

*1999 DRAFTING REQUEST***Bill**Received: **09/03/1999**Received By: **grantpr**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - JLC**By/Representing: **Joyce Kiel**

This file may be shown to any legislator: NO

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - state superintendent**Extra Copies: **MJL****Pre Topic:**

No specific pre topic given

Topic:

American Indian education program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	grantpr 09/09/1999	chanaman 09/09/1999		_____			
/P2			martykr 09/10/1999	_____	lrb-docadmin 09/10/1999		State
/1	grantpr 09/27/1999	chanaman 09/27/1999	hhagen 09/28/1999	_____	lrb-docadmin 09/28/1999		State
/2	gran tpr 10/21/1999	chanaman 10/21/1999	martykr 10/22/1999	_____	lrb-docadmin 10/22/1999	lrb_docadmin	State 11/04/1999

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/P1	grantpr 09/09/1999	chanaman 09/09/1999		_____			
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/1	grantpr 0912711999	chanaman 0912711999	hhagen 09/28/1999	_____	lrb-docadmin 09/28/1999		State
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10/22/1999 11:10:51 AM

Page 2

FE Sent For:

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/P1	grantpr 09/09/1999	chanaman 09/09/1999		_____			
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			9/28	9/28			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/03/1999**

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Identical to LRB:

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Alt. Drafters:

Subject: **Education - state superintendent**

Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

American Indian education program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr		<i>Ch FE comment LM/10</i>	<i>Ch 9/ LM/10</i>			

FE Sent For:

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MEMORANDUM

from JOYCE L. KIEL
Legislative Council Staff
(608) 266-3137

9/3/99

Peter Grant —

Would you please convert
this to an LRB draft for the
American Indian Study Committee and
send it to me.

Let me know if you have any
questions,

Thanks,

Joyce Kiel

1 **AN ACT** to create 20.255 (1) (am) and 121.02 (2m) of the statutes; relating to:
2 education about American Indians and making appropriations.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's American Indian study committee.

Background

1989 Wisconsin Act 31 created s. 121.02 (1) (L) 4., stats., which requires that each school board, as part of the social studies curriculum, include instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands in Wisconsin at least twice in the elementary grades and at least once in the high school grades. Act 31 also created s. 115.28 (17) (d), stats., which requires the state superintendent of public instruction to develop a curriculum for grades 4 to 12 on the Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather. In addition, Act 31 provided \$100,000 general purpose revenue (GPR) in state fiscal year 1989-90 and \$200,000 GPR in state fiscal year 1990-91 and authorized 3.0 full-time equivalent (FTE) positions in the department of public instruction (DPI). Act 31 also provided \$50,000 GPR in each of those years to DPI to conduct educational conferences on American Indian treaty rights. These amounts were included in DPI's appropriation for educational leadership--general program operations and were not a separate line item in DPI's budget.

In response to general budget cuts and staff reductions in the mid-1990's, allocations for this purpose were reduced. In state fiscal year 1998-99, DPI allocated 1.6 FTE positions to the American Indian studies program, and expended a total of \$111,744 (\$63,334 for salaries; \$24,741 for fringe benefits; \$20,144 for supplies and services; and \$3,525 for conferences and projects) for the program.

Description of Draft

This draft creates a separate appropriation to DPI specifically for continued implementation of the Act 31 requirements and restores the funding and DPI position authorizations to the levels originally

established in Act 31 for the American Indian studies program. Specifically, the draft does the following:

1. Creates a separate annual appropriation to DPI of \$250,000 GPR beginning in state fiscal year 2000-01 to: (a) fund 3.0 FTE positions in DPI to: (i) develop curriculum relating to Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather as required under s. 115.28 (17) (d); (ii) assist school boards in complying with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin; and (iii) annually audit some or all school districts to determine compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin; and (b) conduct educational conferences and projects relating to providing instruction about American Indian tribes and bands in Wisconsin.

2. Decreases the educational leadership--general program operations appropriation to DPI by \$111,800 GPR, beginning in state fiscal year 2000-01, which is the amount expended by DPI in state fiscal year 1998-99 (rounded to the next higher \$100), for the American Indian studies program. This reflects the decrease of 1.6 FTE positions at DPI funded under this appropriation and the elimination of expenditures for services and supplies and educational conferences and projects relating to this program which are funded under this appropriation.

3. Requires DPI, in each school year (that is, between July 1 and June 30), to audit some or all school districts to monitor compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin. Under the draft, DPI determines the number of school districts to audit each year. (The draft does not require an on-site audit.)

4. Requires DPI to annually report the results of those audits to the American Indian study committee.

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the
2 following amounts for the purposes indicated:

1		1999-00	2000-01
---	--	---------	---------

2 **20.255 Public Instruction, Department of**

3 (1) **EDUCATIONAL LEADERSHIP**

4	(am) American Indian education program GPR	A	-0-	250,000
---	--	---	-----	---------

5 **SECTION 2.** 20.255 (1) (am) of the statutes is created to read:

6 **20.255 (1) (am) *American Indian education program.*** The amounts in the schedule to
 7 conduct educational conferences and projects relating to providing instruction in the history,
 8 culture and tribal sovereignty of the federally recognized American Indian tribes and bands
 9 in Wisconsin and to fund 3.0 GPR positions in the department of public instruction to comply
 10 with s. 115.28 (17) (d), to assist school boards in complying with s. 121.02 (1) (L) 4. and to
 11 audit school board compliance with s. 121.02 (1) (L) 4. under s. 121.02 (2m).

12 **SECTION 3.** 121.02 (2m) of the statutes is created to read:

13 121.02 (2m) The department shall, in each school year, conduct audits of some or all
 14 school districts regarding compliance with the standard under sub. (1) (L) 4. Annually, & or
 15 before July 30, the department shall report the results of those audits to the American Indian
 16 study committee under s. 13.83 (3).

17 **SECTION 4. Appropriation changes; public instruction.**

18 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the
 19 department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the
 20 acts of 1999, the dollar amount is decreased by \$111,800 for fiscal year 2000-01 to reflect the
 21 decrease by 1.6 GPR positions in the department of public instruction which are funded from
 22 the appropriation under section 20.255 (1) (a) for the purpose of complying with section
 23 115.28 (17) (d) of the statutes and assisting school boards in complying with section 121.02

1 (1) (L) 4. of the statutes and to reflect the elimination of funding for services and supplies and
2 educational conferences and projects for the American Indian studies program funded from
3 the appropriation under section 20.255 (1) (a).

4 (END)



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1
2

AN ACT to create 20.255 (1) (am) and 121.02 (2m) of the statutes; relating to:
education about American Indians and making ^{an} appropriations.

regenerate

Analysis by the Legislative Reference Bureau

INSERT A

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

PREFATORY NOTE: This ~~draft~~^{bill} was prepared for the joint legislative council's American Indian study committee.

Background

1989 Wisconsin Act 31 created s. 121.02 (1) (L) 4., stats., which requires that each school board, as part of the social studies curriculum, include instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands in Wisconsin at least twice in the elementary grades and at least once in the high school grades. Act 31 also created s. 115.28 (17) (d), stats., which requires the state superintendent of public instruction to develop a curriculum for grades 4 to 12 on the Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather. In addition, Act 31 provided \$100,000 general purpose revenue (GPR) in state fiscal year 1989-90 and \$200,000 GPR in state fiscal year 1990-91 and authorized 3.0 full-time equivalent (FTE) positions in the department of public instruction (DPI). Act 31 also provided \$50,000 GPR in each of those years to DPI to conduct educational conferences on American Indian treaty rights. These amounts were included in DPI's appropriation for educational leadership-general program operations and were not a separate line item in DPI's budget.

In response to general budget cuts and staff reductions in the mid-1990's, allocations for this purpose were reduced. In state fiscal year 1998-99, DPI allocated 1.6 FTE positions to the American Indian studies program, and expended a total of \$111,744 (\$63,334 for salaries; \$24,741 for fringe benefits; \$20,144 for supplies and services; and \$3,525 for conferences and projects) for the program.

Description of Draft

This ~~draft~~ creates a separate appropriation to DPI specifically for continued implementation of the Act 31 requirements and restores the funding and DPI position authorizations to the levels originally established in Act 31 for the American Indian studies program. Specifically, the ~~draft~~ does the following:

1. Creates a separate annual appropriation to DPI of \$250,000 GPR beginning in state fiscal year 2000-01 to: (a) fund 3.0 FTE positions in DPI to: (i) develop curriculum relating to Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather as required under s. 115.28 (17) (d); (ii) assist school boards in complying with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin; and (iii) annually audit ~~statewide~~ school districts to determine compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin; and (b) conduct educational conferences and projects relating to providing instruction about American Indian tribes and bands in Wisconsin.

2. Decreases the educational leadership-general program operations appropriation to DPI by \$111,800 GPR, beginning in state fiscal year 2000-01, which is the amount expended by DPI in state fiscal year 1998-99 (rounded to the next higher \$100), for the American Indian studies program. This reflects the decrease of 1.6 FTE positions at DPI funded under this appropriation and the elimination of expenditures for services and supplies and educational conferences and projects relating to this program which are funded under this appropriation.

3. Requires DPI, ~~in each school year (that is, between July 1 and June 30)~~ to audit ~~statewide~~ school districts to monitor compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin. Under the ~~draft~~, DPI determines the number of school districts to audit each year. (The ~~draft~~ does not require an on-site audit.)

4. Requires DPI to annually report the results of those audits to the American Indian study committee.

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

		1999-00		2000-01
20.255	Public Instruction, Department of			
(1)	EDUCATIONAL LEADERSHIP			
(am)	American Indian education pro-			
	gram	GPR	A	-0- 250,000

SECTION 2. 20.255 (1) (am) of the statutes is created to read:

to develop a curriculum under s. 115.28 (17) (d),

1 20.255 (1) (am) American Indian education program. The amounts in the
2 schedule to conduct educational conferences and projects relating to providing
3 instruction in the history, culture and tribal sovereignty of the federally recognized
4 American Indian tribes and bands in Wisconsin and to fund 3.0 GPR positions in the
5 department of public instruction to comply with s. 115.28 (17) (d) to assist school
6 boards in complying with s. 121.02 (1) (L) 4. and to audit school board compliance
7 with ~~s. 121.02 (1) (L) 4.~~ under s. 121.02 (2) (b) such

INS.
3-7

8 SECTION 3. 121.02 (2) (b) of the statutes is created to read:

9 121.02 (2) (b) Annually, the department shall, in each school year, conduct audits of some
10 ~~each~~ school districts regarding compliance with the standard under sub. (1) (L) 4.
11 By July 30, 2001, and thereafter by July 30, the department shall report the results of those audits
12 conducted in the previous school year to the American Indian study committee under s. 13.83 (3).

3-12

13 SECTION 4. Appropriation changes; public instruction.

14 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
15 to the department of public instruction under section 20.255 (1) (a) of the statutes,
16 as affected by the acts of 1999, the dollar amount is decreased by \$111,800 for fiscal
17 year 2000-01 to ~~reflect~~ the decrease by 1.6 GPR positions in the ~~department of public~~
18 ~~instruction~~ which are funded from the appropriation under section 20.255 (1) (a) for
19 the purpose of complying with section 115.28 (17) (d) of the statutes and assisting
20 school boards in complying with section 121.02 (1) (L) 4. of the statutes and to ~~reflect~~
21 ~~the elimination of~~ ^{eliminate} funding for services and supplies and educational conferences and
22 projects for the American Indian studies program ~~funded from the appropriation~~
23 ~~under section 20.255 (1) (a).~~

the authorized FTE positions for the department

The department shall determine the number of school districts to audit each year.



EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: . . . create → action: → *NS: → effdate
For the text, execute: create → text: → *NS: → effdateA
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # Effective date.

(#1) () This act takes effect on 11 July 1, 2000

1. In the component bar: For the action phrase, execute: . . create → action: → *NS: → effdateE
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # Effective dates;

. This act takes effect on the day after publication, except as follows:

(#1) () The treatment of sections of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute:..create → action: → *NS: → 94XX
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9400 department code, and fill in "()" only if a "frozen" number is needed.

SECTION 94 .. Effective dates

(#1) () The treatment of sections of the statutes takes effect on



A

91

This bill is explained in the
Prefatory Note provided by the joint
legislative council.

91

FE-5.

(END OF INSERT A)

C

R

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SEC. 115.28(17)(e)

(B)

115.28(17)(e) Conduct educational "

conferences and projects relating to

instruction in the history, culture and

tribe sovereignty of the federal,

recognized American Indian tribes and
located

bands in this state.

~~SEC. RN. 121.02~~

SEC. RN. 121.02(2); 121.02(2)(a)

(END OF INSERT)

3-12
AAA

LRB _____ / _____

Nonstat File Sequence:

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

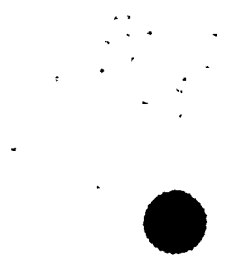
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#a)", etc., is filled in. Below, for the budget, fill in the 9100 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # 191 Nonstatutory provisions; . . .

public instruction

(#1) ()

The authorized FTE positions for the department of public instruction are increased by 3.0 CRR positions, to be funded from the appropriation under section 20-255(i)(am) of the statutes, as created by this act, for the purposes of developing a curriculum under section 115-28(n) (d) of the statutes, assisting school districts in complying with section 121-02(i)(b) 4. of the statutes and conducting audits under section 121-02(2)(b) of the statutes, as created by this act.





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Peter —
Please see my notes,
Please re-draft for us,
Thanks,
Joyce Kiel
9/27/99

1 **AN ACT** to renumber 121.02 (2); and to create 20.255 (1) (am), 115.28 (17) (e) and
2 121.02 (2) (b) of the statutes; **relating to:** education about American Indians
3 and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the PREFATORY NOTE provided by the joint legislative council.

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

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's American Indian study committee.

Background

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1989-90 and \$200,000 GPR in state fiscal year 1990-91 and authorized 3.0 full-time equivalent (FTE) positions in the department of public instruction (DPI). Act 31 also provided \$50,000 GPR in each of those years to DPI to conduct educational conferences on American Indian treaty rights. These amounts were included in DPI's appropriation for educational leadership--general program operations and were not a separate line item in DPI's budget.

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1. Creates a separate annual appropriation to DPI of \$250,000 GPR beginning in state fiscal year 2000-01 to: (a) fund 3.0 FTE positions in DPI to: (i) develop curriculum relating to Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather as required under s. 115.28 (17) (d); (ii) assist school boards in complying with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin, and (iii) annually audit school districts to determine compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin; and (b) conduct educational conferences and projects relating to providing instruction about American Indian tribes and bands in Wisconsin.

2. Decreases the educational leadership--general program operations appropriation to DPI by \$111,800 GPR, beginning in state fiscal year 2000-01, which is the amount expended by DPI in state fiscal year 1998-99 (rounded to the next higher \$1001, for the American Indian studies program. This reflects the decrease of 1.6 FTE positions at DPI funded under this appropriation and the elimination of expenditures for services and supplies and educational conferences and projects relating to this program which are funded under this appropriation.

3. Requires DPI annually to audit a number of school districts to monitor compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin. Under the bill, DPI determines the number of school districts to audit each year. (The bill does not require an on-site audit.)

4. Requires DPI to annually report the results of those audits to the American Indian study committee.

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

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1999-00 2000-01

20.255 Public instruction, department of

(1) EDUCATIONAL LEADERSHIP

(am) American Indian education pro-
gram

GPR A -0- 250,000

SECTION 2. 20.255 (1) (am) of the statutes is created to read:

20.255 (1) (am) **American Indian education program.** The amounts in the

schedule to develop a curriculum under s. 115.28 (17) (d), to conduct educational
conferences and projects ^{relating to the instruction in the history, culture and tribal sovereignty of the} ~~under s. 115.28 (17) (e)~~ to assist school boards in complying

with s. 121.02 (1) (L) 4. and to audit such compliance under s. 121.02 (2) (b).

SECTION 3. 115.28 (17) (e) of the statutes is created to read:

115.28 (17) (e) Conduct educational conferences and projects relating to
instruction in the history, culture and tribal sovereignty of the federally recognized
American Indian tribes and bands located in this state.

SECTION 4. 121.02 (2) of the statutes is renumbered 121.02 (2) (a).

SECTION 5. 121.02 (2) (b) of the statutes is created to read:

121.02 (2) (b) Annually, the department shall conduct audits of school districts
regarding compliance with the standard under sub. (1) (L) 4. The department shall
determine the number of school districts to audit each year. By July 30, 2001, and
annually thereafter by July 30, the department shall report the results of the audits
conducted in the previous school year to the American Indian study committee under
s. 13.83 (3).

SECTION 6. **Nonstatutory provisions; public instruction.**

Federally recognized American Indian tribes and bands located in this state

Note to Peter Gant - while the committee wanted to provide funds for conferences which DPI might hold, the committee did not discuss requiring DPI to hold conferences. SECTION 3 does. A provision authorizing, but not requiring, the conferences would be okay if you think it would be useful.

1 (1) The authorized FTE positions for the department of public instruction are
2 increased by 3.0 GPR positions, to be funded from the appropriation under section
3 20.255 (1) (am) of the statutes; as created by this act, for the purposes of developing
4 a curriculum under section 115.28 (17) (d) of the statutes, assisting school districts
5 in complying with section 121.02 (1) (L) 4. of the statutes and conducting audits
6 under section 121.02 (2) (b) of the statutes, as created by this act.

7 **SECTION 7. Appropriation changes; public instruction.**

8 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
9 to the department of public instruction under section 20.255 (1) (a) of the statutes,
10 as affected by the acts of 1999, the dollar amount is decreased by \$111,800 for fiscal
11 year 2000-01 to decrease the authorized FTE positions for the department by 1.6
12 GPR positions for the purpose of complying with section 115.28 (17) (d) of the statutes
13 and assisting school boards in complying with section 121.02 (1) (L) 4. of the statutes
14 and to eliminate funding for services and supplies and educational conferences and
15 projects for the American Indian studies program.

16 **SECTION 8. Effective date.**

17 (1) This act takes effect on July 1, 2000.

18 **(END)**



SOON

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

regenerate
cat

1 AN ACT to renumber 121.02 (2); and to create 20.255 (1) (am), 115.28 (17) (e) and
2 121.02 (2) (b) of the statutes; relating to: education about American Indians
3 and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the PREFATORY NOTE provided by the joint legislative council.

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

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's American Indian study committee.

Background

1989 Wisconsin Act 31 created s. 121.02 (1)(L) 4., stats., which requires that each school board, as part of the **social** studies curriculum, include instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands in Wisconsin at least twice in the elementary grades and at least once in the high school grades, Act 31 also created s. 115.28 (17) (d), stats., which requires the state superintendent of public **instruction** to develop a curriculum for grades 4 to 12 on the Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather. In addition, Act 31 provided \$100,000 general purpose revenue (**GPR**) in state fiscal year

1989-90 and \$200,000 GPR in state fiscal year 1990-91 and authorized 3.0 **full-time** equivalent (FTE) positions in the department of public instruction (DPI). Act 31 also provided \$50,000 GPR in each of those years to DPI to conduct educational conferences on American Indian treaty rights. These amounts were included **in** DPI's appropriation for educational leadership--general program operations and were not a separate **line** item in DPI's budget.

In response to general budget cuts and **staff** reductions in the mid-1990's, allocations for this purpose were reduced. In state fiscal year 1998-99, DPI allocated 1.6 FTE positions to the American Indian studies program and expended a total of \$111,744 (\$63,334 for salaries; \$24,741 for fringe benefits; \$20,144 for supplies and services; and \$3,525 for conferences and projects) for the program

Description of bill

This bill creates a separate appropriation to DPI specifically for continued implementation of the Act 31 requirements and restores the **funding** and DPI position authorizations to the levels originally established in Act 31 for the American Indian studies program. Specifically, the **bill** does the **following**:

1. Creates a separate annual appropriation to DPI of \$250,000 GPR beginning in state fiscal year **2000-01** to: **(a)** fund 3.0 FTE positions **in** DPI to: **(i)** develop curriculum relating to Chippewa Indians' treaty-based, off-reservation right to hunt, fish and gather as required under s. 115.28 **(17)** **(d)**; **(ii)** assist school boards in complying with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin, and **(iii)** annually audit school districts to determine compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin; and **(b)** conduct educational conferences and projects relating to providing instruction about American Indian tribes and bands in Wisconsin.

2. Decreases the educational leadership--general program operations appropriation to DPI by \$111,800 GPR, beginning in state fiscal year 2000-01, which is the amount expended by DPI in state fiscal year 1998-99 (rounded to the next higher \$1001, for the American Indian studies program. **This** reflects the decrease of 1.6 FTE positions at DPI funded under this appropriation and the elimination of expenditures for services and supplies and educational conferences and projects relating to this program which are funded under this appropriation.

3. Requires DPI annually to audit a number of school districts to monitor compliance with the Act 31 requirement to provide instruction about the American Indian tribes and bands in Wisconsin. Under the **bill**, DPI determines the number of school districts to audit each year. (The **bill** does not require an on-site audit.)

4. Requires DPI to **annually** report the results of those audits to the American Indian study committee.

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

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1999-00

2000-01

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20.255 Public instruction, department of

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(1) EDUCATIONAL LEADERSHIP

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(am) American Indian education pro-

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SECTION 2. 20.255 (1) (am) of the statutes is created to read:

7

20.255 (1) (am) American Indian education program. The amounts in the

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schedule to develop a curriculum under s. 115.28 (17) (d), to conduct educational

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conferences and projects under s. ~~115.28 (17) (e)~~ ^{115-29 (6)} to assist school boards in complying

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with s. 121.02 (1) (L) 4. and to audit such compliance under s. 121.02 (2) (b).

11

SECTION 3. ~~115.28 (17) (e)~~ ^{115-29 (6)} of the statutes is created to read:

12

^{115-29 (6)} ~~115.28 (17) (e)~~ **AMERICAN INDIAN LANGUAGE AND CULTURE. EDUCATION.** Conduct educational conferences and projects relating to

13

instruction in the history, culture and tribal sovereignty of the federally recognized

14

American Indian tribes and bands located in this state.

15

SECTION 4. 121.02 (2) of the statutes is renumbered 121.02 (2) (a).

16

SECTION 5. 121.02 (2) (b) of the statutes is created to read:

17

121.02 (2) (b) Annually, the department shall conduct audits of school districts

18

regarding compliance with the standard under sub. (1) (L) 4. The department shall

19

determine the number of school districts to audit each year. By July 30, 2001, and

20

annually thereafter by July 30, the department shall report the results of the audits

21

conducted in the previous school year to the American Indian study committee under

22

s. 13.83 (3).

23

SECTION 6. Nonstatutory provisions; public instruction.

1 (1) The authorized FTE positions for the department of public instruction are
2 increased by 3.0 GPR positions, to be funded from the appropriation under section
3 20.255 (1) (am) of the statutes, as created by this act, for the purposes of developing
4 a curriculum under section 115.28 (17) (d) of the statutes, assisting school districts
5 in complying with section 121.02 (1) (L) 4. of the statutes and conducting audits
6 under section 121.02 (2) (b) of the statutes, as created by this act.

7 **SECTION 7. Appropriation changes; public instruction.**

8 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
9 to the department of public instruction under section 20.255 (1) (a) of the statutes,
10 as affected by the acts of 1999, the dollar amount is decreased by \$111,800 for fiscal
11 year 2000-01 to decrease the authorized FTE positions for the department by 1.6
12 **GPR positions** for the purpose of complying with section-115.28 (17) (d) of the statutes
13 and assisting school boards in complying with section 121.02 (1) (L) 4. of the statutes
14 and to eliminate funding for services and supplies and educational conferences and
15 projects for the American Indian studies program.

16 **SECTION 8. Effective date.**

17 (1) This act takes effect on July 1, 2000.

18 **(END)**

MEMORANDUM

from JOYCE L. KIEL
Legislative Council Staff
(608) 266-3137

10/21/99

Peter,

Could you please re-draft this and have it
sent back to me as soon as possible. We are
finalizing our report to the Joint Legislative Council
which gets distributed next week, and this draft
is a part of it.

Thanks,

Joyce Kiel

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 0912811999

To: Legislative Council - JLC

Relating to LRB drafting number: LRB-3565

Topic

American Indian education program

Subject(s)

Education - state superintendent

1. **JACKET** the draft for introduction _____

in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies,

2. **REDRAFT.** See the changes indicated or attached George L. Kiel 10/21/99.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for-possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362

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1999 BILL

Refer

1 **AN ACT to renumber** 121.02 (2); and to create 20.255 (1) (am), 115.29 (6) and
2 121.02 (2) (b) of the statutes; **relating to:** education about American Indians
3 and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the PREFATORY NOTE provided by the joint legislative council.

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

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's American Indian study committee.

Background

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BILL

1989-90 and \$200,000 GPR in state fiscal year 1990-91 and authorized 3.0 full-time equivalent (FTE) positions in the department of public instruction (DPI). Act 31 also provided \$50,000 GPR in each of those years to DPI to conduct educational conferences on American Indian treaty rights. These amounts were included in DPI's appropriation for educational leadership-general program operations and were not a separate line item in DPI's budget.

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SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

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1999-00 2000-01

20.255 Public instruction, department of

(1) EDUCATIONAL LEADERSHIP

(am) American Indian education pro-
gram

GPR A -0- 250,000

SECTION 2. 20.255 (1) (am) of the statutes is created to read:

20.255 (1) (am) American Indian education program. The amounts in the schedule to develop a curriculum under s. 115.28 (17) (d), to conduct educational conferences and projects under s. 115.29 (6), to assist school boards in complying with s. 121.02 (1) (L) 4. and to audit such compliance under s. 121.02 (2) (b).

conferences

CS
programs, conferences and projects

SECTION 3. 115.29 (6) of the statutes is created to read:

115.29 (6) AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION Conduct educational conferences and projects relating to instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state.

SECTION 4. 121.02 (2) of the statutes is renumbered 121.02 (2) (a).

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121.02 (2) (b) Annually, the department shall conduct audits of school districts regarding compliance with the standard under sub. (1) (L) 4. The department shall determine the number of school districts to audit each year. By July 30, 2001, and annually thereafter by July 30, the department shall report the results of the audits conducted in the previous school year to the American Indian study committee under s. 13.83 (3).

SECTION 6. Nonstatutory provisions; public instruction.

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FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

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Date: 10/22/1999

To: Legislative Council - JLC

Relating to LRB drafting number: LB-3565

Topic

American Indian education program

Subject(s)

Education - state superintendent

1. **JACKET** the draft for introduction Joyce L. Niel, Legislative Council Staff 11 4 99
in the **Senate** or the **Assembly** (~~check~~ only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

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Telephone: (608) 267-3362