and
6 maintenance of a statewide database of library materials. The library service may
7 contract with state agencies and libraries to provide library material cataloging and
8 processing services.

9 **SECTION 14.** 43.24 (2) (a) of the statutes is amended to read:

10 43.24 (2) (a) ~~Written agreements to provide, to any resident of the system area,~~
11 ~~the same library services, on the same terms, that are provided to the residents of~~
12 ~~the municipality or county that established the member library, except for the group~~
13 ~~programming preference authorized under that comply with s. 43.15 (4) (c) 4., and~~
14 ~~to provide for the interlibrary loan of materials among all participating public~~
15 ~~libraries, as evidenced by agreements with those with all member libraries.~~

16 **SECTION 15.** 43.27 of the statutes is amended to read:

17 **43.27 Distribution of materials from ~~reference and loan~~ resources for**
18 **libraries and lifelong learning collection to public library systems.** The
19 division may disperse to public library systems, without charge, materials from the
20 collection of the ~~reference and loan library~~ resources for libraries and lifelong
21 learning service that the division determines are not appropriately held in the
22 collection of the ~~reference and loan library~~ resources for libraries and lifelong
23 learning service.

24 **SECTION 16.** 49.155 (1g) (f) of the statutes is amended to read:

